

WEST PAPUA: PAST, PRESENT, FUTURE

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December 1 “Merdeka”?: the Prospects for West Papuan Independence or autonomy in Wahid’s Indonesia

Dr Richard Chauvel*

*“Social change, even more so revolution, can’t happen merely with a pamphlet or raising the “Morning Star” Flag. Also a political speech can’t be expected to make the Papuan people and nation independent.”*¹ Tifa Irian

Expressions of the West Papuan desire for independence from Indonesia have been strong, widespread and have a history dating back into Dutch colonial times. The great challenge for West Papuan leaders has been one of organisation and mobilising support for the struggle against Indonesian control. *Tifa Irian’s* comments were made in reference to a political gathering outside Jayapura on 12 November 1999 that had been foreshadowed in the press as a demonstration of West Papuan demands for independence to match that of the Acehnese. Tens of thousands were expected, but only a few thousand materialised.²

Attendance at the gathering may have been less than hoped for, but there was no lack of clarity about the five demands made of the Jakarta Government:

The Indonesian Government must immediately:

- Recognise the independence of the West Papuan people, who have been annexed for 36 years and immediately return the right and sovereignty of the people and government of West Papua.
- Reject the results of the 1969 Act of Free Choice (Papera) that was engineered by the Indonesian Government and not in accordance

¹ *Tifa Irian*, (Jayapura) 15-22 November 1999, p. 6

² *AFP* (Jakarta), 12-11-99, quoted residents as saying about 3000 attended the demonstration. Jayapura’s police chief thought the number was more like 300.
www.KABAR-IRIAN.com. The *Jakarta Post*, 13-11-99, reported that a crowd of 10,000 attended.

with the principle of one man one vote, and request the United Nations to pressure the Indonesian Government to hold a referendum for the people of West Papua.

- Emphatically reject the partition of the province and the offer of regional autonomy.
- Urge Theys Eluay and other Papuan leaders, in West Papua and elsewhere, to work for the stationing of representatives of the UN, or other international organisations, in West Papua.
- Immediately arrange for the return of administrative responsibility from the Indonesian Government to the government of West Papua, under the supervision of the UN, in the period between 12 November 1999 and 1 May 2000.³

The gathering also issued a “Declaration” that called for the withdrawal of the Indonesian military and police from West Papua and for the “Morning Star” flag to be flown throughout West Papua on 1 December 1999 to mark the anniversary of the first occasion in 1961 when the flag was raised.⁴ 1 December 1961 is regarded by many contemporary West Papuan leaders as the date when the territory become independent and, hence the demand for independence is phrased in terms of the “return” of West Papuan sovereignty and independence. For example in the Political Statement handed to President Habibie by the Team of 100 on 26 February 1999: “We want independence in a political way, whatever the risk on our shoulders. We ask to return the political independence of December 1, 1961.... We only ask recognition again of that independence, we don’t demand new independence.”⁵

The 38th anniversary was marked in Jayapura with a flag raising of both the “Morning Star” and the

³ *Tifa Irian*, 15-22 November 1999, p. 6, “Penyataan Sikap Politik”, 12 November 1999

⁴ *Tifa Irian*, 15-22 November 1999, p. 6, “Deklarasi”, signed by Theys Hiyo Eluay, Drs. Ramimar, M. Kambu, Yorisy Raweyai, M.Y. Tanawani, M. Sayori, Yoboisembut and Rumbiapuk.

⁵ As cited in *Kompas*, 27-2-99

Merah-Putih (the Indonesian national flag) in the same place as in 1961, outside the building that housed the Dutch-established *Dewan Papua* (New Guinea Council), ironically opposite the Merdeka Square, where Indonesia built a monument to those lost in a naval encounter against the Dutch in January 1962. The flag raising took place in Jayapura with little or no Indonesian military presence.⁶ Theys Eluay described the absence of military intervention as a “miracle”. He explained that both the Indonesian and Papuan flags had been raised to demonstrate that “we are acting peacefully”⁷

West Papuan politics are in a state of flux in the wake of Indonesia’s economic turmoil and political transformation. As elsewhere in Indonesia where there are separatist movements and strong regional identities, political activity among West Papuans seeking independence from Indonesia has been revitalised. Not since the Dutch left in 1962 has there been such a prospect of West Papuans realising their national aspirations. Yet, the opportunities created by a greatly weakened government in Jakarta are not without challenges and dangers, nor without ambiguous responses from West Papuans. Recent editions of *Tifa Irian* give something of the flavour of the complex and ambiguous political circumstances. The Catholic weekly has carried numerous forthright articles advocating independence, but since Wahid’s Cabinet was announced, it has been full of advertisements, including one from PT Freeport

Indonesia, congratulating the Governor, Rear Admiral Freddy Numberi, on his appointment as a Minister. Numberi is the first Irianese to be appointed to Cabinet since the territory’s incorporation in Indonesia in 1963.⁸

The area of most significant change in post-Soeharto Indonesian politics in its impact on Papuan politics has been that of centre – periphery relations. Understanding the dynamics of this change is crucial to any assessment of the West Papuan people’s prospects of resting greater autonomy from Jakarta or securing independence. The Government in Jakarta has suffered a significant loss of absolute power and control of resources as a consequence of the economic crisis. To make a crude generalisation, the economic crisis has impacted on Jakarta and Java more severely than it has on many of the outer islands, most notably the resource rich export revenue earning provinces like Irian Jaya. Soeharto was most effective in the way he won the support of many in regional elites through the judicious allocation of business opportunities and official appointments. Habibie and Wahid have not had the resources to follow their predecessor’s example.

Soeharto dominated decision making. Under Habibie and Wahid power has been much more diffuse. During the East Timor crisis it has been difficult to identify who, if anybody, has been in control within the Jakarta Government. The relative balance of power between Jakarta and the provinces, particularly the rebellious ones, has changed in favour of the latter. This shift has been achieved by the disintegration of central authority rather than the increased power, improved organisation or greater support for the main separatist organisations. This seems particularly to be the case in West Papua.

The remarkable, if sometimes halting and uneven, process of democratisation and the transformation of the Indonesian media has provided a supportive environment for the assertion of provincial interests

⁶ Asia-Pacific, ABC Radio National, 1-12-99. The Resident of Hollandia (Jayapura) reported that the first raising of the flag took place in the presence of the Governor, senior officials, members of the *Dewan Papua* and political party leaders. Bestuursverslag van de Resident van Hollandia over de Maanden november en december 1961, Nieuw Guinea Archief, Dossier G 16725, General State Archives, The Hague.

⁷ Mark Worth, “Banner day for strife-torn province”, *The Australian*, 2-12-99; *The Jakarta Post*, 2-12-99, noted that: “Police and soldiers, who in the past have shot West Papuans for raising the flag which symbolises the separatist cause, showed greater restraint.”

⁸ See for example *Tifa Irian*, 1-5 November 1999

and identities. For the first time since the 1950s the 'local' has become important in national politics. While much of the energy of the *reformasi* movement has been focused on the democratisation of national politics, the 'local', ethnic and religious have been discussed with an openness unimaginable a couple of years ago. *Tifa Irian's* open promotion of West Papuan national aspirations is a good example of this transformation.

The struggle against Jakarta's control in East Timor, Aceh and West Papua have received varying degrees of media coverage in Indonesia and overseas. Outside these provinces with well-established separatist movements there has been strong assertions of regional sentiments. Resource-rich Kalimantan and Riau are examples of regions with little significant history of dissent, but since the economic crisis and the fall of Soeharto are demanding greater control over their affairs and resources. In October students in Makassar revived the long dormant idea of an independent state of Eastern Indonesia.⁹ Presumably, West Papua would be part of such a state.

In West Papua in early July 1998 the fall of Soeharto was celebrated with demonstrations in Jayapura, Sorong, Wamena and Biak demanding independence from Indonesia. In Biak the demonstrators occupied the district around the harbour for three days before the TNI cleared them out, killed some and pulled down the "Morning Star" Flag.¹⁰

The diplomatic strategy and the threat of partition

Flag raising and demonstrations followed by suppression had long been the pattern of Papuan protest and Indonesian response in urban areas of

West Papua. President Habibie's offer of autonomy or independence to East Timor seemed to suggest that there was more flexibility in Jakarta's policy and that other strategies were possible. A delegation of Papuan leaders – the Team of 100 – met with Habibie on 26 February 1999. The meeting marked the beginning of what has been termed a "National Dialogue" to supplement or replace urban protests and the OPM's intermittent guerilla struggle. As noted above, the "Team of 100" demanded independence and the formation of a transitional administration under UN supervision.¹¹ Habibie urged them to reconsider their demand of independence, and the West Papuans are still awaiting a formal response from Jakarta. In the context of East Timor's turbulent struggle in May Habibie stated that Irian Jaya was an integral part of Indonesia and that any attempt to separate would be met by the full force of a united Indonesia. The separation of any region of Indonesia was not possible, except for East Timor. The fate of East Timor was under discussion with the United Nations and would be determined by the new Parliament.¹² To further contain the forces for disintegration in Irian Jaya and elsewhere, just prior to the elections the old Soeharto-era Parliament (DPR) enacted legislation for greater regional autonomy and a more equitable share of revenue between Jakarta and the provinces.

Indonesia's economic and political turmoil created new opportunities for West Papuan national aspirations, but there were also dangers. In May, Habibie announced that after the June 1999 elections the province would be divided into three.¹³

Habibie's threat to divide Irian Jaya into three provinces strikes at the heart of West Papuan nationalism. The central dynamic of nationalism, as it emerged during the last decade and a half of Netherlands New Guinea, had been to forge a sense

⁹ "Seruan Merdeka Indonesia Timur", Makassar, 21 Oktober 1999, <http://www.egroups.com/group/moluccas>. The idea of an independent state of Eastern Indonesia has not had much currency since the suppression of Andi Azis Affair in Makassar in April 1950. See Richard Chauvel, *Nationalists, Soldiers and Separatists: The Ambonese Islands from Colonialism to Revolt*, KITLV Press, Leiden, 1990.

¹⁰ *Republika*, 12 Oct 1998

¹¹ *Kompas*, 27-2-99

¹² *Jakarta Post* 5-5-99; *Kompas*, 4-5-99

¹³ *Suara Pembaruan*, 5-5-99

of common identity from the mosaic of small and disparate societies. That process was far from complete when Indonesia assumed administrative control in 1963. The strength of the identity forged can be seen by the continued use of the national symbols created then, especially the West Papuan flag. The political discourse is conducted in terms of a West Papuan identity, not of its territorial components. The Papuan response to partition has not been uniform, but the provincial parliament (DPRD I) and Papuan members of the newly elected national parliament (DPR/MPR-RI) have opposed it. One PDI Perjuangan MP, Drs Lukas Karl Degey, argued that implementation of the legislation for more equitable allocation of revenue between Jakarta and Irian Jaya would facilitate development more effectively than partition.¹⁴

The “loss” of East Timor

The “loss” of East Timor has heightened concern among the Jakarta elite, especially the military, about the further disintegration of Indonesia. It would seem that his handling of the East Timor crisis was one of the factors that doomed Habibie’s chances of re-election as President. Wahid was chosen in Habibie’s stead, in part because he was thought capable of drawing the line in the sand after East Timor. The composition of Wahid’s Cabinet of National Unity reflects his inclusive intent. As noted above, his Ministers include an Irianese as well as Acehnese and other outer islanders.

Historian Anhar Gonggong identified two principal challenges for the Wahid-Mbak Mega Cabinet: firstly, the threat of disintegration of the nation and the state and, secondly, the destruction of the country’s economic structure. These two factors were interrelated.¹⁵ Immediately upon his election, Wahid himself has identified national disintegration as a high priority, taking upon himself the task of solving Aceh and delegating to his Vice-President the responsibility for Irian Jaya and Maluku. Although the President’s subsequent handling of

Aceh has been less than clear and Wahid has been cautioned by his own Defence Minister and military spokesmen,¹⁶ it has been the first time in recent decades that the Jakarta government has talked about political solutions for regional problems, rather than simply the application of military force.

While the magnitude of this transformation in Jakarta politics should not be underestimated, some Papuans were cynical about the new Government’s commitment to resolve the Aceh and Irian Jaya issues. One commentator asked whether “...this meant that Papua was under some special supervision. Or was it merely a matter of some technical consideration, Wahid as a Kiyai is more suited to clean up the bloody mess in Aceh, while ‘Megawati Cendrawasih’, the daughter of Soekarno, is more appropriate to be delegated to the ‘Promised Land’ that was seized on the orders of her father.”¹⁷

Any assessment of the prospects of greater autonomy for Aceh and Irian Jaya within Indonesia or the separation of these provinces from Indonesia must start from the proposition that Aceh and Irian Jaya are different from, more difficult and more important for, the viability and maintenance of the Indonesian nation state than East Timor. This is partly a matter of colonial history. Aceh and Irian Jaya were part of the Netherlands Indies, East Timor never was. Aceh and Irian Jaya are also integral parts of Indonesia’s national history. Aceh was the only region that remained under Indonesian control for the entire struggle against the Dutch, 1945-1949. Because of their 30 year-long struggle against the Dutch, the Acehnese constitute a disproportionate share of Indonesia’s national heroes. Indonesia struggled for twelve years to “regain” control of Irian Jaya. The struggle for Irian Jaya was such a passionate nationalist campaign, inspired by Megawati’s father, precisely because West Papua was ethnically and culturally different from most of the rest of Indonesia. To regain Irian Jaya was to demonstrate that Indonesia was not

¹⁴ *Suara Pembaruan*, 18-10-99

¹⁵ Anhar Gonggong, “Kabinet Baru: Kinerja dan Waktu”, *Suara Pembaruan*, 1-11-99

¹⁶ *The Age*, 24-11-99

¹⁷ Thaha Moh Alhamid, “Tanah Papua di tangan Megawati”, *Tifa Irian*, 15-22 November 1999

based on a concept of common cultural, ethnic, religious or historical heritage. Rather Indonesia was formed from a common colonial experience and a common struggle against the Dutch. For Indonesian nationalists there is no fall back position. There is no nationalist rationale for a lesser Indonesia – minus Aceh, West Papua, Manado, West Timor, Ambon...

It is not insignificant that both Irian Jaya and Aceh are among Indonesia's resource rich provinces.

The lessons West Papuans read into Indonesia's "loss" of East Timor were different from those in Jakarta. The experience of East Timor has long been of interest. At one of the many West Papuan demonstrations in Hollandia (Jayapura) in 1962 at time of the negotiations of the New York Agreement there was a banner: "RI: Warum niet Oost Timor?", meaning Indonesia why don't you take East Timor instead of us. The "loss" of East Timor has been read as a failure of Indonesian colonialism and the discrediting of the concepts of Unity in Diversity and idea of Indonesia as an archipelagic state. In the opinion of one Papuan commentator, if East Timor, which is much closer to western Indonesia geographically, historically, culturally and ethnically, could free itself from the idea of Unity in Diversity and become a sovereign nation (*bangsa yang berdaulat*) rather than an ethnic group (*suku bangsa*), why not West Papua?¹⁸

There is also the sense that West Papua already has its independence. West Papua is merely asking Indonesia to respect it and return its sovereignty. Indeed, it is argued, that Soekarno himself recognised West Papuan sovereignty when he gave his famous (infamous?) *Trikora* speech on 19 December 1961. His first command to his armed forces was to destroy the Dutch-created puppet state of West Papua.¹⁹

How can West Papuan national aspirations be advanced?

The West Papuan members of the newly elected Parliament (MPR/DPR) have continued the diplomatic strategy of a "National Dialogue" with Jakarta. The MPR's formulation of the broad outlines of national policy for the Wahid-Mega Cabinet has been the opportunity for the MPs to repeat West Papua's demands for independence. However, in the Jayapura press the MPs have been sharply criticised for being less assertive than their Acehese colleagues.²⁰

The best that either the West Papuans or the Acehese have been offered is some, still ill-defined, special autonomy. To what extent this is acceptable is a matter of on-going debate. It appears that some of the MPs, church leaders and academics are prepared to contemplate the offer of autonomy. However, some of the most prominent leaders, Thom Beanal and Theys Hiyo Eluay, have rejected autonomy or a federal state. Thom Beanal argued that "We Papuans don't need autonomy. What we need is full independence. We will give autonomy to the provinces within a West Papuan state. Papuans do not ask for autonomy and we cannot imagine what sort of autonomy that might be. I myself am confused about this special autonomy. What sort of animal is it?"²¹

When West Papua was a focus of international conflict in the 1960s the international environment was very hostile to the realisation of the right of self-determination for West Papuans. The dynamics of the Cold War meant that the United States gave much higher priority to its relations with the Government in Jakarta, with the objective of keeping Indonesia out of the Soviet Bloc, than to the interests of a distant, small and isolated territory. Australia also had an interest in keeping Soekarno's Indonesia non-communist. Sir Garfield Barwick's

¹⁸ Sanggenefa Max, "Menyongsong Kemerdekaan Papua Barat", *Tifa Irian*, 1-5 November 1999

¹⁹ "Rakyat Minta Kebalikan Kedaulatan", *Tifa Irian*, 1-5 November 1999

²⁰ "Kemerdekaan Papua Barat, Terbuka Lebar", *Tifa Irian*, 1-5 November 1999

²¹ "Otonomi Khusus Itu Binatang Apa Eeee", *Tifa Irian*, 1-5 November 1999

reversal of Australian support of Netherlands sovereignty in West Papua was also argued on the proposition that it was not in Australia's interest to support the right of self-determination for a state – West Papua – that he regarded as unviable economically, politically and militarily. An independent West Papua, in Sir Garfield's view, would not be able to survive the animosity of Indonesia. The Cold War is no longer an important factor in Southeast Asia, however the "Barwick Doctrine" is still alive and well in Canberra as Alexander Downer's response to a question at the National Press Club on 1 December suggests. Downer stated that:

...the last thing we'd want to see is the Balkanisation of Indonesia. I mean the Balkanisation of the Balkans has been enormously painful and the East Timor exercise has been, whilst in my view necessary, nevertheless painful, but to see other parts of the country breaking up and breaking off I think would be very destabilising for the region as a whole, and I think that would be a view pretty much reflected right around the international community. It is, I'd put it to you this way. In Irian Jaya and especially in Aceh, it is a very great challenge for the Indonesian Government to find a way through which guarantees a peaceful settlement in those places and other parts of the country, yet, you know, it is a very great challenge. They're working at it.²²

The right of self-determination, as a strategy for raising international awareness about West Papua may be useful. The 1969 Act of Free Choice was such an obvious facade and travesty of justice that it can be the base of a strong moral argument and one in which the UN's own responsibility can be invoked. Nevertheless, however powerful the moral argument might seem, the international environment in the new millennium may not be much more

sympathetic than that which produced the New York Agreement and the Act of Free Choice.

Human rights, and the Indonesian transgressions thereof, are an important part of Papuan political discourse. It is one of the potentially most effective channels of communication with Indonesians. Articulating West Papuan aspirations in human rights terms is an effective way of raising awareness of the issue in some sections of the Indonesian *reformasi* movement and thereby diluting some of the Indonesian nationalist response to the assertion of Papuan demands for independence. Timor and Aceh have heightened sensitivity on military abuses and can be used to develop an understanding of Papuan interests in the more liberal and internationalist sections of the Indonesian elite.

For the reasons discussed above, it would be unwise to underestimate the importance of Irian Jaya and Aceh in the survival of the Indonesian nation state.

Indonesian offers of special autonomy have received a mixed reception from West Papuan leaders and have been rejected by some of the most prominent. There are very real problems of credibility. However, given the difficulties confronting a successful campaign for independence, greater autonomy within the Indonesian state may provide a more favourable political and administrative environment to push for independence than the present arrangements. If autonomy has no substance that will provide further evidence in support of independence as the only viable alternative. Independence would remain the objective, but it would be part of a dual strategy of making use of whatever autonomy can be squeezed out of Jakarta while continuing to work for independence.

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²² "Australia at Year's End - Retrospect and Prospect - Questions and Answers", Alexander Downer MP, Minister for Foreign Affairs at the National Press Club, Canberra, 1 December 1999, www.dfat.gov.au

Human Rights in West Papua

Rex Rumakiek

“During my whole stay in West Irian, I never met a single family which had not lost at least one member because of torture or other acts of violence by the Indonesians. In my opinion, and based on my own experience, the Indonesians are bringing not development, but systematic extermination.”

Theodore Frey, 1988

Introduction

West Papua is the western half of the island of New Guinea. Under the Dutch it was known as Nederlands Nieuw Guinea and was called West Irian when Indonesia annexed it in 1963. When its mineral rich potential was established in 1973 with the opening of Freeport gold and copper mine, Suharto baptised it with the current name Irian Jaya, which means glorious Irian. Our people share the same cultural identity with the people of Papua New Guinea and the other Melanesian islands to the East. The Melanesian population of West Papua is just over 1.2 million. But increased colonisation called transmigrasi and genocide in the past 35 years is rapidly changing the demographic composition of the country. In the not too distant future we will become a minority on our own land.

The following material has been prepared to give a general picture of the extent of human rights violations in West Papua. The cases provided are too few and some of them may lack supporting evidence but they also give an understanding of the kind of life the West Papuan people have endured under Indonesia. It was only after Suharto was forced out of office in May 1998 that the Churches and NGOs began to record abuses in the country but it will take time and research to have more accurate data on abuses in the society during 35 years of subjugation. However, existing reports on abuses give a credible insight into the cruel system that existed in West Papua.

The preamble of the Universal declaration of Human Rights (December 10, 1948) states clearly that, ‘Recognition of the inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world.’ While it is assumed that all members will abide by this declaration it sets out a warning in its last article (No 30), ‘Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.’ Perhaps it was also assumed that all modern states are governed by the rule of law enshrined in a national constitution with the responsibility to protect their citizens and to govern for their common good.

Unfortunately, in West Papua the opposite has been the experience. Our people never had the protection of the Indonesian state or the luxury of being treated as equal citizens. Instead for over 35 years our people have been condemned to acts of terror and annihilation by the state. All these violations were directed primarily to force our people to accept integration. It failed, but the whole policy became a permanent activity of collective eradication or ethnic cleansing designed through transmigration to alter the demographic balance in West Papua in favour of the Coloniser.

Background

The tragedy of West Papua began in 1962 when Indonesia claimed it because it formed part of the Dutch East Indies which is now the Republic of Indonesia. But the Dutch disagreed, claiming that the Papuan people are ethnically different and should be afforded the same sovereign right as the Indonesians. After the Dutch granted Indonesia its independence in 1949, it also made efforts to decolonise West Papua. But Indonesia continued to pursue its claim over the territory. All its attempts at the United Nations failed. No one seemed willing to entertain colonial mandates of the 19th century in an era of decolonisation. Furthermore, the Japanese occupation during the Second World War had forever decimated the Dutch Empire in South East Asia. But most importantly, West Papua was

liberated from Japan by the Allied forces in April 1944 long before Indonesia proclaimed its independence. It remained a non self-governing territory and by 1960, it was already in the process of decolonisation. This status however, was conditionally abrogated by the New York Agreement in 1962.

By 1960 the Dutch decided to speed up the process of decolonisation of West Papua by the election of what was known as the New Guinea Council that could have become a Parliament if the Dutch remained. The election encouraged popular participation and the establishment of more political parties such as the People's democratic Party (DVP, 1957) and the National Party (PARNA, 1960). Indonesia objected very strongly to the Dutch plan and committed itself to invade the territory in an attempt to stop the creation of a West Papuan state. The Indonesian resolve was fully supported by the former Soviet Union and Communist China. The Dutch were also equally determined to defend West Papua making a break out of war a real possibility. Indonesia increased its armed infiltrators to engage the Dutch forces in West Papua. But the first real attempt of landing by a flotilla of fast patrol boats was repelled when the Royal Dutch Navy sank the commanding patrol boat killing the Commander, Commodore Jos Soedarso.

To prevent this risky war that could have expanded the conflict in Vietnam right into the Pacific, the United States intervened by persuading the Dutch to soften its position in order to allow for a negotiated settlement. In his confidential letter to the Dutch Prime Minister Dr J De Quay, President John F Kennedy wrote, '...such a conflict would have adverse consequences out of all proportion to the issue at stake. This would be a war in which neither the Netherlands nor the West could win in any real sense. Whatever the outcome of particular military encounters, the entire free world position in Asia would be seriously damaged. Only the Communists would benefit from such a conflict.' Consequently, West Papua was sold down the drain so that the rest

of the Pacific people could preserve the freedom and democracy that they all enjoy today.

On the 15th of August 1962, Indonesia and the Netherlands signed a US mediated New York Agreement for the transfer of control over West Papua to Indonesia. The Indonesian control was only temporary pending a referendum in 1969 where the Papuan people would decide whether they should become part of Indonesia or separate themselves from it meaning, independence. In 1969, instead of a referendum to allow for the 800 000 West Papuans to cast their votes, Indonesia conducted a consultation with 1025 carefully selected delegates. Absurdly they called this an 'act of free choice'. The military government of Soeharto made it abundantly clear that the exercise was only to confirm Indonesia's sovereignty over the territory. Our people called this fraudulent exercise an 'act of no choice'. The hand picked, screened and even terrorised 1025 people decided that West Papua should become part of Indonesia. This is what one of the electors, a highly respected Church leader had to say when interviewed by Dutch Journalist, Link van Bruggen: "The man who totally destroyed my self-respect was Brigadier General Ali Murtopo, publicly acknowledged as being the chief brainwasher. For two hours, this special envoy of President Suharto spoke to us. He began by pointing out that Indonesia as the strongest military power in South East Asia, is able to strike fear into any country. Jakarta was not interested in us as Papuans, but in West Irian. If we want to be independent, he said, laughing scornfully, we had better ask god if he could create an island in the Pacific for us to immigrate there. We could also write to the Americans. They had already set foot on the moon and perhaps they would be good enough to find a place for us there. This was not all. General Murtopo impressed upon us that 115 million Indonesians had fought for West Irian for years. They had made many sacrifices in this struggle, and they would not therefore allow their national aspirations to be crossed by a handful of Papuans. Short shrift would be made of those who voted against Indonesia. Their accursed tongues would be torn out, their evil mouths

wretched open. Upon them would fall the vengeance of the Indonesian people, among them General Murtopo who would himself shoot the Papuans on the spot.”

Despite all the evidence of gross human rights violations and non compliance with the New York Agreement as reported also by Dr Ortiz Sanz, the UN Secretary General’s Envoy, the Secretary General himself did not make a specific representation on behalf of the Papuan people. The Secretary General failed to uphold the integrity of his office by participating in a fraudulent exercise of self-determination. The UN General Assembly accepted a resolution by Indonesia and the Netherlands to end their conflict but our peoples right to self-determination was not given any consideration. The same as the Secretary General, the Netherlands, also failed our people by not defending the New York agreement it signed or insisting on the proper conduct of the act of self-determination. The 1969 so called ‘act of free choice’ was a sham from start to end. It was a clear travesty of natural justice to the 800 000 people of West Papua and a blot on the record of the UN Secretary General. The irregularities of the process were questioned by 20 African countries led by Ghana. They were not convinced that the West Papuan people had exercised their right of self-determination. Quoting the Indonesian report, they argued that if indeed the Papuan people were so primitive as reported by Indonesia, then the ‘act of free choice’ was not the solution but what should have been provided was accelerated development leading to a genuine act of self-determination, to be organised by the United Nations. Before West Papua, the apartheid regime of South Africa conducted a similar sham act of self-determination where representatives of South West Africa, now Namibia, decided in a similar fraudulent conduct that they wanted to be part of South Africa. The United Nations rejected that sham act of self-determination.

Our people never accepted the conduct and the result of the 1969 ‘act of free choice.’ On July 1, 1971 the West Papuan national liberation movement

the OPM (Organisasi Papua Merdeka or the Free Papua Movement) denounced the ‘act of free choice’ and pledged to resist the Indonesian occupation. That stand still remains today.

Patterns of human rights violations

Human rights violations in West Papua were planned and carried out by the military as an official policy to reverse the process of decolonisation that was already under way by 1960. The priority of this policy since occupation in 1963 was directed at the removal of the educated elites, politicians and democratic institutions created when the Dutch prepared the Papuan people for independence. By way of Presidential Decree (No 8, 1963) the government banned all political parties and removed all the freedoms and rights including freedom of assembly or freedom to organise. This was done in complete disregard for the New York Agreement which protects all these rights and freedoms. The destruction of democratic institutions and the removal of elected leaders was then extended to include the whole society which added a new element which is collective elimination of dissent. All the violations were conducted officially by the security forces under a mandate by Presidential Decree No 11, 1963, known as the Anti Subversion Act. The recorded patterns of violations include intimidation, detention without trial, torture, rape, destruction of property including churches, summary executions including mutilation, disappearance, aerial bombardment, sterilisation and institutional discrimination. There is much evidence of the security forces attempting to conceal their crimes by burning the bodies, disfiguring them, hiding them, chopping them up or dumping them at sea. Prominent leaders either disappear without a trace or go to a military hospital for a minor complaint and return home in a coffin. These seem to suggest that all the crimes committed by the security forces are carefully planned and executed. The only evidence which ever came to light about this genocide activity was contained in a secret instruction by the Chief of Intelligence in West Papua, Dr Soedjoko which stated in part, “the executions must be carried out in complete secrecy. For every case, a strict precaution must be taken not

to arouse suspicions among the people.” (Algemene Dagblad, February 6, 1967). However, there were also instances where public execution was applied as an example for those who dared to resist the Indonesian Government.

Human rights violations in West Papua under Soeharto was widespread but the information is not shared because of the fear of retribution. The strict control of the media maintained a complete blanket of silence and made the whole saga of human misery disguised in peoples smiles as serene or even innocent. You have to actually live in the country for some time in order to gain an understanding of the real life of the people. Such was the experience of Missionary Pilot, Theodore Fray when he stated (1988): “During my whole stay in West Irian/West Papua, I never met a single family which had not lost at least one member because of torture or other acts of violence by the Indonesians. In my opinion, and based on my own experience ... the Indonesians are bringing not development, but systematic extermination.”

Under President Habibie, restrictions were lifted allowing the NGOs and Churches to record abuses and at the same time educate the public about human rights and citizens responsibilities in a civil society. Before 1998, reports did come out from time to time but confirmation could not be made or was very slow for fear of endangering those in the country.

Reporting on Indonesia in 1991, Amnesty International (AI) stated:

There are currently about 130 political prisoners from Irian Jaya serving sentences up to life imprisonment, the majority of whom were convicted under Indonesia's sweeping Anti-Subversion Law of 1963. Amnesty International believes that at least 80 of these may be prisoners of conscience ... people imprisoned for their non violent political activities or beliefs. They included 37 people sentenced to prison terms of up to 20 years for their involvement in a peaceful flag-raising ceremony in December 1988 flag-raising one year later. One of those imprisoned was a police officer accused of distributing copies of a

patriotic song to high-school students; he was sentenced to 13 years jail. Four others, who had sought asylum at the Papua New Guinean Consulate a few weeks before their arrest, were sentenced to terms of between 6 and 12 years. (AI 1991)

On August 3, 1995, Catholic Bishop Mgr H M Munninghoff of Jayapura disclosed a report on atrocities committed by the military against land owners of the Freeport copper and gold mine area in the Timika Sub-District of Fak Fak. This is a new development, because in West Papua, it has been an established fact that NGOs never go public on such matters involving the military. Acting on their behalf, ACFOA (the Australian Council For Overseas Aid) disclosed the full details of the report which revealed a systematic campaign of terror against the traditional land owners. The report attracted official response from both the Australian and the Indonesian governments. Investigations by Indonesia's Human Rights Commission and visits by the Australian Ambassador confirmed the existence of the atrocities, involving 22 people massacred and another four disappeared, feared dead. If it was not for the Bishop's report and support by ACFOA the whole incident could have been ignored or regarded as OPM propaganda (like many other cases before Timika).

In 1996 a number of European and Indonesian hostages were taken by OPM guerillas under the leadership of Kelly Kwalik, demanding negotiation on the issue of self-determination.

At Kelly Kwalik's request, the International Committee of the Red Cross assisted in negotiations, but instead of arranging direct negotiations with governments, the ICRC took on the negotiations themselves. This led to a deadlock closely followed by a shooting of villagers from a helicopter marked with the Red Cross symbol.

The recent ABC documentary, *Blood on the Cross* implies that the ICRC was negligent in this situation and reveals that British and South African mercenaries may have been involved in the hostage

crisis and massacre. It also revealed to the world the bloodshed which the people of West Papua endured.

When Suharto was forced out of office in May 1998, many people hoped that things would change for the better. But in West Papua the killing continued. In July 1998, inspired by the changes in Jakarta, young people in several towns and districts raised the West Papuan national flag, the Morning Star. Their demand was nothing less than independence. The military responded ruthlessly causing many deaths.

Which way forward?

Amid all the expectations and hopes for a democratic Indonesia after Suharto, the local Churches have added their voices to a chorus of pleas by many organisations including the World Council of Churches and a number of US Congressmen for justice to the West Papuan people. President Habibie responded by inviting 100 West Papuan leaders for a dialogue on 26th February 1999. President Habibie wanted to hear direct from these leaders the aspirations and the wishes of the Papuan people.

With his senior Ministers including the Defence Force Commander General Wiranto in attendance, they told him that “the Papuan people have suffered for 35 years, they can not take it any more, they want their independence.” Astonished, Habibie put aside the speech he had prepared for the meeting. He told the 100 representatives “to ponder the issue again well.” Back in West Papua, with the assistance of the Churches they conducted Seminars and meetings throughout the country where the issues of independence and autonomy were discussed. On 23 and 24 July 1999, representatives from the whole country came together in the capital, Jayapura, and concluded the 5 months consultation as requested by the President. The conclusion was the same, “there are no other alternatives to independence.” In a public statement before leaving for Jakarta they stated, “we want to leave the Republic of Indonesia and create our own,” meaning an independent state of West Papua. By the second week of August, there was still no confirmation

from the President’s office for a meeting. The only reason given was that the President was too preoccupied with the problem of East Timor. Nevertheless it is public knowledge that the West Papuan people would not ask for anything less than independence. How President Habibie or his successor would proceed on this issue is up to Jakarta. As a West Papuan leader put it, “the ball is in their corner.”

Considering the involvement of other countries in the process that facilitated the take over of West Papua, one cannot entirely put the blame on Indonesia alone. The whole human tragedy in West Papua was in effect permitted to take place by a number of countries, namely, the United States, Australia, the Netherlands and of course the office of the UN Secretary General. It is the responsibility of these countries and the office of the UN Secretary General to rectify their policies towards West Papua. Thirty-five years of subjugation did not change Papuans into Indonesians; and the issue will not go away.

Rex Rumakiek is a well-known West Papuan activist based in Sydney. He observed the ‘Act of Free Choice’ in 1969 and was subsequently forced into exile in Vanuatu. He attended the WCC assembly in Zimbabwe in December 1998 and the Hague Peace Conference this year.

West Papua After East Timor: The Options

Professor Sam Blay

The West Papua issue is "*a matter of grave international concern [which] if not rectified would throw doubt on the integrity of the United Nations and its Committee on decolonisation especially in its dealings with the remaining list of colonised territories*". Melanesian Council of Churches Statement of Concern to the UN Decolonisation Committee, Port Moresby (1985)

Background to the West

Recent events in East Timor and the continuing tensions in the Indonesian provinces of Maluku and Aceh have highlighted some of the difficulties and dangers associated with the failure of central authorities to take account of popular expressions for self determination. What is remarkable about these developments is the deafening silence on West Papua. For all practical purposes, West Papua is the forgotten East Timor

West Papua is the oldest self-determination issue in Indonesia since independence. During decolonisation negotiations in 1949, the Dutch did not hand over this part of the former Netherlands East Indies to what is now the Republic of Indonesia. Between 1949 and 1962, the question of sovereignty over West Papua became a critical issue in Dutch-Indonesian relations. Indonesia demanded sovereignty over West Papua on two grounds:

- that it succeeded to Dutch sovereignty over the whole of the Netherlands East Indies, including West Papua;
- that there were historical ties between the rest of Indonesia and West Papua before the colonial era that warranted the integration of the territory with the rest of Indonesia

In 1962, Indonesia and the Netherlands reached agreement over West Papua under what came to be called the New York Agreement. The Netherlands

transferred sovereignty over West Papua to Indonesia, with an interim administration by the United Nations Temporary Executive Authority (UNTEA). UNTEA administered West Papua from October 1962 to May 1963, when Indonesia assumed total control and responsibility.

Indonesian sovereignty over West Papua was to be tentative. Under Article XVIII of the agreement, Indonesia undertook to 'make arrangements with the assistance and participation of the United Nations Representative and his staff, to give the people of the territory the opportunity to exercise freedom of choice' to determine whether they wanted to remain part of Indonesia or to form an independent state. This consultation, the Act of Free Choice, took place in July 1969.

Right from the outset, considerable sections of the West Papuan population opposed the incorporation. Activists formed the *Organisasi Papua Merdeka* (OPM) in 1970. The movement aimed at independence for West Papua by way of armed struggle. In July 1972, the OPM enacted a provisional constitution and declared West Papua a republic. While an independent West Papua is far from being a reality, the seeds of separatist activism started by the OPM continues today.

The demands

The principal claim of West Papuan separatists is that the 1969 consultation process was not properly conducted and was therefore not valid. West Papuans demand the conduct of fresh consultations, as was the case in East Timor. Central to the demands is the plea for the United Nations Decolonisation Committee to re-list West Papua as a colonial territory or at very least, to investigate the conduct of the 1969 Act of Free Choice.

OPM organisations argue that a consultation is now more urgent than ever because of continuous and increasingly gross human rights violations by Indonesia, and because Indonesia has attempted to change the population balance in West Papua through the transmigration of 'mainland' Indonesians. A series of petitions to the UN on

these human rights violations, and pleas for the UN Decolonisation Committee have all so far failed.

The OPM, which once provided the vanguard for West Papuan rights, is now fragmented. Too poorly armed to mount any credible guerilla campaign and with no effective strategy, it relies mostly on non-governmental organisations. It lacks any real political support even in the South Pacific. In spite of these difficulties, the events in East Timor and the current focus on self-determination in Indonesia provide some optimism for West Papua's future. International political support is crucial to what happens to the future of West Papua. However such international support would in part depend on the legal merits of their claims in international law.

The legal merits

As a rule, self-determination can be exercised in one of the following three ways:
the establishment of an independent state;
the association of the beneficiary territory with an existing state;
or the integration of the beneficiary territory into an existing state.

Whatever the choice, democratic consultations are the necessary precondition for a valid exercise of the right.

The 1969 consultations indicated that West Papuans opted for integration, but the issue is whether the option was validly exercised.

To the extent that self-determination by integration allows an existing state to absorb a beneficiary territory, the United Nations' rules on integration are quite strict. For a valid exercise of self-determination by integration, two essential conditions must be satisfied:

- the integrated territory should have attained an advanced stage of self-government with free political institutions, so that its people would have the capacity to make a responsible choice through informed and democratic processes;
- the integration should be the result of the freely expressed wishes of the territory's peoples

acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, conducted impartially and based on universal adult suffrage.

It is very doubtful whether the West Papuan integration in 1969 met these conditions. Before the Act of Free Choice, Indonesian authorities had made it quite clear that the consultations were only to be a formality. Indonesia indeed indicated that it was 'going through the motions of the act of free choice because of [its] obligations under the New York Agreement... But West [Papua] is Indonesian and must remain Indonesian. [Indonesia] cannot accept any alternative'. From the Indonesian point of view, the outcome of any consultation was irrelevant - integration was a foregone conclusion.

Under the New York Agreement, Indonesia and the Netherlands agreed that:

Indonesia will make arrangements with the assistance and participation of the Representative of the United Nations Secretary General and his staff, to give to the people of the territory (West Papua) the opportunity to exercise freedom of choice. Such arrangements will include:

Consultations (Musyawarah) with the representative Councils on procedures and appropriate methods to be followed for ascertaining the freely expressed will of the population. The determination of the actual date of the exercise of free choice. Formulation of the questions in such a way as to permit the inhabitants to decide (i) whether they wish to remain with Indonesia:(ii) whether they wish to sever their ties with Indonesia.(emphasis added)

The eligibility of all adults, male and female, not foreign nationals, to participate in the act of self-determination to be carried out in accordance with international practice.

When the time came for a decision on the method to be used, the representative of the UN Secretary General in West Papua suggested that the 'democratic, orthodox and universally accepted "one-man-one-vote" method would be most appropriate'. However, he qualified this by saying,

'the geographical and human realities in some parts of the territory required the application of a realistic criterion.' Consequently, he proposed a normal adult suffrage for the urban areas, and a form of tribal consultation for the rural areas. Indonesia rejected the suggestion and adopted instead the tribal musyawarah system throughout the territory.

The musyawarah system involved consultations with tribal council representatives, who in turn were presumed to have had consultations with their tribesmen. Arguably, the system may have been a useful democratic machinery for tribal administration, but it was certainly not in conformity with the essential requirements of the United Nations' prescriptions on self-determination by integration. By employing the musyawarah system throughout the territory, it would seem that Indonesia breached one of its obligations under the New York Agreement, and indeed, international law.

Indonesia itself admitted that the musyawarah system fell short of the UN requirement, but it justified the use of the system with the argument that 'in West [Papua] there exists... one of the most primitive and underdeveloped communities in the world', and that it was unrealistic to apply normal democratic methods to ascertain their wishes. This was a rather significant admission. If according to the Indonesian administration the West Papuans were so primitive that a single one man one vote adult suffrage was not appropriate for them, it may be argued that they were not sufficiently advanced to appreciate the complex implications of integration.

Some African states that opposed the Indonesian method summed up the general sentiment at the time with the observation that 'no society could be so primitive... in the modern world that the vital exercise of democratic government could be indefinitely denied to its peoples'. Some UN members also held the view that if the West Papuans were that primitive, the way to ensure their right to self-determination was not through the musyawarah system but through an accelerated

economic development of the territory under the auspices of the UN to bring them up to a level that could enable them to exercise their right to self-determination meaningfully. Even though these criticisms and suggestions were ignored, they underscored the anomalies associated with West Papua's integration.

The Act of Free Choice had other defects. Under the UN regulations, consultations for integration must not only be by adult suffrage, but must also be conducted impartially, and where the UN deems it necessary, under its own supervision. However, in line with Indonesia's position that West Papua belonged to it in any case and that the consultations were only a formality to rubber-stamp its claims, Indonesia maintained tight controls over all aspects of the consultations. In fact Indonesia allowed a token UN supervision in only 195 of the 1,000 consultative assemblies. The required impartiality, and the appropriate explanations to West Papuans as to other options for self-determination available to them, were arguably absent in the consultations. The UN representative to West Papua further attested to the unsatisfactory state of affairs in his observation that 'the act of free choice was obviously stage-managed from start to finish ... [Indonesia] exercised at all times a tight control over the population.'

Secret documents recently released by the Australian Department of Foreign Affairs and Trade provide significant evidence that further brings the validity of the Act of Free Choice into question. For instance the documents reveal that from June through to August 1969, Australian authorities detained two leading West Papuan nationalists in the Trust Territory of PNG who were seeking to travel to New York to present a petition to the United Nations in an attempt demonstrate the many shortcomings of the Prepera and to oppose the integration. Available evidence also suggests that the Netherlands as the colonial power refused the men travel documents to enable them travel to New York. Much more disturbing is the revelation through these documents that Australian and Dutch officials intentionally discouraged the travel of

these men to new York with the express intention to stifle any debate at the United Nations or the Dutch Parliament that may undermine the acceptance of the Act of Free Choice.

Australian diplomatic dispatches indicate that as early as October 1968 Australia and the United States had conceded that there was 'little likelihood of Suharto agreeing to any form of regional autonomy, (let alone independence) given, amongst other things, the government's fear that a precedent might be established for action by other regions of Indonesia. *Some slight movement could be envisaged, for instance, in the further integration of Papuans into the structure of government, but any progress would have to be within the frame work of Indonesia's unified government system.*' (emphasis added)

Australian intelligence reports on the Act of Free Choice and the general situation in West Papua provided extensive evidence of human rights abuses in the territory preceding the Act. Further intelligence reports on the Act Free Choice also noted that:

- United Nations experts could not advise as provided for in [the] 1962 agreement because for a period up to August 1968 Indonesia had not co-operated with the UN;
- (Ortiz-Sanz the United Nations representative) had to carry out in a few months what had been agreed by experts should be carried out in 5 years;
- rights of free speech, freedom of movement and of assembly were not fully implemented; and
- that a precondition for 'one-person-one-vote' to be used to the maximum extent possible as proposed by Ortiz-Sanz, and his offer to help to discuss a method of collective consultations had all been rejected by Indonesia.

The evidence available today indicates that Australia the Netherlands, United States and the United Nations itself assisted Indonesia to secure its control over West Papua, even where it was clear that there were serious defects with the procedure for integration.

In the frenzy of decolonisation in the 1960s, Third World states at the UN were eager to terminate Dutch colonialism in West Papua. Indonesia enjoyed considerable support at the UN in its claims against the Netherlands for West Papua. Quite apart from its diplomatic advantage, Indonesia had also been preparing a military invasion of West Papua. In the face of these difficulties, the Netherlands signed the New York Agreement. It was a face-saving measure that enabled the Netherlands to withdraw 'honourably'. For Indonesia, the Agreement had been a great diplomatic victory. After the signing, West Papua became a de facto integral part of Indonesia, despite the requirement of the so-called Act of Free Choice. At the UN, the incorporation seemed a fait accompli.

The options for West Papua

The Netherlands

As the colonial power in charge of West Papua, the Netherlands had specific responsibilities for the territory in international law. Under the United Nations Charter, the Netherlands was obliged to:

- ensure with due respect for the culture of the peoples (of West Papua) their political, economic, social and educational advancement, their just treatment, and their protection against abuses
- to develop self-government, to take due account of the political aspirations of the (West Papuans) and to assist them in their progressive development of their political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement.

Under the Charter of the United Nations the Netherlands accepts the 'principle that the interest of the inhabitants of (West Papua) are paramount, and accepts as a sacred trust the obligation to promote to the utmost, within the system of international peace and security... the well being of the inhabitants of (West Papua)'.

The Netherlands breached this 'sacred trust' and its obligations to protect the interest of the people of West Papua by its failure to monitor the Act of Free Choice and to ensure that it was consistent with the terms of the New York Agreement. Its failure to notify the United Nations and to take up the issue of the several defects of the Act of Free Choice also constituted breaches of its obligations under the United Nations Charter.

The Nauru Case easily indicates that a colonial power can be held accountable for breaches of its duties to a colonial territory well after decolonisation. Further The Northern Camerouns Case suggests that the International Court of Justice may be willing to revisit the issues in a decolonisation case if the objectives for the request to revisit the issue are well articulated. However these cases do not assist West Papua in dealing with the Netherlands for breaches of its duties because these were all cases between states. As a matter of law, only states can be parties to a dispute before the International Court of Justice.

The absence of any clear avenue for legal action against the Netherlands should in itself be an obstacle to the search for a solution for West Papua. What is critical for West Papua is not so much as to whether it can mount a legal action. It is whether West Papuans can at least establish sufficient factual evidence to show that the Netherlands breached sacred trust under the UN Charter and for it can be held morally accountable. In the fight for self-determination the case of East Timor easily demonstrates the force of moral accountability. Portugal played a critical role in the developments at the United Nations that eventually led to the referendum in East Timor. The important lesson from East Timor is that to secure a solution for the territory it needed the colonial administrator as a political ally with a moral liability and not an adversary with legal defences.

The Netherlands has a moral responsibility to come clean on the issue. While the issues raised by Netherlands' breaches of its obligations may not come within the jurisdiction of any of the

institutions of the European Union, the members of the Union can and should encourage the Netherlands to take up the issue with the Decolonisation Committee just as Portugal did for East Timor.

Australia

As a regional power Australia was influential in the developments that led to the incorporation of West Papua into Indonesia and the Indonesian take over of East Timor in 1975. In 1999, Australia's position was even more crucial in the East Timor referendum. Like the Netherlands, Australia carries a degree of moral responsibility for the events that led to the integration of West Papua.

One must however overlook the obvious political difficulties that confront Australia with respect to West Papua. Having contributed actively to the East Timor referendum to the point of straining relations with Indonesia, Australia would understandably loathe any suggestion to assist West Papua or indeed any Indonesian province to seek independence. Thus for West Papua East Timor is both a blessing and a curse. On the other hand the argument should be made that in matters of self-determination each case must be determined on its own merits. Australia can therefore play a role to bringing the issue to the Decolonisation Committee

The Decolonisation Committee

Ultimately the question is whether the United Nations Decolonisation Committee can be persuaded to investigate the Act of Free Choice. Established in 1961, the United Nations Decolonisation Committee oversees the process of self-determination for colonial territories. As part of its functions, the Committee maintains a list of territories for which self-determination is considered an issue. The Committee's List is the only mechanism by which colonised nations can be placed on the UN agenda. This enables the UN to provide ongoing scrutiny of the political developments in the territory, to contribute diplomatic activity, send special missions and delegations, meet local representatives and discuss the progress towards decolonisation. And it requires

the colonising power to provide regular information to the UN on progress.

To succeed in its claims, it is critical for West Papua to be listed with the Committee. West Papua would need all the international political support it can get. It is important to note that time is of the essence in this regard because in 1988, the UN declared the International Decade for the Eradication of Colonialism. It was envisaged at the time that the Decolonisation Committee would end colonialism everywhere by 2000. A number of states, France, Britain and the US, in particular, have called for an end to the Committee's work, arguing that there is no longer enough work to warrant its cost. Under pressure, and in view of the budgetary constraints, the UN is considering abolishing the Decolonisation Committee. Legally there is no barrier for a re-examination of the issues. However as is usually the case in international law, the absence of legal barriers may not be enough. West Papua needs political support for the Decolonisation Committee to accept to investigate the case. Time is of the essence. The UN intends to disestablish the Decolonisation Committee by the year 2001.

The task for West Papuan activists must not be underestimated. As compared to East Timor, the attempts to list the territory with the Decolonisation Committee will be an uphill battle with the results far from certain. The East Timor case had a number of distinct advantages which West Papua lacks. In the case of East Timor:

- the United Nations specifically rejected the Indonesian take-over as long ago as 1977;
- the Decolonisation Committee kept the territory on its list;
- with the exception of Australia, no state expressly accepted Indonesian sovereignty;
- Fretelin was a much more effective guerilla force that was able to make the East Timor case a military issue;
- it had and still has a very extensive international network of political support;

- Portugal as the colonial administrator was willing to provide the diplomatic and legal support.

In the Case of West Papua, unlike East Timor:

- the United Nations endorsed the act of self-determination;
- the territory has generally been accepted as part of Indonesia with hardly any exceptions;
- the OPM lacks the arms and the organisation to mount a credible guerilla campaign that could be used as leverage in any diplomatic negotiations;
- the OPM's network of international support is rather minimal;
- as a movement the OPM does not seem to have any specific coordinating strategy to pursue its goals; and much more importantly
- the Netherlands as the formal colonial power is either unwilling or unable to provide the political support.

Conclusion

It is beyond doubt that the people of West Papua were denied their right to self-determination. Little noticed, separatist agitation in West Papua has persisted for over three decades. Every indication is that it will persist into the new century. After East Timor, the conditions appear right to re-examine the issue to help protect West Papuan's rights.

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Current Trends in West Papua

James Elmslie

Today I would like to talk about the current situation inside West Papua. I have focused on three trends that seem to be driving events in the province:

- increasing West Papuan nationalism
- rapid economic growth and its consequence – increased migration
- growing instability within Indonesia itself which is producing devolutionary forces.

I will set the trends against several constant factors such as the continuing ruthlessness of the Indonesian military and the problems the West Papuans have in organising an effective representative body. I will conclude with my observations on the situation in Irian Jaya over the period of the Indonesian elections in June this year.

Nationalism

The first trend is the growing strength of West Papuan nationalism and desire for an independent state. Whereas West Papuan Nationalism and its physical manifestation – the OPM (or Organisasi Papua Merdeka – the Free West Papua movement) – was widely perceived to be in decline in the late 1980's and early 1990's, events of recent years have clearly proved this perception wrong.

From the early 1990's increased OPM activity began to be reported around the Freeport Copper Mine. This was in response to a dramatic expansion of Freeport's concession area from 10 000 ha to 2.5 million ha. The local Amungme and Nduga people clearly felt threatened and responded by increasing separatist activities such as ceremonial flag raisings in support of independence. The Indonesian military responded by harassing local villages and shooting and torturing people believed to be associated with the local OPM commander Kelly Kwalik.

Kwalik, in turn responded by kidnapping a group of European scientists and holding them hostage for over four months. This resulted in intense international media coverage which, beyond following the hostage crisis, also publicised the plight of the West Papuan people and placed the OPM in the context of a repressed people responding in the only way they could – by armed revolt. The kidnappings and associated increased military presence raised tensions throughout the province and led to major riots and anti-government demonstrations in many cities and towns including Timika, Biak and Jayapura. Clearly the issue of an independent West Papua had not died. Tensions remained high in Irian Jaya as students in Jakarta and elsewhere took up their campaign against former president Suharto. When Suharto was forced to resign in May 1998, people across the archipelago thought that a major shift in Indonesian politics had occurred.

In Irian Jaya, the West Papuans took Suharto's fall as a window of opportunity through which they could seize their own independence. Flag raising ceremonies were undertaken across the province on July 1 1998. In Jayapura and elsewhere several thousand protestors confronted the armed forces. The military responded by making an example of the protesting West Papuan independence activists on Biak island. There, 700 odd protestors had rallied for several days under a water tower in Biak town. Troops attacked in the early hours of May 6 with maximum force, resulting in scores of deaths and the imprisonment of many others. It was a rude awakening to the West Papuans that, while the President had changed, the system had not. News of the Biak massacre spread widely throughout Irian Jaya where death tolls as high as 300 have been quoted to me.

In the wake of the Biak massacre, the concept of a 'National Dialogue' emerged. For the West Papuans, this meant discussions over independence. For the Habibie government, it referred to a rearranging of economic relations between Jakarta and Irian Jaya and talks over a limited form of autonomy. To negotiate on behalf of the West

Papuans, a team of 100 was formed of representatives from across West Papua including community leaders and church groups. When Habibie had not visited Jayapura by January this year, the team – *Tim Seratus* as it is known – flew to Jakarta to meet Habibie. The meeting – in Merdeka Palace on the 26th February – was very brief. As the meeting began, Tom Benal, an Amungme leader from Timika in the south, presented a signed declaration to the President demanding immediate independence for West Papua. Habibie's response was to break down in tears and to urge the West Papuans to return home and reconsider their options.

Tim Ratus returned to Irian Jaya elated, believing that independence was at hand. However, the whole process of the 'National Dialogue' stalled as the government and Habibie were not prepared to even talk about the concept of independence. But the meeting was of huge significance because it brought West Papuan nationalism out into the open. Now not only was it obvious that the vast majority of West Papuans wanted their independence but it also became apparent that many believed they were about to receive it. This trend of increasing West Papuan nationalism is continuing.

Economic factors

The second trend dictating events in Irian Jaya is the rapid economic growth of the province. In 1995 – 1996, the regional GDP grew by over 12% following growth of over 20% the previous year. Most of this growth can be attributed to the expansion in production of the Freeport Copper Mine, but other resource industries also performed well as the collapsing rupiah resulted in higher returns for exported commodities. For instance, minor gold rushes occurred as migrants flocked to the province to pan for gold. While Java languished in economic recession, Irian Jaya boomed, insulated as it was from the worst of the 'Asian Flu.' The flood of migrants to Irian Jaya seemed to confirm Papuan fears of being minoritised within their own country. Extrapolating on 1996 population figures there are at most 1.5 million Papuans in Irian Jaya and at least 750 000 non-Papuans. Yet, given the

huge influx of migrants in the last two years – an influx that has been largely unrecorded – there may be many more non-Papuans; possibly over a million. As a consequence, the Papuans feel that they are being swamped by migrants who are foreign to them racially and have a different religion and different notions of land ownership. The Papuan fear is that they will be marginalised and dispossessed by the newcomers – and that their future existence will be in question if this trend continues.

These fears are exacerbated by feelings of economic exploitation. There is a wide perception amongst the West Papuans that their resources are being ripped off for the benefit of others – this perception is, in fact, quite correct. While per capita average GDP in Irian Jaya is over \$US1700 per annum, average per capita consumption was only \$US312 in 1996. Benefits of at least two billion US dollars accrue to the rest of Indonesia by retaining its province of Irian Jaya. So economic growth and its consequences – increased migrant inflow – have only strengthened West Papuan nationalism and hardened the resolve of the Papuans in their quest for independence.

Instability

The third trend I would like to examine is the huge loss of prestige that the central government and the military have suffered since the fall of Suharto. The vacuum of power created by Suharto's resignation has caused devolutionary forces across the archipelago. These forces have been strongest in the provinces of East Timor, Aceh and Irian Jaya. The clearest case is obviously East Timor where independence has been achieved with astonishing rapidity but at a horrifying cost.

The second case of Aceh is unfolding as we speak. It now appears beyond the capacity of the military to regain control of the province short of applying the scorched earth policy pursued in East Timor; a policy that would be entirely opposed by the recently elected president Abdurrahman Wahid. These devolutionary forces are certainly impacting on the West Papuan situation, confirming to the

West Papuans that independence – the one impossible dream – can be achieved if only the struggle is pursued.

Against these three trends are several constant factors.

Firstly, ABRI has shown in East Timor, once again, just how ruthlessly and brutally they are prepared to act to defend what the military perceive to be in the nation's, or their own interests. The military still see their major duty as the unity of the nation at any cost. They are, therefore, totally opposed to the concept of an independent West Papua.

A second constant is that Irian Jaya remains an important psychological element of Indonesian society – representing the final defeat of the Dutch colonists and the unifying of the Republic of Indonesia. So, while most Indonesians would like an end to human rights abuses by the military and a more open and democratic society, they also do not want to see Irian Jaya become an independent West Papua. This would confirm the fragmentation of Indonesia, an outcome viewed with dread by Indonesian people fearful of their own future.

The third constant is the lack of political unity amongst the West Papuans and the OPM. While very united in their goal – an independent West Papua – they are fractured on how that goal is to be achieved. They have been unable to establish an umbrella organisation that talks for all West Papuan groups. Partly, of course, this has been due to the political repression within Irian Jaya as well as difficulties with communication and personal and ethnic differences. Talks of any kind, whether of independence or autonomy, can only proceed when some form of umbrella organisation is eventually formed. The increasing pressure on the West Papuans may well have that result sooner rather than later.

To the three trends and three constants I have mentioned must be added two major recent developments. Firstly, independence for East Timor. Besides being a precedent for an

independent West Papua, an independent East Timor has also resulted in an increase in TNI troops in Irian Jaya, an increase in migrants (this time East Timorese refugees, possibly under force) and of course an increased tension between the West Papuans and the non-Papuan population, the military and the government. And secondly, the recent election of President Wahid. This has dramatically transformed the situation in Aceh. Wahid has stated his own, personal view that there should be a referendum on independence for Aceh. As he said: 'If East Timor has a referendum, why not Aceh?'

While Indonesia's military and political elite are vehemently opposed to this concept, they may not be able to say it. The cat is now out of the bag and the Achenese have responded with massive demonstrations. Clearly, the West Papuans are saying: 'If Timor has a referendum, why not West Papua?'

Which leaves us with the situation in Irian Jaya where, at the risk of oversimplification, two forces are in profound conflict. One force is the Indonesian military which is totally opposed to independence and has shown to what lengths it will go to to suppress independence movements. The other force is the West Papuans who are pursuing a goal of independence, a goal to which the majority are deeply committed because they feel that without independence, the very future of the Papuan peoples and their traditional lands are in doubt. Many feel they are either facing independence or extinction.

In summary, the three trends of: (a) growing West Papuan nationalism; (b) economic expansion in Irian Jaya; and (c) increasing devolutionary forces and political instability within Indonesia itself, taken together result in a chaotic, confusing, very tense and indeed, highly explosive situation.

I saw this situation for myself in June this year when I travelled to West Papua to observe the Indonesian elections. The elections were pretty much a sideshow because the main issue for the West Papuans – independence – was not on the agenda. While 48 parties participated in the

elections, not one represented the aspirations of the West Papuans. Instead, I was told, demonstrations would take place once the dust from the elections had settled. From the newspaper reports of today, we can see that is what is happening.

On election day itself, Saturday June 7, I visited Chief Theys Eluay, the self-proclaimed President of the Independent State of West Papua. He was under house arrest, unable to travel and routinely visited by soldiers and police. The Chief seemed to typify the whole West Papuan struggle; a man who was forced to vote in the Act of Free Choice in 1969 at gunpoint, who had tried to work within the Indonesian system as a parliamentarian until he had finally become totally disillusioned by that system and revolted against it. He is pursuing independence in an absolutely dedicated manner and is prepared to put his life on the line. How it is to be achieved and what political structure might emerge are issues very much secondary to the main goal of freedom. He is, therefore, highly representative of the many West Papuan people I talked to.

Feelings in the streets of Jayapura over the election period were very tense, indeed at times super charged with emotion and dangers. Since then, with the events in East Timor and Aceh, this situation has only deteriorated. Under such circumstances violent confrontation seems inevitable.

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West Papua : Impressions from within the Evangelical Christian Church

Joy Balazo

The Evangelical Christian Church (GKI) is the largest in Irian Jaya with 506,000 members. These are drawn from every layer of society, including the management (of mining companies, the military and the regional government), and from those oppressed in the villages.

The wide-ranging nature of the GKI membership enables it to expose the real situation of the people. This it shares with its partners, such as the Uniting Church of Australia.

Particularly graphic impressions are emerging of the situation around the Freeport Copper mine. The service township of Timika is located in mountains of unimaginable beauty, waterfalls, and fresh mountain air. The homes for executives are beautiful. There are big supermarkets, wide paved roads, telephones, restaurants, cinemas, video and coffee shops, and take away food outlets staffed by Chinese. Timika is a piece of Europe grafted onto West Papua where lots of Europeans, Canadians, some Filipinos, and Americans wander in shorts, very relaxed. It is like another planet, when compared to the situation of West Papuans.

Down the hill are the houses of the Amungme people working in the mine. They are tiny, set like matchboxes in rows, with unpaved roads. The children have big, bulging tummies and doubtful health.

Further down are the bush material villages of the Amungme. Life here, according to the women, resembles a strategic hamlet. Dislocated from their land because of the Freeport copper mine, the men have gone, and the movements of the women and children are controlled by the military. One mother has three children out of constant rapes, whilst

another two had been raped whilst working in their gardens. Their pain as they shared their stories was deep and is constantly exacerbated by the awareness that there is nothing that they can do to protect their children, who are also abused by the military.

The contrast between the situation of the Amungme people, blocked from the wealth of their own land, driven away and disempowered, and that of the wealthy Freeport settlement, is stark.

Graphic impressions are also emerging from government-sponsored transmigration projects: people of different ethnic backgrounds and different religious backgrounds (usually Islam) settle on tribal lands, cut down their forests and push the Papuans further into the jungle. Newcomers dominate positions in secondary and tertiary education, where the teachers are Indonesians.

Other transmigrants control the economy and most of the public service, as they rather than Papuans, are given the available jobs. The Papuans have become the underdogs. Conscious of the cultural divide, transmigrants do not integrate into Papuan society, preferring to live apart. There is little inter-racial marriage.

Repression and the destruction of indigenous society continues, an outcome of so-called developments like mining, timber and plantations, such as palm oil, and olive. These activities are protected by the Indonesian Army, who are involved in the constant intimidation and harassment of local people.

The military are a dominant presence everywhere, but especially in Jayapura, in Timika, exposing the Papuans constantly to surveillance, arbitrary detention, indiscriminate shootings and summary executions. Incidents occur daily. The events on Biak Island in July 1998 are well documented. At least eight people were killed and 37 injured, when troops opened fire on unarmed civilians as they raised the West Papuan flag. Around this time, 32 bodies were recovered from the sea: men, women and children, who had been tortured and mutilated.

With the current political situation in Jakarta, people are taking advantage of the relative space to express their desire for freedom from oppression, for justice and fairness. Their stories of human rights abuses embody a great agony and an intense desire for an end to suffering.

There is a steady growth in the people's movement for independence and the churches are playing a significant role. In February 1999, they facilitated the travel of 100 representatives (*Tim 100*) from West Papua to Jakarta, to meet President Habibie, as part of the national dialogue. The Team bravely asked for independence. On their return, a number were subjected to intimidation, including the stoning of their houses. Five are black-listed by the Government under a directive indicating that, for reasons of national security, travel overseas is not permitted. Three of these people are church leaders; one, the Deputy Moderator of the GKI.

At provincial level, the GKI, together with other churches and groups, have urged the Indonesian government to allow an international team to investigate human rights abuses. The churches, prominent in exposing these, sent an extremely strong joint letter to the Assembly of the World Council of Churches in December 1998.

At more local level, since the *Tim 100* returned to West Papua, discussion groups in social gatherings have been conducted in various places, to give people an avenue to voice their aspirations. A new organisation, FORERI, set up by various institutions including the churches, gathers these aspirations and promotes dialogue with local, regional and national governments, and with the Muslims, who have lived in West Papua for a long time.

There is an impression that people are now working co-operatively for change. There is much anger, particularly in the young, which is potentially destructive. It is therefore important to coordinate, to plan, and to channel deep feelings into constructive activity and the GKI is involved in this. The West Papuans know the risks they are taking,

but feel they have suffered long enough, and believe now is the time for independence and the control of their own destiny.

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West Papua : Some Future Scenarios

John Otto Ondawame

At this point, disintegration of Indonesia seems quite likely. The eleven disintegration scenarios offered by William Stephenson would impact on West Papua in different ways. I would like to analyse several of these scenarios in the context of continuing problems and conflict in West Papua.

Religion

Religious differences already have a serious impact on any political movement in West Papua. Conflict between Christians and Muslims in Indonesia is not a new development but can certainly be traced back to the earlier period of Dutch colonisation. Christianity is often negatively connected with the Western colonial power. Within Indonesia the overwhelming majority of the population are Muslim, with Christians, Buddhists and Hindus forming minority groups. The New Order regime emphasised religious tolerance, upholding the principles of the Pancasila and the Constitution 1945 as state principles that guarantee the rights to freedom of religious belief of diverse ethnic groups. However since the collapse of the Suharto regime there is a renewed politicisation of Islam. There has been a worrying trend of anti-Christian violence in some areas with church-burnings occurring in Tasikmalaya and in Jakarta on 20 November 1998, and in Ujung Pandang. On the other hand, Christians also burned down the central mosque in Kupang and attacked Muslims in Ambon in November 1998 causing many deaths. If this pattern represents the future of Indonesia, then such religious trends will also affect the OPM (Free Papua Organisation) as the orientation of any political movement in West Papua will now be seen as a struggle to defend Christianity as well. The OPM use the Christian religious paradigm as a symbol of identity, as Part One, Section 2:3 of the OPM's Constitution states, "the foundation of the state is Brotherly Love". There is no doubt that this would be a very dangerous game. Nor would such a

strategy help the OPM much internationally because most western countries today do not see a religious approach as being the best way to solve conflicts. The cases of the Palestinians in the Middle East and the Moro in the Philippines in the 1950s-1970s show clearly that both liberation movements failed to gain broader international support, primarily from the West, because they used a religious card as their strategic approach; whereas since the religious factor has been downplayed, the PLO has gained much broader support, including from the West. The chance of a Kosovo situation occurring in the Indonesian archipelago is not an impossibility. So, if Indonesia disintegrates on the basis of religious differences, this would probably not be the best development for the OPM.

Diversity

Disintegration on the basis of regional and racial differences is another possibility. Indonesia is essentially an artificial state. Like the other island peoples, the people of West Papua have never signed any declaration of agreement to join the unitary state of Indonesia; they were forcibly incorporated into it. Therefore, racial hate and regional sentiment will always be important ingredients of any social and political unrest in West Papua, and elsewhere in the Indonesian archipelago. One of the underlying problems is that some continuing Javanese chauvinism. Papuans have at times been referred to as a primitive, backward and inferior race,²³ so Papuans and other minorities have been treated as second class citizens.

Social and Economic Crisis

Serious social disruption and economic crisis are another cause of political instability. When social conditions worsen, Papuans tend to raise questions about the legitimacy of their integration into the state. Huntington, an authority on the relationship between authoritarianism and social and political

²³. Research Institute of Oppressed Peoples, (1985). *The Tragedy of the Papuans and the International Political Order*, RIOP Report No:1. Makula Boskoop, Amsterdam, p.9

unrest in many parts of the Third World, has noted that "unequal economic growth produced increased awareness, politicisation, frustration and resentment, leading to social unrest and political mobilisation".²⁴

His argument is that an economic and financial crisis in a country is one of the main causes of separatist movements. In the Indonesian case, the validity of this perception was obvious during the recent economic crisis. The crisis has exacerbated the wealth gap in West Papua, which was already bad back in 1990. Income per capita in 1990 was Rp509,000.00, mainly derived from mineral mining, oil exploitation, fisheries and forestry, giving West Papua a much higher income per capita than any other province in Eastern Indonesia. However 78 per cent of 2,2242 villages or 24 per cent of the total population were classified as being below the poverty level in 1994.²⁵ The people of the central highlands, where 75 per cent of the population live and where access to the outside world is remote, have suffered most from this imbalance of wealth.

The economic crisis leading to a break-down of the 'crony capitalist' model and the vilification of the ethnic Chinese community has meant that the Habibie government continued to see the Freeport McMoRan Mine in West Papua as a vital asset of the state which pumps millions of US dollars into the economy every year. To protect this crucial asset, therefore, the deployment of military in West Papua is likely to increase, provoking an ever stronger reaction from the OPM in the future. If these economic problems continue and if Chinese capital owners are not encouraged to return to

Indonesia, the Indonesian economy will face a continuing and even more serious crisis in the future.

In another scenario, the further use of a security approach could well lead to Indonesian disintegration. The Habibie government failed to redefine the dual function of the Indonesian Armed Forces. In relation to West Papua, this scenario raises some absorbing consequences as the presence of the Indonesian military in the region has for long provoked Papuans in general and the OPM in particular. In order to safeguard Indonesian interests, West Papua has been declared a *Daerah Operasi Militer* (DOM) or military operational region and, consequently, human rights abuses are widespread. New constitutional reforms, in principle, should force the military back to the barracks. However, any large scale withdrawal is unlikely in the near future because political turmoil is still rife in the country and West Papua will still be considered to have special security status. For example, according to George Aditjondro, in responding to rumours of the 1 December 1999 flag raising ceremonies in many part of West Papua, "the Indonesian military allegedly has prepared five battalions of soldiers to repress that expression of West Papuan nationalism".²⁶ Such deployment will most certainly guarantee the continuation of a bitter relationship between the military and the Papuans in the years to come.

Civil wars and the birth of new states could occur in Indonesia in the longer term if economic and political reforms are not taken seriously, if the conditions of the people are not improved, and if all attempts to start a peace dialogue are undermined. A growth in regional sentiment and a diversity of opinion about the future of Indonesia has already began and it may well continue to intensify in the future, further inspiring the formation of new nation states. For example, ethnic groups such as East Timor, West Papua, Aceh-Sumatra, Dayak, Balinese, Nusa Tenggara, Moluccas, Minahasa, and

24. Huntington, Op.cit. p.69

25. Nafsiah, Mboi (1996). "Health and Poverty: A Look at Eastern Indonesia" in C.Barlow & J.Hardjopno (eds.). *Indonesian Assessment 1995: Development in Eastern Indonesia*, Research School of Pacific and Asian Studies, Australian National University & Institute of Southeast Asian Studies, Singapore, pp.177-181

26. George J. Aditjondro, (26 November 1998), interviewed by author, Canberra

Riau have already openly expressed their desire for secession. Their increasingly diverging views and desires can be seen from the ways in which these groups have already criticised Pancasila and the State Constitution 1945. The conflict of interest both between these divergent ethnic groups and also within the same ethnic communities will further sharpen, leading to social and political chaos and resulting in social anarchy. In order to restore stability and security, the government will be prepared to accept the continuation of the *Dwifungsi* role of ABRI, but such a move will merely encourage an even stronger divide-and-rule policy and orchestrated political unrest may also occur in many parts of the country in an attempt to win back local control. In such a situation, civil wars will be likely, particularly in the islands outside Java as I briefly discussed earlier, and some pessimists even predict that the experiences of Yugoslavia and the Soviet Union could be repeated in Indonesia.

Some of the social and political movements in Indonesia have already reached an advanced stage, particularly among the East Timorese and the West Papuans. Such developments would have serious domino effects for the unity of Indonesia. In a desperate attempt to prevent a total collapse of the existing state, many statements and calls have been released by Indonesian leaders and intellectuals over the last two years. For example, Amien Rais, the chairman of Partai Amanat Nasional (PAN) or National Mandate Party, believes that a new federal system is the only way to safeguard Indonesia. In such a situation, international bodies such as the United Nations and other international agents may become even more interventionist in attempting to rescue Indonesia from total collapse, using the peace message as their strategy. All types of peace programs, such as economic loans with many strings attached, will be introduced and international peace keeping forces will be deployed to force Indonesia to respect human rights, to abolish the dual-functions of the Indonesian armed forces, and to accept the political reality that in obvious cases, such as East Timor and West Papua, certain regions must be allowed to go their own way. If this total collapse does not happen within a

relatively short time, then it may come within a few decades. The only way to maintain regional peace and security lies in the creation of a new political structure, either with autonomous regions or the creation of a federal system or the formation of new nation-states, all solutions which I will discuss in more detail below. The social and political resentment is already so deep embedded in the hearts and minds of the diverging ethnic groups that the current crisis in Indonesia may be, as many believe, only the starting point of a long destabilisation process.

One possible scenario is that the Papuans will take advantage of this chaotic situation and the weak position of Indonesia in order to express their own political desires: their demands for independence will certainly intensify.

The way ahead

Let me discuss the general approach of conflict resolution, including its process of negotiating a ceasefire, leading to third party involvement, followed by national dialogue.

Step I: Ceasefire

- i. lay down their weapons on a limited or permanent basis.
- ii. ii. to stop all fighting within a specific time and within a specific area.
- iii. the OPM and their families are already allowed to enter Indonesian held areas, primarily to get access to medical facilities and food. In September 1998 the OPM factions in the north, led by Marthin Wenda, called for a ceasefire and Brigadier General Sembering, commander of KODAM VIII/Trikora, agreed to this proposal.

Under the present circumstances, such developments seem rather remote. On the Indonesian side there is little sign of any lessening of what Elmslie has earlier identified as "Indonesian brutality or of a serious intention to involve West Papua in the running of the political system",²⁷

²⁷. Ibid. p. 22

whereas the OPM faction called for a ceasefire not in order to regroup but to engage in a genuine peace dialogue.

Step II: The role of third parties

The role of third party intervention in negotiating a peace settlement has in many cases ended in success. Such third party mediation in a conflict situation is commonly undertaken by NGOs, churches, academics, regional governments, the UN, and individual countries and superpowers. However, intervention of international bodies such as the superpower USA, the European Union and the UN is currently nonexistent, and it is unlikely to happen even in the near future.

The mediating role of international bodies is vital. The general role of a mediator is to facilitate a peace accord by taking an active role in bringing together the conflicting parties to the negotiating table so that, if both sides agree, a peace accord can then be signed. Unlike in the earlier years, the acceptance of peace keeping forces, international monitoring groups and foreign mass media in Indonesia, and in West Papua, is more likely in the future. Such a presence will be even more crucial when the newly initiated national dialogue has taken place.

Step III: National dialogue

A national dialogue is another step in the peace process and it is a useful procedure for attempting to hear different opinions on the central issues under discussion. Unlike a ceasefire, which is a military approach, national dialogue is a political approach. It seeks a middle ground where the aspirations of the people and the intentions of government policies can be heard and new alternative development approaches can be suggested, aiming to narrow the social and political differences until some form of consensus is possible.

In an attempt to express their aspirations openly, Forum Untuk Rekonsiliasi Rakyat Irian Jaya (FORERI) or Forum for Reconciliation of the People of Irian Jaya recently initiated the national dialogue on key issues including military

withdrawal, regional development, human rights, land issues, and, most importantly, satisfying the people's aspirations concerning the future political status of West Papua whether through autonomy, federation, or independence. Three points of the position statement of the people of West Papua were stated in the final official communique on 26 February 1999 at a meeting with President Habibie as follows:

Firstly, the people of West Papua want to separate ourselves from the Unitary Republic of Indonesia to be fully sovereign and independent among other nations in the world.

Secondly, to establish as soon as possible a Transition Government in West Papua under the auspices of the United Nations, democratically, peacefully and accountably at the latest on March 1999.

Thirdly, if there is no response to this Political Statement, specifically to the First and Second statements, then we demand: (i) to arrange an International Dialogue between the government of the Republic of Indonesia, the West Papuan People and the United Nations; (ii) We the people of West Papua hereby declare to abstain from the General election of the Republic of Indonesia in 1999.

This Political Statement was signed by one hundred delegates representing various communities and social classes in West Papua.²⁸ This communique is significant for four reasons: first, it was the true expression of the desires of the people without any political orchestration, because manipulation of any kind will not bring about a lasting solution to the problems of West Papua. Second, it marked a new openness by the Indonesian government to listen the voices of opposition. Third, the Papuans clearly affirmed their political commitment, self-respect and confidence that they can be responsible to take

²⁸. Forum Untuk Rekonsiliasi Rakyat Irian Jaya (26 February 1999). *Pernyataan Politik Bangsa Papua Barat Kepada Pemerintah Republik Indonesia*, Document, Jakarta.

over political power, if Jakarta agrees. Finally, it also demonstrated to the world community that independence is the last resort for West Papuans to save the people and their culture, traditions and ways of life from total extermination.

President Habibie welcomed the statement, saying that he honoured those demands because he saw them as being very honest and true, arrived at without any pressure and reflecting a civilised and ethical approach to the principles and issues in dispute.²⁹ Even though the response of the Indonesian government was still unclear, the Presidential statement was politically significant for any future debate.

A majority of the people of West Papua, including those overseas or in Jakarta, and the OPM have welcomed the initiative and support the aims and objectives of the national dialogue. Yet despite the good feelings about such a dialogue, the initiative has a number of disadvantages. It creates and strengthens diversity of opinion concerning the future of West Papua. There is also a fear that Jakarta will use the outcome of the dialogue as final confirmation of the people's opinion, so the mistake made in the consultation process during the Act of Free Choice in 1969 will be repeated. Another concern was that the lack of involvement of all layers of Papuan society would fuel the continuation of popular opposition.

In order to discuss those three suggested options for resolution of the conflict in a friendly manner, the conditions that are suggested by FORERI and the other organisations must firstly be met. The most important condition is the presence of international peace monitoring groups, the participation of all layers of the West Papuan community, including leaders of the OPM abroad, and the withdrawal of

the military from West Papua. These three conditions are vital in order to establish a common ground of understanding through which to achieve a genuine consensus agreement.

What can now be assumed about the West Papuan situation on the basis of this national dialogue? First, there is the commitment of the people inside West Papua and the growing new wave of Papuan nationalism that cannot be underestimated. Second, the OPM as a political organisation, have generally distanced themselves from these calls for certain political reasons. Third, on the basis of general political principles, these two forces are integrated in terms of objectives but divided in the matter of choice of approach.

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²⁹. Pius Urbanus Adii, (10 March 1999). "Rangkuman Dialog Bapak Presiden Republik Indonesia Dengan masyarakat Irian Jaya", Report of the Representative of Nabire Regency to the National Dialogue, Nabire, p.2

GLOSSARY

<i>ABRI</i>	Indonesian Armed Forces (pre-1999 name change)
<i>DOM (Daerah Operasi Militer)</i>	Military operation area
<i>Fretilin</i>	Revolutionary Front for an Independent East Timor
<i>Kiyai</i>	Islamic teacher
<i>Merdeka</i>	Independence/freedom
<i>OPM</i>	Organisasi Papua Merdeka, the Free Papua Organisation
<i>PAN</i>	Partai Amanat Nasional (National Mandate Party, currently headed by Amien Rais)
<i>Pancasila</i>	Indonesian national philosophy based on five principles
<i>PDI Perjuangan</i>	Democratic Party of Struggle, led by Megawati Soekarnoputri
<i>GKI</i>	Evangelical Christian Church
<i>TNI</i>	Indonesian Armed Forces (post-1999 name change)
<i>UNTEA</i>	United Nations Temporary Executive Authority

