

West Papuan Refugees: A Diplomatic Dilemma for Australia

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Statement of Originality

This work has not previously been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made in the thesis itself.

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Abstract

This thesis, 'West Papuan Refugees: A Diplomatic Dilemma for Australia', is a political and historical analysis of West Papua's impact on the relationship between Australia and Indonesia. The purpose is to enhance understanding of various challenges emerging from West Papua, the origins of these challenges, and how they impact upon the relationship. This will be achieved in part through an analysis of a particular incident in 2006 in which forty three West Papuan refugees arrived in Australia. In the aftermath of this incident a diplomatic storm raged between the Indonesian and Australian governments, and the publics of both nations were drawn into a highly charged debate. This thesis seeks to glean insights from the incident to broaden our understanding of West Papua's impact on the Australia-Indonesia relationship.

Contents:

Abstract	p. 3
Introduction	p. 5
Chapter 1: Strange Bedfellows: The Australia-Indonesia Relationship	
1.1 A review of the literature	p. 7
1.2 The relationship and its historical context	p. 11
Chapter 2: West Papua and the Australia-Indonesia Relationship	
2.1 How West Papua has affected the relationship	p. 18
2.2 The impact of research, media and human rights organisations	p. 22
Chapter 3: Refugees and the Diplomatic Crisis	
3.1 The arrival and impact of the West Papuan refugees	p. 30
3.2 Australia's diplomatic and policy responses	p. 36
Chapter 4: Where we are now and where we are heading	
4.1 What the refugees have shown us	p. 39
4.2 West Papua and the future of the Australia-Indonesia relationship	p. 42
Conclusion	p. 48
Bibliography	p. 50

Introduction

This thesis is an analysis of West Papua's potential to impact upon the relationship between Australia and Indonesia. It will utilise the case of the arrival of forty three West Papuan refugees in Australia in 2006 as a case study in order to focus the discussion. This case generated a legal and diplomatic storm which demonstrated with a remarkable clarity the potential for issues surrounding West Papua to disrupt the relationship between Australia and Indonesia. This incident will therefore serve as an ideal case study from which hopefully can be gained a better understanding of West Papua's impact on the relationship more broadly.

The relationship between Australia and Indonesia is of the utmost importance for both countries for a variety of economic, political and strategic reasons. Historically, issues related to West Papua have acted as an irritant to this relationship, and all the signs point towards this continuing to be the case in the years ahead, perhaps even more so than has been the case previously. East Timor, prior to its independence, had been referred to as a 'pebble in the shoe'.¹ This image conveyed the sense of frustration that the small province of East Timor could nevertheless significantly impede progress in the Australia-Indonesia relationship, just as a mere pebble can slow a walker's progress. This mantle has been to a significant extent usurped by West Papua, and owing to a variety of cultural, historical and political factors the 'new pebble in the shoe' has the potential to be even more of a divisive issue than East Timor was. This thesis will seek to enhance understanding of this important issue, an issue that has thus far been approached in a somewhat fragmented manner.

The first chapter of this thesis explores the relationship between Australia and Indonesia, its historical context, and how these issues have thus far been dwelt upon by commentators. The second chapter examines West Papua's effect on the relationship, and the extent to which research, media and human rights organisations impact on the relationship. The third chapter examines the arrival of forty three West Papuan refugees in Australia in 2006, the subsequent rift in relations between Australia and Indonesia, and how this was responded to by the government

¹ Jamie Mackie, *Australia and Indonesia: Current Problems, Future Prospects* Lowy Institute for International Policy, Paper 19, Sydney: 2007 p. 46

and public of both nations. The fourth chapter asks how we should view West Papua and the relationship in light of the refugee saga, and how it may evolve in the future.

It should be noted here that West Papua is the name now commonly used to describe the province that Indonesia previously referred to as Irian Jaya, the western half of the island of New Guinea; Papua is also used. Independence activists prefer the title West Papua; however its usage in this thesis does not signify any political affiliation. West Papua is perhaps preferable to simply Papua, as it is clearly distinguishable from the formerly Australian controlled territory of Papua, the southern half of what is now the independent nation of Papua New Guinea.

Chapter 1: Strange Bedfellows: The Australia-Indonesia Relationship

1.1 A review of the literature

The relationship between Australia and Indonesia is one of immense importance for a variety of historical, political, strategic and economic reasons. For a number of decades issues associated with West Papua have been seen as having a significant impact on that relationship, a view which has intensified in recent years. Not surprisingly there is an ongoing debate in Australia dealing with these issues, a debate which as Edward Aspinall laments “has taken the form of a simplistic contest pitched in terms of *realpolitik* versus morality.”² Peter King and Rodd McGibbon are two of the dominant figures in the contemporary debate on West Papua and its impact upon the relationship between Australia and Indonesia, at least from an Australian perspective. These two figures offer highly charged and strongly differing approaches showing that West Papua especially, and the Australia- Indonesia relationship more generally, remain highly politicised issues. This thesis will seek to advance understanding of these issues beyond such entrenched positions.

Much of Peter King’s work is dominated by the perception that eventual West Papuan independence is both natural and desirable. King asserts that maintaining a warm relationship with Jakarta should take a backseat to helping West Papua achieve self determination and in any case a close relationship with Indonesia is a forlorn hope. The very title of King’s book, *West Papua and Indonesia since Suharto: Independence, Autonomy or Chaos?*³, tells us a great deal about his approach. It demonstrates an assumption that chaos is the only possible alternative to an independent or autonomous West Papua. King’s stance is shared by a number of other commentators, notably Damien Kingsbury and Clinton Fernandes.⁴

² Aspinall, Edward. *Selective outrage and unacknowledged fantasies: Re-thinking Papua, Indonesia and Australia* Nautilus Institute, 2006 p. 2

³ Peter King, *West Papua and Indonesia since Suharto- Independence, Autonomy or Chaos?* Sydney: UNSW Press, 2004

⁴ See for example Clinton Fernandes, *Reluctant Indonesians: Australia, Indonesia, and the future of West Papua* Scribe Publications, Melbourne: 2006

McGibbon offers an opposing interpretation of events. *Pitfalls of Papua*⁵ is centred around the view that the suffering of the West Papuan people is over-exaggerated and that a close relationship with Indonesia should take precedence over unrealistic hopes for West Papua. In any case, attempts by Australia to promote West Papuan independence are likely to be counterproductive, leading to a rise in Indonesian nationalism and a desire to maintain sovereignty over West Papua at all costs. He views the reaction in Australia to the arrival of forty three West Papuan refugees in 2006 as bordering on hysterical and drawing on an irrational fear of Indonesia.⁶ McGibbon is not alone in this approach, with similar views espoused by Richard Chauvel among others.

Not long after *West Papua and Indonesia since Suharto- Independence, Autonomy or Chaos?* was published, the arrival of the forty three West Papuan refugees in Australia highlighted the constantly evolving nature of the relationship. The very fact that the refugees left West Papua in the first place would seem to lend credibility to King's assertions of a humanitarian crisis. However the incident and the subsequent events also acted as a graphic reminder of the importance with which West Papua is held in Indonesia. In the climate generated by the incident, King's calls for an independent West Papua have been shown to be somewhat unrealistic, or at least the idea of the Australian government pushing for such an objective has. Thus to a certain extent the debate has moved into new territory. In undertaking such a study, one must remain constantly aware of the fact that it is a fluid debate, and that the approaches to pre-2006 interpretations, while not being overly sceptical, should nonetheless be critical. In this study, the chronology of the literature is significant.

Thus most of the relevant contemporary literature is at this point in time divided into two opposing schools of thought. One is adamant that West Papua's status within Indonesia is highly questionable and that the moral imperative to aggressively campaign on behalf of the West Papuan population takes precedence over diplomatic niceties. The other school of thought believes a close relationship with Indonesia is of paramount importance, and that focusing on divisive issues like West Papua risks being counterproductive.

⁵ Rodd McGibbon, *Pitfalls of Papua: Understanding the Conflict and its Place in Australia-Indonesia Relations* Sydney: Longueville Books, 2006

⁶ *Ibid* pp. 76-77

Naturally the debate over Australia's approach to West Papua, and Indonesia more broadly, is situated within a wider debate over foreign policy in general. Approaches to foreign policy are encapsulated within a vast array of literature, ranging from Hobbes to Chomsky. For reasons of practicality, and relevance, a small number of key scholarly texts with Australian and Indonesian perspectives will be examined to glean some relevant foreign policy insights.

Gareth Evans and Bruce Grant offer a theoretical backdrop for Australia's foreign policy approaches in *Australia's Foreign Relations in the World of the 1990s*,⁷ while in *The Howard Paradox*⁸ Michael Wesley explains the practical implications this has had for Australia's engagement with Asia over the last decade. Wesley argues that a paradox exists, in that Prime Minister John Howard's approach to Asia was often viewed as inept and insensitive yet at the same time Australia was able to forge strong relationships with our Asian neighbours, especially China, Japan and Indonesia. Wesley's exploration of the foreign affairs approach of the Howard government throughout its tenure provides a thorough backdrop to its specific approach in the aftermath of the arrival of the forty three refugees in 2006. Incidentally the cover of *The Howard Paradox* features a photograph of Howard embracing Indonesia's President Susilo Bambang Yudhoyono, demonstrating the importance of Indonesia to Australia from a foreign policy perspective.

While Evans and Grant focused on foreign affairs approaches in the 1990s, their work remains relevant to the West Papuan debate as it deals with foreign affairs at a theoretical level, rather than dealing with specific incidents. While the government of the day will no doubt bring an element of its ideological background to the foreign affairs table, the declaration by Evans and Grant that "the conduct of foreign affairs is about responding realistically to the world as we find it... we have to balance questions of international morality against the pragmatic acceptance of irreversible fact"⁹ no doubt rings true at a bipartisan level. Indeed it could be safely said that this approach has guided Australia's approach to West Papua and Indonesia. The further assertion by

⁷ Evans, G. & Grant, B. *Australia's Foreign Relations in the World of the 1990s* Melbourne University Press, Melbourne, 1995

⁸ Wesley, M. *The Howard Paradox: Australian Diplomacy in Asia 1996-2006* ABC Books: Sydney, 2007

⁹ Evans, G. & Grant, B. *op cit* p. 41

Evans and Grant that the Australian government has to act in a manner that will ensure neighbouring countries remain on good terms with us is the very reason that Rodd McGibbon uses for defending the current government approach vis-à-vis West Papua. So in effect the literature dealing with West Papua specifically draws from a wider array of literature, that being, the literature concerned with foreign affairs.

The various approaches to West Papua and Australia's relationship with Indonesia are inherently political. Nowhere is this more apparent than in the approaches to the arrival of the forty three refugees. In a debate characterised by heated party politics, the occasional descent into political mudslinging is hardly surprising. Once again, as leaders in the contemporary debate, this is best demonstrated by King and McGibbon. King is somewhat prone to dismissing opposing viewpoints as being generated by "the Indonesia lobby".¹⁰ McGibbon on the other hand is equally dismissive of criticism which he sees as being propagated by ill-informed activists.¹¹

The literary reflections on contemporary issues revolving around West Papua, Indonesia and Australia can hardly fail to have a politicised element, even if this occurs unconsciously. While it would be an over-simplification, or simply wrong, to tie down either King or McGibbon to a certain side of the Australian domestic political scene, in terms of international relations they can definitely be placed within the framework of clearly defined and differing approaches. King's work can be labelled as being within the idealist school of approach to foreign policy, which is characterised by an emphasis on human rights and a willingness to transcend national boundaries. McGibbon on the other hand, is representative of the realist approach, which places an emphasis on the importance of the state in international affairs.

Thus, while Labor and the Coalition may from time to time take different viewpoints on West Papua, Indonesia, and specifically the arrival of the forty three refugees, this should not be the only level at which it is viewed as politicised. The issue is politicised at two different levels: domestic politics (in both Australia and Indonesia) and in terms of international relations political theory.

¹⁰ King *op cit* pp. 141- 147

¹¹ McGibbon *op cit* pp. 89- 98

1.2 The relationship and its historical context

Australia, from the first tentative moments of its colonial origins, has had a preoccupation with threats from the north.¹² A constantly reoccurring target of this fear has been the hysterical notion of Australia falling victim to the ‘yellow peril.’¹³ This perceived threat has constantly shifted and evolved however, ranging from a fear of invasion by tsarist Russia or imperial Japan to a fear of inundation by Chinese gold miners.¹⁴ Given Indonesia’s close proximity to Australia and its relatively large population (“too many too close”)¹⁵ it has featured quite prominently in this regard ever since its independence. This has manifested itself in the reaction towards various recent events, perhaps most notably the drug trial of young Australian woman Schapelle Corby, but with numerous other examples being on offer. Many Australians view Indonesia as being a physical threat to the nation’s security, a stark reminder of which occurred when the Howard government introduced strict gun laws in 1996; a key argument of the gun lobby was that the laws would leave Australia vulnerable to Indonesia.¹⁶ Since the Bali bombings in 2002 such fear of Indonesia has merged with a fear of Islam, with the result that Indonesia is now viewed by many as a thriving hotbed of terrorism, while the tolerant and syncretic forms of Islam largely practiced in Indonesia are paid little attention. These perceptions of Indonesia are partly the product of colonial-era history in which Australia, a vast country with sparse population, was isolated from ‘the mother country’ and struggling to find its feet while surrounded by much larger neighbours. Some would argue this remains the case.

While this undercurrent of fear has long existed within the Australian public, successive Australian governments since the Second World War have realised that engagement with the region is both necessary and desirable, and paranoia is hardly a sound basis for this engagement. With the sun setting on the British Empire, Australia began to look north. Its gaze could hardly miss the newly formed nation of Indonesia.

¹² Stuart Macintyre *A Concise History of Australia* Cambridge University Press: Melbourne, 2004, p.23

¹³ David Reeves ‘Strange, Suspicious Packages’ in John Monfries (ed.) *Different Societies, Shared Futures: Australia, Indonesia and the Region* Institute of Southeast Asian Studies: Singapore, 2006 pp. 84-86

¹⁴ *ibid*

¹⁵ Jamie Mackie, *Australia and Indonesia: Current Problems, Future Prospects* Lowy Institute for International Policy, Paper 19, Sydney: 2007 p. 1

¹⁶ Heinz W. Arndt ‘Australia-Indonesia: an arranged marriage’ in Idris F Sulaiman, G Hanafi Sofyan (eds) *Bridging the Arafura Sea* National Centre for Development Studies, Canberra 1998 p. 28

The Republic of Indonesia as it currently stands has its basis in Dutch colonialism. Many Indonesians view their country as being the offspring of two ancient empires, Sriwijaya and Majapahit,¹⁷ although its current borders spring from the Dutch imposition of administrative control over a diverse archipelago, which they termed the Netherlands East Indies.¹⁸ Indonesia declared itself independent on 17 August 1945, just two days after the surrender of Japan, which had been the occupying power during World War II.¹⁹ However, initial Dutch hostility to this ensured it would be another four years until its independence was recognised; during this time Dutch attempts to regain control over Indonesia met both violent resistance from within Indonesia, and international pressure from without, notably from Australia. As a result, the Dutch eventually agreed to hand over sovereignty at an international conference at The Hague.²⁰ Indonesia's genesis was thus in the crucible of colonialism, and this has had a defining influence on its future evolution. While this was perhaps more overt in the early years of the republic, explicit in the rhetoric of Sukarno,²¹ the colonial experience still has a lingering influence on Indonesia's perceptions of the world, not least of Australia.

Australia played quite an important role in Indonesia's move to independence. Perhaps chief among its efforts was the move to bring Dutch actions to the attention of the UN Security Council in 1947.²² Various other measures were undertaken in support of Indonesia. This stance was widely praised in Indonesia and acted as a strong foundation for the relationship.

The relationship over the ensuing decades was in many ways dictated by the wider global environment which was, of course, a Cold War environment. Fear that Indonesia would succumb to communist temptation during the reign of President Sukarno was palpable. This was a period when the relationship quickly descended from its earlier highs and the two countries were quite often at odds. Australia had supported Indonesia's right to exist and won praise for doing so, but

¹⁷ Leo Suryadinata *Indonesia's Foreign Policy Under Suharto: Aspiring to international leadership* Times Academic Press: Singapore, 1996. pp. 5-6

¹⁸ Adrian Vickers *A History of Modern Indonesia* Cambridge University Press, Melbourne: 2005 p. 9

¹⁹ *ibid* p. 95

²⁰ Steven Drakeley, *The History of Indonesia* Greenwood Press, London 2005 p. 80

²¹ Suryadinata *op cit* pp. 29-31

²² Mackie *op cit* p. 48

so too did it support the establishment of Malaysia, a move which would lead it into direct confrontation with Indonesia. Indonesia opposed the creation of Malaysia, and pursued a policy of *Konfrontasi* against Malaysia and its backers, Britain and Australia.²³ There was little actual fighting, and on Indonesia's part it was perhaps little more than an exercise in sabre rattling for domestic political purposes. The ideological approaches of the two countries during the Sukarno years were quite divergent, with Indonesia enthusiastically pursuing non-alignment and then in the mid 1960s an alliance with Beijing, while Australia vocally supported the Southeast Asia Treaty Organisation (SEATO) and the ANZUS alliance.²⁴

As a result of these differences, Australia breathed a sigh of relief with the advent of the Suharto regime in 1966. Suharto's strong anti-communist stance was a welcome change for Australia and meant the relationship now had a chance of developing on far more friendly terms, to the extent of Australia turning a blind eye to Suharto's bloody crackdown on the communist party.²⁵ In fact the emergence of Suharto as Indonesia's leader would later be described by Paul Keating as "the single most beneficial strategic development to have affected Australia and the region in the past thirty years."²⁶

While both sides may have hoped that a mutual antipathy to communism would have been the defining factor in how the relationship would develop at this point, an issue emerged in 1975 that would dominate the relationship for the next quarter of a century. The Indonesian invasion of East Timor in 1975 was an event that would have lasting consequences for the relationship with Australia. For many years it would shape Australian perceptions of Indonesia, and became known as the 'pebble in the shoe' of the relationship. Australia initially offered tacit support for Indonesian rule in the province. This was partly from the Cold War-inspired belief that an independent East Timor could become 'Southeast Asia's Cuba'.²⁷ Jose Ramos Horta argued that this approach was influenced by Whitlam's "paternalistic and condescending view of mini-

²³ *ibid* pp. 50-51

²⁴ Mackie *op cit.* p. 52

²⁵ Karim Najjarine *Australian Diplomacy Towards Indonesia 1965-1972*, University of Western Sydney, 2005 p. 123

²⁶ Mackie *op cit.* p.58

²⁷ Suryadinata *op cit* p. 92

states.”²⁸ Whatever the initial motivations may have been, the decision to support Indonesia was a position backed by successive Australian governments; Australia was one of few countries to offer de facto recognition of Indonesian control and later the *only* country to offer de jure recognition.²⁹ While Australian governments supported Indonesia, there was a widespread public opposition. Government recognised this opposition and as a result tried to ignore the issue—unsuccessfully as it happens: being a ‘pebble in the shoe’ it continued to be an irritation to the relationship. The East Timor saga raised many issues that would later emerge in relation to West Papua.

The end of the Cold War offered a change in direction for the relationship, or at least provided the opportunity for some fresh perspectives on it. No longer would the terms of the relationship be dictated by Cold War mentalities. This did not necessarily have to translate into an improved relationship however, as the shared antipathy to communism could no longer be a significant unifying issue. Yet improve it did. The Hawke/Keating years saw an unprecedented emphasis put on the relationship, with Keating developing a close bond with Suharto and deeming the Australia-Indonesia relationship to be our most important relationship.³⁰ Keating’s approach culminated in the 1995 signing of the Agreement on Maintaining Security.³¹

The election of the Howard government in 1996 caused many analysts to believe a downturn in the relationship was inevitable.³² Howard had previously made some controversial comments on Asian immigration, and had been critical of Keating’s emphasis on engagement with Asia which he saw as coming at the expense of relations with nations such as the United States and the United Kingdom.³³ Whether or not Howard had intended to ignore Indonesia and the region as some observers believed, events soon transpired that would make that an impossibility. In 1997 the ‘tiger economies’ of East and Southeast Asia were hit by the Asian financial crisis, which

²⁸ Jose Ramos-Horta ‘Australia-Betrayal’ *Funu, the unfinished saga of East Timor*, Lawenceville and Asmara, Red Sea Press, 1996 p. 76

²⁹ Goldsworthy, David. ‘East Timor’, Peter Edwards and David Goldsworthy (eds), *Facing North, a century of engagement with Asia*, Volume 2, 1970s to 2000, Melbourne, Melbourne University Press, 2003 p. 217

³⁰ Ikrar Nusa Bhakti ‘Australia-Indonesia relations after the East Timor issue’ in Damien Kingsbury and Arief Budiman (eds.) *Indonesia: The uncertain transition* Crawford House Publishing: Adelaide, 2001 p. 236

³¹ Mackie *op cit* 59

³² Wesley *op cit* pp. 7- 13

³³ *ibid*

rocked Indonesia's economy more than that of any other country. This economic shock fed increasingly open dissatisfaction with Suharto, culminating in mass demonstrations, and ultimately his downfall. Australia looked on anxiously at this political and economic turmoil, however Indonesia neither disintegrated nor reverted to authoritarian rule as many had feared. Instead, a period of gradual democratic reform began, which continues to this day.

With the downfall of Suharto and the advent of the Habibie government, Australia saw an opportunity to reassess the sticking point of East Timor. In December 1998 Howard sent a letter to Habibie which, although reaffirming Australia's recognition of Indonesian sovereignty in East Timor, recommended that Indonesia act on the desire in East Timor for an act of self determination.³⁴ This signalled a significant shift in Australia's position.

In May 1999 it was agreed in talks between Indonesia, Portugal and the UN that a vote would take place within East Timor to decide the province's future, a decision which took place amid increasing violence.³⁵ When on the 30th August this vote took place, with a large majority rejecting the proposition of autonomy within Indonesia, there was an alarming upsurge in the scale and ferocity of the violence across the province.³⁶ The need for a multinational force to provide security became clear. On the 6th of September the UN Secretary General Kofi Annan asked if Australia would be willing to lead such a force, the provisions being that it would have Indonesian consent and Security Council backing.³⁷ On the 12th of September Habibie announced he had invited a 'peacekeeping force of friendly nations'.³⁸ This force, known as the International Force East Timor (INTERFET), was deployed on 20th September, with the largest contingent coming from Australia.³⁹ After the initial suppression of violence, the force oversaw East Timor's gradual transition to independence.⁴⁰

³⁴ David Goldsworthy, 'East Timor', Peter Edwards and David Goldsworthy (eds), *Facing North, a century of engagement with Asia*, Volume 2, 1970s to 2000, Melbourne, Melbourne University Press, 2003, p. 228

³⁵ *Ibid* p. 240

³⁶ *Ibid* p. 244

³⁷ *Ibid* p. 248

³⁸ *Ibid* p. 249

³⁹ *Ibid* p. 252

⁴⁰ East Timor is now known as Timor Leste

While officially Indonesia had invited the international force, it had actually only done so under enormous international pressure. Australia's central role in the affair left many in Indonesia fuming, with one effect being that Paul Keating's much vaunted Australia-Indonesia Agreement on Maintaining Security was scrapped by Indonesia.⁴¹ All in all the loss of East Timor was a traumatic experience for Indonesia, and reinforced perceptions within Indonesia that Australia pursues an arrogant and neo-colonial foreign policy. Following the events that had taken place in and over East Timor, the relationship between Canberra and Jakarta was dominated by lingering suspicions, bordering on hostility in some quarters. East Timor may have been a pebble in the shoe of the relationship, but the process of removing that pebble proved rather painful.

Two years after the INTERFET intervention there was a dramatic attack on the United States by the Al Qaeda terrorist group using hijacked planes which left the World Trade Centre destroyed and thousands dead. Following these attacks a new global political climate began to emerge. Initially there was little major impact on the Australia Indonesia relationship, other than perhaps diverting attention away from the recent events in East Timor. In October 2002 however, a bomb attack took place in Bali leaving 202 people dead, including 88 Australians. This powerfully illustrated that terrorism had arrived as a tangible threat in the region. There subsequently emerged a pattern of a major terrorist attack every year in the following years, with attacks on the Marriot Hotel in Jakarta, the Australian embassy, and a second attack in Bali. All of these attacks were blamed on Jemaah Islamiyah, a group with a similar ideology and tactics to Al Qaeda.

In this climate there emerged a relationship based on pragmatism and shared interest, specifically combating terrorism, which threatened both countries.⁴² This included strengthened institutional links, perhaps best demonstrated by close cooperation between the Australian Federal Police and Indonesian authorities in the investigation into the Bali bombings.⁴³

While this period has acted to divert attention from the raw feelings prompted by East Timor and led to a renewed spirit of cooperation, the relationship still had its troubles. When John Howard

⁴¹ Goldsworthy *op cit.* p. 254

⁴² Wesley *op cit* p. 103

⁴³ *ibid*

apparently implied that Australia would act as a 'deputy sheriff' in the region, neighbouring countries were left aghast.⁴⁴ This sense of Australian arrogance was only reinforced when foreign minister Alexander Downer refused to rule out pre-emptive strikes in the region.⁴⁵

Just as the Bali bombings had led to a renewed spirit of cooperation, another catastrophic event, the Indian Ocean tsunami, did the same. Indonesia was left reeling by the disaster, especially the province of Aceh. Australia pledged \$1 billion in aid to Indonesia.⁴⁶ While there may have been perceptions of Australian triumphalism, perhaps bordering on paternalism, such an unprecedented show of support undoubtedly strengthened the relationship. Significantly, a large portion of aid came from individual Australian donors and not just the government. This highlighted the fact that it was not just an act of government pragmatism, but rather there was genuine sympathy for Indonesia from within the Australian community. It showed that fearful and xenophobic perceptions of Indonesia could hardly be labelled as the only, or even the dominant perceptions.

The renewed closeness in the relationship was reflected in the close personal relationship between John Howard and Susilo Bambang Yudhoyono. It is now clear that both sides of politics put a high value on the relationship, further reinforced by recent visits to Indonesia by the newly elected Australian Prime Minister Kevin Rudd and Foreign Minister Stephen Smith.

⁴⁴ K.Kesavapany 'A Regional View: The Garuda and the Kangaroo' in John Monfries (ed.) *Different Societies, Shared Futures: Australia, Indonesia and the Region* Institute of Southeast Asian Studies: Singapore, 2006 p.29

⁴⁵ David Reeves 'Strange, Suspicious Packages' in John Monfries (ed.) *Different Societies, Shared Futures: Australia, Indonesia and the Region* Institute of Southeast Asian Studies: Singapore, 2006 p. 70

⁴⁶ Mackie *op. cit.* p. 104

Chapter 2: West Papua and the Australia-Indonesia Relationship

2.1 How West Papua has affected the relationship

The nature of West Papua's effect on the relationship between Australia and Indonesia has in many ways been influenced by Australia's position as colonial administrator of Papua New Guinea for much of the twentieth century. In 1884 Britain formally annexed the southeast quarter of the island of New Guinea⁴⁷, on the provision that the Australian colonies would finance its administration.⁴⁸ Germany had control of the northeast of the island, until this was overrun by Australia in 1914. For the duration of World War I this territory was under military administration.⁴⁹ After the war the League of Nations gave Australia a mandate to govern the former German colony, but these two territories were still governed separately. After World War II Australia administered Papua and New Guinea as a single territory, which was called Papua New Guinea.⁵⁰ Australia's position in the territory meant it had a vested interest in events across the border.

West Papua has had an impact on the Australia Indonesia relationship ever since the time of Indonesian independence. While the Dutch had agreed, after a few years of struggle, to recognise Indonesia as a sovereign nation in 1949, this did not extend to recognition of Indonesian control over West Papua. They viewed it as a potential place of settlement for the various Dutch expatriates and Eurasians scattered across the archipelago,⁵¹ and they argued that it should eventually be independent after several decades of Dutch administration, necessary in their view owing to the province's perilous state of underdevelopment.⁵² Indonesia argued that as West Papua was an integral component of the Netherlands East Indies, to which Indonesia was the successor, it was therefore only natural that Indonesian sovereignty should extend to the

⁴⁷ Waiko, John Dademo. *A Short History of Papua New Guinea* Oxford University Press, Melbourne 1993 p. 25

⁴⁸ *ibid*

⁴⁹ *Ibid* p. 83

⁵⁰ *Ibid* p. 151

⁵¹ Penders, C.L.M. *The West New Guinea Debacle: Dutch Decolonisation and Indonesia 1945- 1962* Crawford House Publishing, Adelaide, 2002 pp. 55-61

⁵² McGibbon *op cit* p. 2

province. These opposing positions led to a dispute lasting twelve years, in which Australia was to become entangled. The campaign for control of West Papua became a cause celebre for the infant nation, with Sukarno railing against the Dutch and ‘From Sabang [in Aceh] to Merauke [in West Papua]’ becoming a nationalist rallying cry.⁵³ Australia’s stance in this dispute would provide the first major divisive issue between it and Indonesia.

Whereas in the aftermath of World War Two Australia was a strong supporter of Indonesian independence, this did not extend to Indonesian sovereignty over West Papua, with Australia instead supporting Dutch retention of control. In fact Australia actively encouraged the Dutch to do so.⁵⁴ In 1949 Sir Percy Spender, the Australian Foreign Minister, told the Dutch that their control of West Papua was vital to Australia’s national interest.⁵⁵ Throughout the 1950s Australia supported the Dutch position on West Papua, with Australia even entertaining the idea of a unification of the island.⁵⁶ In a letter to the Dutch ambassador in 1950 Spender stated “we regard Dutch New Guinea as having much in common from an ethnic, administrative, and developmental point of view with our own territories of Papua and New Guinea.”⁵⁷ In 1957 this belief was acted upon, with Australia and the Netherlands agreeing that their economic and political policies on the island should be integrated to greater reflect the ethnic affinity of the island.⁵⁸

Australia’s position was influenced by what it saw as an increasingly menacing strategic environment with a perceived growing communist threat and increasingly strident rhetoric from Sukarno.⁵⁹ This led the Australian government under Menzies to pursue more than just political cooperation with the Dutch, to in fact pursue regional military cooperation.⁶⁰ Menzies was quite vocal in opposing Indonesian moves to seek sovereignty over West Papua, declaring to a Dutch UN representative “We want to retain you as our neighbours in New Guinea and want nobody

⁵³ Penders *op cit* p. 137

⁵⁴ *ibid* p.161

⁵⁵ *ibid* p. 301

⁵⁶ Budiardjo, Carmel and Liong, Liem Soei. *West Papua: The Obliteration of a People*, TAPOL (The Indonesia Human Rights Campaign) Surrey, 1988 p. 94

⁵⁷ Penders *op cit* p. 301

⁵⁸ *ibid* p. 315

⁵⁹ *ibid*

⁶⁰ *ibid* p. 309

but you. In no case do we wish the Indonesians to take over.”⁶¹ The Labor opposition went further, with Evatt seeking the whole of New Guinea to be entrusted to Australia.⁶² Ultimately Australia would reverse its position through the pressure of America which, under the newly elected Kennedy, and influenced by Cold War strategic imperatives, favoured supporting Indonesian claims to West Papua.⁶³ America’s position was succinctly described by John Foster Dulles as “... the justice of the Netherlands’ and Australian standpoint had never been denied by the American government, but it had taken up a ‘tactical’ position along the lines of ‘lesser evil’. In other words, to avert an even stronger anti-Western atmosphere in Indonesia...”⁶⁴

Not long after Australia changed its position so too did the Dutch. In 1962 they agreed to hand transitional control to Jakarta, after a period of UN administration.⁶⁵ This would be done on the proviso that the matter would be settled officially by an act of self determination by the West Papuan people.⁶⁶ In 1969 this ‘Act of Free Choice’ orchestrated by Indonesia took place; the process used ‘community consultation’ with hand picked delegates voting under the watchful eye of Indonesian authorities, rather than an open referendum.⁶⁷ The result left West Papua as a part of Indonesia, however the process has been widely criticised as undemocratic. While Australia’s control of Papua New Guinea had earlier driven its support for the Dutch, it was the Indonesian assumption of control in West Papua that accelerated Australia’s moves to divest itself of control over Papua New Guinea. Canberra feared that West Papuan resistance to Indonesian rule could provoke a similar reaction to Australia’s presence across the border. Australia was also concerned with how to respond to an influx of West Papuan refugees across the border into Papua New Guinea, and thus even at this early stage refugees were posing a diplomatic dilemma for Australia.⁶⁸

⁶¹ *ibid* p. 307

⁶² *ibid* p. 316

⁶³ Budiardjo, Carmel and Liong, Liem Soei. *op cit.* p. 94

⁶⁴ Penders *op cit* p. 314

⁶⁵ Richard Chauvel, ‘Where Nationalisms Collide’ *Inside Indonesia*
<http://insideindonesia.org/content/view/449/29/>

⁶⁶ King *op cit* p. 22

⁶⁷ McGibbon *op cit* p. 12

⁶⁸ Budiardjo, Carmel and Liong, Liem Soei. *West Papua: The Obliteration of a People*, TAPOL (The Indonesia Human Rights Campaign) Surrey, 1988 pp. 94-95

Ever since the 'Act of Free Choice', West Papua has tended to remain in the background as an issue of little overt importance for the relationship between Australia and Indonesia. It would occasionally gain media attention, generally via Morning Star flag raising ceremonies or occasional actions by the Free Papua Organisation (OPM). However on the whole it was never regarded with the same significance as the East Timor issue. Whereas East Timor was declared 'the pebble in the shoe' of the relationship, West Papua was often ignored. It has been bubbling away in the background however, especially since East Timorese independence. This can partly be attributed to a concerted effort by certain non-state actors to draw attention to issues in the province. With increased awareness has come an increasing tension in the Australia-Indonesia relationship: tension emanating from a province that could be described as the 'new pebble in the shoe'.

2.2 The impact of research, media and human rights organisations

In recent years, as West Papua has slowly emerged from the shadow of East Timor, it has increasingly become the subject of research, both journalistic and academic, especially in Australia. In addition, human rights organisations and various other activists have been vocal in drawing attention to West Papua. This upsurge in attention has not escaped the attention of Jakarta. While there is a suspicion within Indonesia of the Australian government's motives towards West Papua, there is also a belief that Australian non-governmental actors, such as churches, researchers, journalists and activists, have the potential to cause more trouble than does the government.⁶⁹ A clear example of this is the claim by then Foreign Minister Mr Alwi Shihab that Australian NGOs in attendance at the 2000 Jayapura Congress were stirring up independence sentiment, and had a direct influence on the Papuan representatives who thereafter called for independence.⁷⁰

This fear of civil society rather than government can also be seen in action in the blacklisting of academics and universities. In 2006 Indonesia's Ministry of National Education claimed that two Deakin University researchers were promoting West Papuan separatism and were subsequently blacklisted.⁷¹ The Royal Melbourne Institute of Technology was also blacklisted in response to a meeting on its campus in which a Morning Star flag was raised.⁷²

According to the old adage, knowledge is power. For those wielding that power, the construction of new knowledge can often be viewed as a threat. In this manner Indonesia, whose power in West Papua is contested, often views research into this area with suspicion. Given geographical and political considerations, accentuated by Australia's intervention in East Timor, research emerging from Australia can be far more sensitive, and have far greater implications, than research emerging from elsewhere. Given the power of this research, the relationship between

⁶⁹ Jim Elmslie with Peter King and Jake Lynch *Blundering In? The Australia- Indonesia Security Treaty and the Humanitarian Crisis in West Papua* West Papua Project, The Centre for Peace and Conflict Studies, Sydney 2007 p. 19

⁷⁰ Verrier, Dr. J.R. *Is West Papua Another Timor?* Department of the Parliament Library, Current Issues Brief, no. 1, 2000-2001 p. 9

⁷¹ Kalidjernih *op cit* p. 73

⁷² *ibid*

Australia and Indonesia can hardly expect to remain free of its influence. Australian research does not take place in a vacuum: it has the potential to significantly influence the relationship between Australia and Indonesia.

Many researchers see close parallels between East Timor and West Papua; Indonesia fears the effect of this view becoming widespread. One of the greatest fears that Indonesia holds in regards to Australian research is that it will encourage calls for independence among West Papuans. The emergence of such a view within Australian academia, and the potential for such a belief to filter down into general public opinion, is greeted with barely restrained consternation in Indonesia.

Prior to the events of 1999, successive governments in Australia, from both sides of politics, had attempted to play down the East Timor issue in order to maintain good relations with Indonesia.⁷³ Indonesia, after all, is recognised as one of the most critical relationships for Australia, given its demographic, strategic, geographic and economic importance.⁷⁴ There is little doubt that Australia's approach assisted Indonesia in its efforts to maintain and legitimise its rule in East Timor. Nonetheless, despite the reticence of the Australian government, East Timor remained a prominent issue in the public sphere, and the positions of both the Indonesian and Australian governments were widely condemned. Australian researchers, human rights organisations and the media played an important role in keeping the issue alive in the Australian public consciousness. It would be hard to imagine Australia intervening in a manner such as it did in 1999 if it were not for this widespread public awareness. If West Papua is ever to loom as large in the collective Australian imagination as did East Timor, it will be in no small part due to these same non-governmental actors; Indonesia, by blacklisting certain Australian researchers, has demonstrated its awareness of this.

Given that much of this research, commentary and activism emerging from Australia relates in some way to the question of whether or not West Papua should be independent, the issue is being kept alive in a manner that can hardly fail to strike a raw nerve in Indonesia. The loss of a

⁷³ Clinton Fernandes *Reluctant Saviour: Australia, Indonesia and the Independence of East Timor* Scribe Publications, Melbourne: 2004, p. 15

⁷⁴ *Ibid* p.4

province as large and abundant in resources as is West Papua would be a strategic blow, and an enormous setback to Indonesia's economy. Probably more significantly however would be the symbolism and loss of face that would occur were West Papua to gain independence. Even further, the very concept of Indonesia as a multi-ethnic state would be placed in jeopardy, spurring other separatist movements.

Claims raised of a correlation between East Timor and West Papua have often centred around the perception of both being victims of a 'Javanese empire'. Certainly West Papua's incorporation into Indonesia was highly questionable, to put it mildly; however there was some element of historical and legal justification which never existed with regard to East Timor. East Timor was a clear case of invading sovereign territory;⁷⁵ on the other hand West Papua had been part of the Dutch East Indies to which Indonesia saw itself as the successor.⁷⁶

Many researchers, commentators and activists also see a link in terms of Australia's approach to Indonesia. Those who take a sympathetic approach towards calls for West Papuan independence see the Australian government as being equally subservient to Indonesia's wishes in both the East Timor and West Papua cases, and being equally blind to human rights abuses in both instances. This feeds into another of the links which they see, that being the potential for Australia to abandon its current approach and intervene in West Papua in a similar manner to its intervention in East Timor. The assertion by the Australia West Papua Association, a prominent activist group, that "[t]heir [the Australian government's] spectacular moral and political failures that contributed so much to East Timor's 24 year immiseration are today being repeated in policy towards Indonesia's eastern province" is typical of such a perceived link.⁷⁷

Discussion surrounding West Papuan independence by non-state actors is, as demonstrated, a source of tension in the relationship. If there is one issue that has an even greater sensitivity, it is the claim that genocide has taken, or is taking place in West Papua. This is a topic continually

⁷⁵ Verrier, Dr. J.R. *Is West Papua Another Timor?* Department of the Parliament Library, Current Issues Brief, no. 1, 2000-2001 p. 13

⁷⁶ McGibbon *op cit* p. 2

⁷⁷ Scott Burchill 'Remaking the mistakes of East Timor', Australia West Papua Association Sydney, <http://www.zulenet.com/awpa/> cited 21/9/08

raised by Australian activists and commentators, and it feeds into the independence argument.⁷⁸ There could hardly be a graver accusation than genocide, and for Australia, which has been the target of the same accusation in regards to the treatment of its own indigenous people, the topic is particularly sensitive. This is an issue that needs to be explored in some depth, owing to the potentially far reaching implications.

Claims of genocide can cast a moral imperative for the Australian government to become involved in a manner that would not otherwise be the case. For a liberal democracy such as Australia to sit idly by while genocide took place in a neighbouring country would be an enormous indictment of moral cowardice, not to mention a failure of its power and influence. Quite aside from the moral aspect however there would obviously be much greater support for West Papuan independence amongst the Australian community if it were seen to be the victim of genocide, than would be the case if there was a fight for independence on the grounds of historical anachronism alone.

A bedrock of the genocide argument has been the idea that Papuans are being transformed into a minority in their own homeland through a deliberate strategy of immigration. This argument can be slightly misleading. True, over 700 000 migrants from other parts of Indonesia have arrived in Papua, however the key point to note in relation to this migration is that it has been largely voluntary and spontaneous.⁷⁹ The government sponsored component, known as transmigration, supplied less than a third of the migrants.⁸⁰ This was part of a wider push to develop eastern Indonesia and so West Papua was not unique in this regard. The transmigration program officially ended in 2000, and so should the idea of a government conspiracy to out-populate the Papuans.⁸¹ Nonetheless, the effects of such large-scale immigration to West Papua, even if no longer government organised, are considerable and the Indonesian government is no doubt aware of this. Such a significant transformation in the demographics can have an equally radical impact on politics in the province, and is therefore an issue deserving of attention; but the flinging about of a term as powerful as genocide risks creating far more problems than it solves.

⁷⁸ See for example 'West Papua; Genocide Continues' Green Left Online <http://www.greenleft.org.au/2006/654/7569> cited 21/9/08

⁷⁹ Stuart Upton *Migration to Papua since 1963: Go East, Young Man*, lecture, University of Sydney 4/4/2008

⁸⁰ *ibid*

⁸¹ *ibid*

Genocide has been legally defined by the 1948 United Nations Convention on the Prevention and Punishment of Genocide as “acts committed with the intent to destroy, in whole or in part, a national, racial, ethnical, or religious group, as such.”⁸² While there is undoubtedly a significant level of discrimination faced by indigenous Papuans, intermixed with occasional outbreaks of violence, it would in no way meet the United Nations criteria. There is a very great difference indeed between seeking to maintain rule and seeking to destroy. Rodd McGibbon argues the claim that Indonesia has committed genocide in West Papua is not only a myth, but a dangerous one at that.⁸³

There is a counter argument that agonising over whether events fit the legal definition of genocide in fact misses the point, and that surely the lesson of the holocaust, Rwanda and Cambodia is to act before genocide is accomplished. Certainly this argument has been applied to Darfur. Seemingly endless debate over whether or not the violence there amounts to genocide has been slammed by aid workers on the ground. “Definitions should be left to the dictionary- now is the time for action” pleaded one aid worker.⁸⁴ This is a compelling argument based on noble humanitarian ideals. However for this argument to claim credence there needs to be widespread violence against a certain group, or at least the intention for such violence. This certainly exists in Darfur. Violence in West Papua has never approached, or even threatened to approach such levels, but rather has remained consistently low level and spasmodic.

This is not to dismiss the violence and human rights abuses altogether, on the contrary they must be acknowledged. Once again highlighting the prominence of their place in this debate, much of our awareness of human rights abuses comes from Australian researchers and human rights organisations. Prominent in this area is the West Papua project, based at the University of Sydney, which has drawn attention to a number of abuses of Indonesian authority in West Papua. One of the most notable manifestations of this in recent years was the September 2001 killing of They's Eluay, a prominent tribal leader and public face of the independence movement, by

⁸² Kiernan, Ben. *Blood and Soil: A world history of genocide and extermination from Sparta to Darfur*, Yale University Press, London: 2007 p. 10

⁸³ McGibbon *op cit* p. 99

⁸⁴ Martin Shaw *What is Genocide?* Polity Press, Cambridge: 2007, p. 164

Indonesian Special Forces.⁸⁵ The accusation that accountability for this murder went far beyond rogue soldiers, with the alleged involvement of the State Intelligence Agency (BIN) head, Hendropriyono, is a worrying sign.⁸⁶ But isolated killings such as this typify the violence in West Papua, rather than large- scale military offensives as have taken place in East Timor and Aceh.

There has at times though occurred violence on a greater scale. According to Human Rights Watch, in Wamena in 2003 TNI personnel had tortured forty eight people, killed seven and forcibly evacuated seven thousand.⁸⁷ Such instances should not be viewed as typical however. Quite aside from such displays of violence, human rights abuses often take a less visible form, such as the mistreatment of prisoners.

Thus, that there are considerable human rights violations in West Papua, there is no doubt. However when these are placed into a grand narrative of imperialism and resistance, it becomes rather problematic. The murder of five protesting farmers by Indonesian security forces in 2004 is a case in point.⁸⁸ This occurred on the island of Flores and is indicative of human rights concerns throughout the archipelago. Were this to have occurred in West Papua it would likely have gained significant media attention, or at the very least academic attention, and no doubt fuelled debate on independence. The fact that it occurred in Flores meant it could not be placed within the romanticised framework of a struggle for independence. As such, the murder of these farmers passed with barely a murmur in Australia. The fact that research into West Papua can feed into such a narrative is a central reason for Indonesian concern over Australian research, and why it can pose such dilemmas for the relationship between the two nations.

Another area which holds a great sensitivity for Indonesia, and in which Australian researchers have been prominent, is the Freeport mine in West Papua. This enterprise generates enormous amounts of wealth for Indonesia. In fact, it is the largest gold mine and most profitable copper

⁸⁵ McGibbon *op cit* p. 38

⁸⁶ David Wright Neville 'Taken by surprise', *Inside Indonesia*, April-June 2003, pp. 17-18

⁸⁷ McGibbon *op cit* p. 38

⁸⁸ Edward Aspinall, *Selective outrage and unacknowledged fantasies: Re-thinking Papua, Indonesia and Australia*, Nautilus Institute, 2006, p. 3

mine in the world.⁸⁹ Staggeringly, this mine constitutes half of all West Papua's GDP.⁹⁰ Not surprisingly, Indonesia is sensitive to criticism of such a productive mine. Yet criticism arrives in torrents, much of it generated by Australian researchers. They highlight a plethora of environmental issues in relation to the mine; decry as obscene the poverty of the surrounding inhabitants when such wealth is being generated; and raise questions of corruption in relation to the company's relationship with the government and the TNI.⁹¹ By courtesy of this relationship with the TNI, Freeport has been accused of being complicit in human rights abuses.⁹² Again, such accusations can feed into a narrative of repression of, and struggle for independence even if they were not intended in this way.

In the context of the Australia-Indonesia relationship there is a significant problem that emerges from Australian research into West Papua. Although it can hardly be unexpected, much of the research is undertaken without consideration of the impact it can have on the bilateral relationship. It could hardly be any other way, for independent scholarship and journalism free of government constraints is a fundamental aspect of Australian democracy. Yet nonetheless it can pose a problem. Continual criticism of the Indonesian government by a number of researchers reinforces perceptions of an 'anti-Indonesia camp' within Australia.⁹³ The perception that such a group exists, even if it is a simplistic label, can to some extent influence Indonesia's approach to the relationship.

A counter claim to that of an 'anti-Indonesia camp' is that of a 'Jakarta lobby', supposedly consisting of figures within the Defence Intelligence Organisation, the Department of Foreign Affairs and Trade and less formally, journalists and academics which seeks to influence government policy in favour of a pro-Indonesia approach.⁹⁴ Both these labels, 'Jakarta lobby' and 'anti-Indonesia camp' should be considered as somewhat simplistic as there is a diversity of opinions and approaches within these 'groups.' However, even the very *perception* that they

⁸⁹ King *op cit* p. 23

⁹⁰ *ibid*

⁹¹ Clinton Fernandes, *Reluctant Indonesians: Australia, Indonesia, and the future of West Papua* Scribe Publications, Melbourne: 2006 pp. 84-95

⁹² Leith *op cit* pp. 252-253

⁹³ Kalidjernih *op cit* pp.73-74

⁹⁴ King *op cit* p. 141

exist can impact upon the relationship between Australia and Indonesia. There exists within Indonesia a belief that Australian academics are overwhelmingly anti- Indonesian, and that they pass such sentiments on to Australian students.⁹⁵ This should of course be viewed as a gross generalisation. However as stated the very belief that an anti- Indonesia camp exists can have far reaching and damaging effects upon the relationship between Australia and Indonesia. These effects are recognised not only by Indonesia but also by fellow researchers in Australia.⁹⁶

So, the storm clouds had been gathering around West Papua for some time. There had been pre-existing tensions surrounding government actions, such as 1950s support for the Dutch and the East Timor intervention. These were added to by the actions of a variety of individuals and groups not associated with government, of whom the Indonesian government was becoming increasingly critical. Publicised claims of genocide and of pro-independence sentiments were making the situation all the more on edge. In 2006 these diverse commentaries and concerns wrapped themselves around, and were brought into sharp focus by, a single incident.

⁹⁵ Kalidjernih *op cit* p. 73

⁹⁶ *ibid*

Chapter 3: Refugees and the Diplomatic Crisis

3.1 The arrival and impact of the West Papuan refugees

In January 2006, a group of forty three West Papuans set out in a boat to seek asylum in Australia. Over the preceding years debates over refugees had been a major and divisive issue on the Australian political scene. The arrival of these forty three however turned a domestic political debate into a major international incident. The issue of West Papua and the potential for secessionism had for some time posed subtle problems for the Australia-Indonesia relationship; however the arrival of the forty three turned it into perhaps the most significant bone of contention between the two nations for many years.

The initial decision to leave for Australia was made by Herman Wainggai, an active member of the West Papuan student union, who was able to woo a number of others to join him on this undertaking.⁹⁷ Herman had been charged on two separate occasions with subversion as a result of conducting peaceful protests, spending more than two years in gaol.⁹⁸ Whether he was singled out by the authorities over his role in the union is a matter for conjecture. Philip Ruddock claimed in parliament that fleeing persecution was in fact not the motivation for the forty three, rather that they left with the deliberate aim of provoking tensions between Australia and Indonesia, presumably as a method of advancing West Papua's independence prospects.⁹⁹ Whatever Wainggai's motivations, he managed to gather together a large group of like minded West Papuans, and without detection arranged to set out for Australia from Merauke on West Papua's southeast coast. The journey which they had anticipated would take a day at most, in fact took four days.¹⁰⁰

⁹⁷ Alan Nichols *Escape From West Papua: How and Why Refugees Came to Australia*, Melbourne: Acorn Press, 2007 p. 3

⁹⁸ *ibid*

⁹⁹ Phillip Ruddock, Hansard, House of Representatives, Wednesday 14th June 2006, p. 99

¹⁰⁰ Nichols *op cit* p. 3

The forty three refugees landed in Australia on January 17th near the Mapoon Aboriginal community in Cape York, and two days later they were flown to Christmas Island detention centre. Their arrival and detention brought a rapid reaction from Indonesia. This response was certainly fuelled by a photograph of the group in their canoe, taken by Damien Baker of *The Torres News*, which featured a ‘Free West Papua’ banner in both English and Bahasa.¹⁰¹ Also prominently on display was the Morning Star flag, which has time and again proved a red herring to Indonesia and which clearly showed the group were proponents of West Papuan independence. There was publicity Jakarta did not crave. Susilo Bambang Yudhoyono phoned John Howard in person, urging the Australian government not to grant them asylum.¹⁰² He went so far as to give a personal guarantee of their safety should they return home.¹⁰³

While Indonesia’s response to the arrival of the refugees was swift, it was nonetheless measured in tone. On the 6th of February the Defence Minister Juwono Sudarsono admitted that Indonesia was not free of blame, granting that “there have been incidents of some brutality, torture and rape involving some of our troops [in West Papua]”, although he denied this was systematic.¹⁰⁴ However this temperate response from Indonesia was to be short lived: the rhetoric was ratcheted up dramatically on the 23rd of March when the Immigration Department approved forty two of the forty three West Papuans as “genuine refugees in fear of persecution if they return home.”¹⁰⁵ Yudhoyono’s immediate response was that the decision “diminished Indonesia’s sovereignty.”¹⁰⁶

The Australian government was at pains to stress to Indonesia that this was an independent decision, with an assessment of the cases made without any interference from cabinet and was in line with government policy and international norms.¹⁰⁷ This assertion was met with some scepticism in Indonesia, especially given Howard’s well documented hard line approach towards

¹⁰¹ *Ibid* p.24

¹⁰² *Ibid* p. 25

¹⁰³ McGibbon, *op cit* p. 83

¹⁰⁴ ‘Minister admits abuses in Papua’ *Inside Indonesia*, 6/2/2006 <http://insideindonesia.org/content/view/100/29/> July-September 2001

¹⁰⁵ *Ibid* p.54

¹⁰⁶ Tony Hotland, ‘SBY wants review of Aussie ties’ *The Jakarta Post* 4/4/2006

¹⁰⁷ McGibbon *op cit* p. 84

asylum seekers in previous years.¹⁰⁸ Perhaps in acknowledgement that Indonesia's anger was fuelled by suspicion of Australian motives towards West Papua, on the 29th of March John Howard publicly reaffirmed the government's position of supporting Indonesian sovereignty.¹⁰⁹

Nonetheless, the fact that Yudhoyono had pleaded to Howard to no effect was seen by many in Indonesia as a personal slight towards their president. Furthermore, the fact that they were deemed to be genuine refugees in fear of persecution explicitly implied that the Indonesian government was repressive and could not be trusted to safeguard the welfare of its own citizens.

Jakarta did not waste time in clearly expressing its displeasure with Australia through a number of official measures. The first of these was the decision to 'withdraw for consultation' the Indonesian ambassador to Australia, a clear diplomatic snub.¹¹⁰ This largely symbolic move was followed by more substantive measures, such as the April 4th announcement by Susilo Bambang Yudhoyono that bilateral cooperation over people smuggling would be reviewed. "We have to discuss it at such a level because, with all due respect to Australia who claims to support Indonesia, it needs to ensure [the support] is reflected in a more precise implementation."¹¹¹ Such a move was a firm rebuke for the Howard government; this cooperation with Indonesia had been a centrepiece of John Howard's response to asylum seekers in the aftermath of the *Tampa* saga.¹¹² Only a week earlier Alexander Downer had declared in parliament that "cooperation [with Indonesia] is in our mutual interest... to help deal with people smugglers and illegal people movements"¹¹³ Signalling their desire to maintain the pressure on Australia, in the following days the Indonesian parliament announced it would send an official protest delegation to Canberra.¹¹⁴

¹⁰⁸ William Sullivan, 'Papuan Refugees', *The Jakarta Post*, opinion, April 20, 2006

¹⁰⁹ John Howard, Transcript of the Prime Minister, Langham Hotel, <http://www.pm.gov.au/news/interviews/Interview1839.html>, cited 11/9/08

¹¹⁰ Monfries *op cit* p. 8

¹¹¹ Hotland, *op cit*

¹¹² In the lead up to the 2001 Australian election, the question of how Australia should respond to asylum seekers became a major political issue. Following an incident in which a Norwegian container vessel, *The Tampa*, with over 400 asylum seekers on board was refused entry, John Howard made a hard-line stance towards asylum seekers a centrepiece of his election platform.

¹¹³ Alexander Downer, Hansard, House of Representatives, 27 March 2006

¹¹⁴ Monfries p. 8

While the Indonesian government was busy venting its anger at the decision, and the Australian government was attempting to soothe their concerns, the saga moved from the government sphere to the public sphere, being driven by the media in both countries. The relationship between Canberra and Jakarta sunk further on the 4th of April, with the publication in the populist Indonesian newspaper *Rakyat Merdeka* of a cartoon depicting Alexander Downer and John Howard as copulating dingoes. Well known Australian cartoonist Bill Leak responded the next day in *The Australian* with a cartoon lampooning the Indonesian treatment of West Papuans in an equally lurid manner.¹¹⁵

There was a general outrage over Leak's cartoon in Indonesia and more broadly over a perception that Australia was seeking to promote West Papuan independence. Yudhoyono described Leak's cartoon as "obscene and destructive"¹¹⁶, while the Indonesian embassy in Canberra issued a statement labelling the cartoon "malicious."¹¹⁷ The Australian government officially distanced itself from the cartoon, explaining that it had no control over a free press. It is highly unlikely that the Indonesian government would be unaware of the level of freedom of expression cartoonists possess in Australia, so protestations of outrage were driven by both the need and the advantage of playing to a domestic Indonesian audience. Alexander Downer sought to demonstrate that he was just as outraged at the cartoons as his Indonesian counterparts, labelling the cartoon as "grotesque."¹¹⁸ In a statement Yudhoyono compared Leak's cartoon to Danish cartoons of the prophet Mohammed which had prompted a violent backlash throughout the Islamic world, and somewhat ominously warned that "many big conflicts, including the world wars, started from a mere gimmick."¹¹⁹

On the 13th April Senator Amanda Vanstone, the Minister for Immigration and Multicultural Affairs, announced a number of amendments to the nation's immigration policy, including the

¹¹⁵ 'Australian cartoon irks Indonesia', BBC, <http://news.bbc.co.uk/2/hi/asia-pacific/4867470.stm> cited 21/6/08

¹¹⁶ Greg Ansley, *Cartoon war curdles Jakarta's view of Canberra*, New Zealand Herald, http://www.nzherald.co.nz/section/story.cfm?c_id=2&ObjectID=10376129 cited 21/6/08

¹¹⁷ Embassy of the Republic of Indonesia, 'Offensive Cartoons in Indonesian and Australian Print Media' <http://www.kbri-canberra.org.au>

¹¹⁸ BBC News 'Australian cartoon irks Indonesia' <http://news.bbc.co.uk/2/hi/asia-pacific/4867470.stm>

¹¹⁹ Hotland *op cit*

automatic transportation of asylum seekers offshore.¹²⁰ Vanstone avoided any mention of West Papua as a motivation for the move, although John Howard made no such attempts. He used the strongest language yet seen by Australia in the saga, warning any potential West Papuan asylum seekers that the government did not want them here.¹²¹

Australian attempts to reassure Jakarta were beginning to have some effect by mid April. Although Yudhoyono was still using strident language, declaring that West Papua is Indonesia's "internal problem" that should not warrant any concern, the Indonesian Foreign Minister stated that Jakarta would take a "wait and see" approach with Australia rather than take any rash action.¹²² This was rather calmer than the preceding weeks. However, while the storm may have begun to recede in terms of governmental relations, for the public the issue continued to fester. A survey of 1200 Indonesians found that a majority believed "Indonesia is right to worry that Australia is seeking to separate the province of Papua from Indonesia".¹²³

While Indonesia may have been acting out of a desire to thwart any potential Australian support for West Papuan secessionism, it appeared to have created quite the opposite effect among the Australian public. A survey conducted by Newspoll at the height of the diplomatic storm found that more than three quarters of the respondents supported West Papuan self-determination.¹²⁴ It was telling that there was such widespread public support for the forty three West Papuans, in contrast with the hostile response to asylum seekers only a few years before.¹²⁵ This was perhaps as much a reflection of deep-seated anti-Indonesia views as it was of any affinity with the West Papuan independence movement. That such views were so overwhelmingly held would have been of great concern to the governments of both countries. It would have been of great comfort, however, to the refugees themselves, who were aware of the Newspoll survey and were playing up its significance in the Australian media. Herman Wainggai, the leader of the refugees, declared "We hope that the government will also get behind that sort of support that is in the community.

¹²⁰ Media Centre, 'Strengthened Border Controls for Unauthorised Boat Arrivals' Senator Amanda Vanstone, http://www.minister.immi.gov.au/media_releases/media06/v06048.htm, cited 5/9/08

¹²¹ 'Australia warns off Papua refugees', *Al Jazeera* <http://english.aljazeera.net/NR/exeres/043F0075-ACE4-41C0-8AAC-B188B1E3DDA7.htm>, cited 4/7/08

¹²² 'RI waiting to see what Australia will do next' Embassy of the Republic of Indonesia, <http://www.kbri-canberra.org.au/news.html>, cited 5/8/08

¹²³ CNN, 'Poll finds Australian neighbour gap' <http://edition.cnn.com/2006/WORLD/asiapcf/10/02/australia.indonesia/index.html> cited 21/9/08

¹²⁴ 'Most Australians back Papua', *The Australian*, 19 April 2006

¹²⁵ Wesley *op cit* pp. 208-210

If Australia can go and give support to those in Iraq and Afghanistan, why can't they get involved and support their neighbour?"¹²⁶ If the refugees could not shift the government's position through allusions to opinion polls, they had far more success in appealing to the Australian public. Merike Tebay, another of the refugees, stated that "... West Papuans helped the Australians during the war. We were called the Fuzzy Wuzzy Angels who looked after the Australian soldiers. My dream is that Australia will return the care and love that we gave them."¹²⁷ This was a point also raised by the RSL, a group hardly renowned for refugee advocacy.¹²⁸ Throughout the saga the Australian government, was under a constant barrage of criticism at home to the effect that it was pursuing a policy of appeasement towards Indonesia.¹²⁹

While the Australian government may have been losing the public relations battle, it was frantically pressing ahead on the diplomatic front. In a move to further repair ties, Australia sent its top diplomat, Michael L'Estrange, to Indonesia.¹³⁰ Nonetheless, there still remained anger in Jakarta. On the 22nd of April, Yudhoyono declared that the Indonesian ambassador to Australia would not return until Indonesia received an apology from Australia, something which John Howard ruled out.¹³¹ Indonesia also extended its anger from the Australian government to the Uniting Church, blaming it for fomenting trouble in West Papua.¹³²

3.2 Australia's diplomatic and policy responses

¹²⁶ Nichols pp. 67-68

¹²⁷ *Ibid* p. 67

¹²⁸ 'Why do we ignore Papua?', *The Sydney Morning Herald*, May 12 2006

http://blogs.smh.com.au/entertainment/archives/club_metro/004551.html

¹²⁹ Tony Burke, Hansard, House of Representatives, Wednesday 21 June 2006 p. 73

¹³⁰ McGibbon *op cit* p. 85

¹³¹ 'Indonesian Ambassador to Australia will not return', *Viet Nam News Agency*,

http://www.vnagency.com.vn/NewsA.asp?LANGUAGE_ID=2&CATEGORY_ID=33&NEWS_ID=195892

¹³² Mark Forbes, 'Jakarta attacks Uniting Church over West Papua', *The Age*,

<http://www.theage.com.au/news/national/jakarta-attacks-uniting-church-over-west-papua/2006/04/19/1145344155816.html>

As mentioned, the centrepiece of Australia's attempts to soothe Jakarta's anger was an attempted strengthening of immigration policy. While these forty three West Papuans had been declared refugees, the government was determined to ensure this would never happen again. The bill proposed by the government, known as the 'migration amendment (designated unauthorised arrivals bill)' would excise the northern part of Australia for migration purposes, including several indigenous communities.¹³³ Therefore an asylum seeker who landed in northern Australia would not technically be in Australia. Labor had a field day. Then opposition immigration spokesman Tony Burke pointed out "To quote the tourism commercial, if you are not in Australia, where the hell are you? Where the bloody hell are they, if they land on the mainland of Australia?"¹³⁴ Another notable aspect of the bill was that the concept of country of first asylum would be scrapped.¹³⁵

Rodd McGibbon argues that the government made the mistake of entangling a controversial foreign policy issue with another controversial issue, that of immigration.¹³⁶ Realising that these two controversial issues had converged, Tony Burke pounced, taunting the government by twisting John Howard's famous mantra and declaring "*Indonesia* will choose who comes into this country and the manner in which they come."¹³⁷

Embarrassingly for the government the bill faced widespread opposition not only from Labor but the community at large, and even from its own backbenchers. This opposition was demonstrated by the fact that out of the many submissions in regards to the bill, the only in support were from the immigration department.¹³⁸ By August the bill was abandoned.¹³⁹ The government's room to manoeuvre was thus somewhat stifled by opinion in Australia on the one hand and Indonesia on

¹³³ Tony Burke *op cit.* p. 97

¹³⁴ *ibid*

¹³⁵ *ibid*

¹³⁶ McGibbon *op cit.* p. 86

¹³⁷ Wesley *op cit.* p. 208. John Howard's assertion that "we will choose who comes into this country and the circumstances in which they come" was one of the defining statements of the 2001 election campaign, a campaign in which the Coalition sought re-election largely on the back of their hard-line approach to asylum seekers and border security.

¹³⁸ Elizabeth Biok, interview, 11/7/2008

¹³⁹ McGibbon *op cit.* pp. 85-86

the other. It was a reminder of the conflicting demands placed on policy makers in relation to West Papua, from public sentiments on the one hand and foreign policy concerns on the other.

The granting of asylum to the forty third member of the group, David Waingai, some time later on appeal provided another aftershock to the relationship, especially given his residency in Jakarta rather than West Papua, and the fact that he had a visa for Japan. This is especially significant, given that the question of whether another country can provide resettlement is one of the key factors in deciding on eligibility for refugee and humanitarian visas.¹⁴⁰ In the end he was accepted partly because his father, Dr Thomas Waingai, the first West Papuan to earn a PhD, was a hero of the independence movement who had allegedly been murdered by Indonesian security forces.¹⁴¹ Had the proposed immigration reforms passed the senate, David Waingai would have had no opportunity to launch his appeal in the first place.¹⁴²

Thus, while the issue of West Papua has long been a factor in the relationship between Australia and Indonesia, the arrival of the forty three in 2006 showed that it clearly has the potential to be a highly divisive issue between the two nations, more so than has been realised in the past. With East Timor no longer the sticking point between the two countries that it once was, this role has to a significant extent been usurped by West Papua, in no small part courtesy of the forty three refugees. Furthermore, their arrival has shown the potential for West Papua, and the possibility of secessionism, to loom large as a decisive issue in the public consciousness of both Australia and Indonesia.

With its attempts at immigration reform having been an abject failure, the Howard government sought other means of reassuring Jakarta in the wake of the refugee saga. Principal among these was the signing on 13 November 2006 of the Australia- Indonesia Security Treaty, known as the Lombok Treaty. This proved highly controversial in Australia, but from the Indonesian perspective it certainly acted as a reassurance about Australia's approach to the issue of West

¹⁴⁰ Jennifer Burn and Sudrishti Reich *The Immigration Law Kit: A practical guide to Australia's immigration law*, The Immigration Advice and Resource Centre, The Federation Press: Sydney 2005 pp. 405- 406

¹⁴¹ Nichols *op cit* pp. 7-8

¹⁴² *ibid*

Papua. Article 1 claims the treaty will “provide a framework for the deepening and expanding of bilateral cooperation”.¹⁴³ It was article 2.3 however that raised the most interest.

“The Parties, consistent with their respective domestic laws and international obligations, shall not in any manner support or participate in activities by any person or entity which constitutes a threat to the stability, sovereignty or territorial integrity of the other party, including by those who seek to use its territory for encouraging or committing such activities, including separatism, in the territory of the other party.”¹⁴⁴

For Indonesia, it gained a clear affirmation that the Australian government would support its sovereignty in West Papua. The Australian government clearly believed such a clause would prevent the outbreak of any similar diplomatic storm in the future. Indonesia agreed with this sentiment, with the Department of Foreign Affairs declaring “As sovereign nations, we each respect the territorial integrity and unity of the other. Australia does not support separatist movements in any part of Indonesia. Indonesia’s unity, stability and prosperity is vital for Australia’s own security and well-being.”¹⁴⁵ Many in Australia however were outraged at the treaty, with a belief that Australia risked becoming an ally in an undeclared war against the West Papuan people.¹⁴⁶ Furthermore, it raises a number of compelling questions, such as whether the Australian government would seek to silence any dissent shown towards the Indonesian government by West Papuan refugees in Australia. If so, it would provide fuel to the flames of those claiming the government is sacrificing fundamental Australian values in order to appease Indonesia. As with the government’s attempt at changing the immigration laws, the treaty may well provoke such a backlash within the community as to prove unworkable.

¹⁴³ Jim Elmslie *Blundering In? The Australia- Indonesia Security Treaty and the Humanitarian Crisis in West Papua* The West Papua Project, Centre for Peace and Conflict Studies, University of Sydney, March 2007 p. 21

¹⁴⁴ *ibid*

¹⁴⁵ Republic of Indonesia, Department of Foreign Affairs, http://www.deplu.go.id/?category_id=13&country_id=8&bilateral=asiatimur cited 17/9/08

¹⁴⁶ Elmslie *op cit.* p. 25

Chapter 4: Where we are now and where we are heading

4.1 What the refugees have shown us

The arrival of the forty three refugees in Australia in 2006, and the subsequent rift in relations between Australia and Indonesia, has offered a vivid reminder of just how sensitive the issue is. The severity of the diplomatic crisis shows that the issue springs from fundamental questions of statehood for Indonesia such as the legitimacy of its borders. This was reflected in Yudhoyono's language when he stated that granting the forty three asylum seekers refugee status had diminished Indonesia's sovereignty.¹⁴⁷ And yet the lessons of this incident go further still, showing that the historical, cultural and political context of the Australia Indonesia relationship ensure that it has unique and fraught dimensions not present in other relationships. After all, Papua New Guinea is the home of thousands of West Papuan refugees, yet this has never provoked a backlash from Jakarta as dramatic nor as passionate as that directed towards Australia in 2006. The reasons for this are many, including the way Indonesia views Australia through something of a neo-colonial lens, Australia's support for the Dutch in the 1950s, and the more recent East Timor intervention. Together these reasons ensure that issues associated with West Papua will continue to act as a major source of irritation to the Australia Indonesia relationship.

The fact that Indonesia responded with fury to a single boatload of refugees, and in fact to a mischievous cartoon, is a vivid reminder of just how sensitive the West Papua issue is, and also just how much suspicion is shown towards Australian motives in the region. Indonesia's various offerings of protestation throughout the saga were perhaps a natural reaction to such a sensitive issue, and similar moves could therefore be expected in any future incident involving West Papua. However, just as the Howard government's attempt to change the immigration laws backfired, so too did Indonesia's approach of attacking Australia and the decision to accept the refugees. Strong language from Jakarta, and the perceived meek response from the Australian

¹⁴⁷ Hotland *op cit.*

government, in fact fuelled support within Australia for West Papuan independence.¹⁴⁸ Yet despite the fallout both sides suffered, a future radical departure from the approaches taken in this instance is somewhat unlikely. Conciliatory language towards Jakarta has been a constant feature of both Labor and Liberal approaches in the past and would likely be the case in the future, as both clearly recognise that antagonising Indonesia would have disastrous diplomatic, economic and strategic consequences. From the Indonesian perspective, taking a soft line on an issue as central to the national interest as West Papua would be political suicide. Thus, we are left with a recipe for similar incidents in the future. It will likely be left to measures such as the security treaty to soften the blow if and when such a dilemma again rears its head.

One aspect of the relationship vividly highlighted by the arrival of the forty three refugees is the disparity between popular perception on the one hand, and the actions of government on the other. There appears to be an underlying perception of Indonesia as ‘the other’ which has occasionally broken out into highly visible and at times quite virulent anti-Indonesia sentiment. This has been prompted by such diverse recent issues as the East Timor intervention and the Schapelle Corby drug trial, but the arrival of the forty three West Papuan asylum seekers in 2006 showed it especially clearly and it led to accusations that the Australian government was pandering to Indonesia’s every whim.¹⁴⁹ Conciliatory language was met with howls of derision and labelled ‘appeasement’. Corresponding perceptions in Indonesia that the government slavishly follows Australia and the United States also widely abound.¹⁵⁰

Michael Wesley has observed a curious tendency in which the publics of each nation have become increasingly sensitive to the idea of their respective governments ‘appeasing’ the other, to the extent that the closer official relations become, the more suspicious the publics become.¹⁵¹ That the corresponding publics possess little understanding of one another outside of gross caricatures, demonstrates a failure by both governments to explain their motivations to any significant degree, and so long as this continues one can hardly expect the importance of the relationship to be as widely appreciated by the public as it is by government. On the contrary, the

¹⁴⁸ ‘Most Australians back Papua’, *The Australian*, 19 April 2006

¹⁴⁹ Wesley *op cit* pp. 206-212

¹⁵⁰ Monfries *op cit* p. 70

¹⁵¹ Wesley *op cit* p. 210

trends if anything suggest hostility towards the idea of the two countries developing and maintaining warm ties. This poses the risk of a self-feeding downward spiral in the relationship: issues surrounding West Papua fuel tensions in the relationship, and that tense relationship in turn fuels problems in West Papua.

The actions of the Australian government show there is a clear understanding that issues emanating from West Papua can act as irritants to the relationship. However the failure of the Howard government's migration amendment bill shows there is a limit to which the fate of the relationship is in the hands of government. It is undoubtedly in a situation where should it undertake a decisive and proactive step explicitly involving West Papua it will be met with at the very least a suspicion of its motives. It is thus left in a situation where it can only operate in a reactive manner to events outside its control, such as the decision by a group of people to set out in a boat. Above all, the incident has shown that West Papua has firmly arrived as the new 'pebble in the shoe' for the Australia Indonesia relationship.

4.2 West Papua and the future of the Australia-Indonesia relationship

Although West Papua has from time to time featured as a troublesome factor in the relationship between Australia and Indonesia, the arrival of the forty three refugees in 2006 seems to have shown it in a new light. The various reactions showed that West Papua has the potential to divide the two countries like no other foreseeable issue, to a far greater extent than has been realised in the past. With East Timor no longer constituting the sticking point between the two nations that it once was, this role has to a significant extent been usurped by West Papua. That this is clear to us is in no small way courtesy of the forty three refugees; having said that, the refugees themselves were not the cause of this division. The various tensions were pre-existing, and the arrival of the refugees merely provided the opportunity for those manifold tensions to be viewed through the lens of a single incident. Their arrival has shown the potential for West Papua to loom large as a decisive issue in the public consciousness of both Australia and Indonesia, to shape the relationship between the two countries, and consequently to mould the future of the region.

In the months and years following the refugee incident the relationship has regained a sense of normality. How big a role the security treaty played in this is not entirely clear, but ties certainly strengthened further in the final year of the Howard government, and appear to be doing the same in the first year of the Rudd government. Many large aid deals have been signed, including \$300 million for road projects and \$50 million for improving governance.¹⁵² Perhaps the most significant is the Australia Indonesia Partnership for Reconstruction and Development, which will provide \$1 billion over five years for reconstruction in Aceh.¹⁵³

This increasingly warm relationship is in many ways enabled by changes within Indonesia, which has emerged from “a state of profound flux and turmoil” a decade ago, to a stable and competitive democracy today.¹⁵⁴ It has now found itself more than ever in a position to play a constructive role in international affairs, an example of which was the hosting of a global round

¹⁵² Australian Government, Department of Foreign Affairs and Trade, www.aisaid.gov.au/country/country.cfm?CountryId=30

¹⁵³ Republic of Indonesia, Department of Foreign Affairs http://www.deplu.go.id/?category_id=13&country_id=8&bilateral=asiatimur

¹⁵⁴ Editorial, ‘Watching Indonesia: It’s improving, but there’s a long way to go’, *The Australian*, 28 May 2008 p. 17

of talks on climate change in Bali. In the aftermath of Suharto's demise many feared a chaotic future for the relationship.¹⁵⁵ That this has not happened is a testament to successful reform within Indonesia, and to recognition by both nations that the relationship is based on shared interests, with significant potential benefits for all involved.

There is certainly a clear recognition in Australia by both Labor and the Coalition of the importance of the relationship with Indonesia, and there has also been a growing awareness in Jakarta of the importance of a good relationship with Australia, especially under the presidency of Susilo Bambang Yudhoyono. Yet as seen in the instance of the forty three refugees arriving, recognition of its importance is not always enough to ensure its protection from disruptions. Perhaps the most significant of those disruptions is West Papua. So in many ways the future of the relationship is hostage to the future of West Papua.

Perhaps the most decisive shaping force for the future of West Papua will be the evolution of the independence movement. Were calls for independence to gradually disappear so would many potential pitfalls for the relationship; but this is unlikely to take place. In recent months West Papuan opposition figures have made tentative moves towards a common approach.¹⁵⁶ As mentioned the movement for West Papuan independence has been constantly hampered by internal division, a fact made all the more pronounced by tribal and linguistic diversity. History shows that negotiating from a position of weakness is rarely a fruitful endeavour. If a united front were to emerge the problems for Jakarta, and consequently Canberra, would be magnified significantly. A recent summit of West Papuan opposition figures in Vanuatu suggests that steps, however tentative, are being taken in this direction.¹⁵⁷

There may also be an unforeseen dimension to the issue slowly emerging. The rise of China as a confident player on the world stage is a subject that has been dealt with at length in recent years. This may be transforming the regional context in which the issue of West Papua has thus far been dealt with. A new regional grouping, the Melanesian Spearhead Group, has been

¹⁵⁵ Wesley *op cit* pp. 70- 74

¹⁵⁶ Ben Bohane 'Power of One: A recent summit of West Papuan leaders may be a sign of increasing activism' *The Diplomat*, May/June 2008 pp 22-24

¹⁵⁷ *ibid*

constructed, largely at the behest of China. Members of the group, most notably Vanuatu, have been pushing for West Papua to be granted observer status within this grouping.¹⁵⁸ These attempts have thus far been rebuffed by Papua New Guinea, a move which has been warmly welcomed by Indonesia.¹⁵⁹

The emergence of an institutionalised Melanesian solidarity, with financial and diplomatic backing from Beijing, would present an entirely new and radically different challenge to policymakers in both Jakarta and Canberra, and were West Papuan independence figures to be given a voice in such a grouping, it would certainly embolden the OPM. However it is highly unlikely that China would seek to deliberately antagonise Indonesia. It is also highly doubtful that Beijing would allow itself to be manipulated by an independence movement such as the OPM, especially given its vehement opposition to its own independence movements in Tibet and Xinjiang.

A more immediate and alarming concern is the potential for communal strife between Christians and Muslims in West Papua. As highlighted by the International Crisis Group¹⁶⁰, there has been a growth in the activities of both radical evangelical Christian groups and militant Islamic groups within the province, and tensions between these groups have been growing, with significant outbreaks of violence only narrowly avoided on a number of occasions.¹⁶¹ Communal violence does not pose the same threat to the relationship as separatist violence per se, but communal violence could provide fuel for separatist movements, given that the divide between Islam and Christianity in many cases mirrors the ethnic divide between indigenous Papuans and other Indonesians, and significant violence may further provoke a sense of victimhood among elements of the West Papuan population. Just as communal fighting in Ambon and Sulawesi has been exploited for propaganda purposes and used as a recruiting tool by Jemaah Islamiyah,¹⁶² so too could communal fighting in West Papua potentially be exploited by the OPM.

¹⁵⁸ *ibid*

¹⁵⁹ Ben Bohane 'Rumbles in the Jungle' *The Diplomat* September- October 2008 p. 21

¹⁶⁰ International Crisis Group, 'Indonesia: Communal Tensions in Papua', Asia Report 154, 16 June 2008

¹⁶¹ *ibid*

¹⁶² Sally Neighbour *In the Shadow of Swords* HarperCollins, Sydney: 2004 p. 163

An additional consequence of any significant outbreak of communal violence would likely be an exodus of refugees, for whom Australia could be a tempting destination. As observed, a single boatload of refugees caused havoc for the Australia-Indonesia relationship. More substantial or sustained numbers would prove a far more disrupting influence. A government welcoming of such refugees would infuriate Indonesia. On the other hand a government taking a hardline stance towards them may well provoke a backlash from its own citizens.

Such an outcome could have an influence in other ways as well. The churches in Australia were quite vocal in their efforts to raise awareness of the East Timor issue. Were there to be significant violence against West Papuan Christians, this could easily encourage the churches to take a more activist stance. In today's climate of hyper-sensitivity to Islamic-inspired violence, inter-religious fighting would probably gain significantly more media attention than would have occurred in the past. Groups such as Hizb ut Tahrir, which is becoming prominent in West Papua, were relatively unknown until recently but are now commonly discussed in the media. This could well fuel the response in Australia. While such outcomes are of course a matter of conjecture, the simple fact that outbreaks of violence and movements of refugees are being discussed as quite possible occurrences show that there are serious problems that need to be addressed.

Meaningful autonomy may prove a fruitful approach to the future of West Papua by the Indonesian government. The current 'Special Autonomy' approach has failed to live up to expectations of improving people's living conditions, and it has been actively obstructed by the army.¹⁶³ The more wide-ranging autonomy granted to Aceh appears to be working quite successfully. Initiatives by President Yudhoyono and Vice President Jusuf Kalla, mediated by the former President of Finland, have proved very effective in settling a dispute which had been raging equally as long, and far more violently, than disputes over West Papua.¹⁶⁴ That such a process could therefore be successfully implemented in West Papua seems a reasonable expectation. Whatever the solution, for it to be successful it must come primarily from within Indonesia. It may involve regional dialogue; but for Australia to vocally lecture Indonesia on a

¹⁶³ Elmslie *op cit* p. 19

¹⁶⁴ *ibid*

course of action, as some Australian commentators have urged, would almost certainly be counterproductive, while a military intervention would be disastrous.

This is not to say Australia should shy away from speaking out against human rights abuses in West Papua. TNI excesses have certainly encouraged support for the independence movement, and reining in the security forces would play a huge role in calming the situation within West Papua. It is arguable as to how successful Australia can be in pushing for change in this regard; but until such change occurs, the high concentration of troops in the province, together with their abysmal human rights record will remain a significant problem.

Another factor is nationalist sentiment, largely intangible, that asserts that an independent West Papua on the one hand, or an Indonesia united ‘from Sabang to Merauke’ on the other is the natural, desirable and violently defensible way for society to be structured. This is an area in which Canberra bureaucrats, try as they might, can have little constructive influence. Australia is thus caught in a bind. We have seen the impact of a single boatload of refugees. If a more serious event were to occur, such as a major escalation of violence, it has two unenviable options: watching on impotently; or intervening, if only at a diplomatic level, and risk jeopardising one of its most important relationships. It really is a diplomatic dilemma.

Perhaps there is a middle path between loudly lecturing Indonesia on all its perceived problems and taking an activist stance on West Papua on the one hand and sweeping any problems under the carpet on the other. Canberra can mention human rights issues and other problems while being mindful of the sensitivity, and not privileging problems related to West Papua over other pressing issues. However the fact is such a compromise approach does not in itself solve the problem; more to the point were another crisis such as the 2006 incident to occur, a middle of the road approach by Australia would achieve little other than once again enraging public opinion. The same applies to Indonesia: A moderate approach would likely provoke uproar by creating the sense that it was selling out its territorial integrity to placate its meddling neighbour. There still exists a resounding apprehensiveness in Indonesia about national cohesion; this was reflected in a survey of attitudes two years after the refugee incident, in which more than two thirds of respondents saw “the breaking up of Indonesia’s national unity” as something they fear

may happen, while 27 per cent identified this as what they feared most of all.¹⁶⁵ Such feelings could quite easily be mobilised and magnified in any new dispute over West Papua.

Yet measured approaches, such as aid projects, may help to prevent such an incident occurring. Indonesia is one of Australia's largest aid recipients. The Australian Strategic Policy Institute recommend diverting aid from eastern regions of Indonesia such as West Papua, which is the current focus of aid programs, toward areas of poverty in Muslim regions, such as Java, which would help allay suspicions while still offering meaningful assistance.¹⁶⁶ Other possible measures could include greater people to people links such as university exchanges. This could foster greater understanding between the two peoples and work to mitigate underlying suspicions.

Nonetheless, such measured approaches, while necessary, will not be the end of the issue. On top of developments within the province, there are vocal pro West Papuan independence activist groups in Australia and in fact around the world, including West Papuan refugees, who are dedicated to keeping it alive as a major issue. Their growth in support and visibility in recent years would suggest a grim outlook for a solution to the problem, and the governments of both Australia and Indonesia may have to resign themselves to West Papua ensuring a decidedly rocky road ahead for the relationship.

¹⁶⁵ Jakarta Post, 'Most Indonesians concerned about national unity' <http://www.thejakartapost.com/news/2008/09/14/most-indonesians-concerned-about-national-unity.html>) cited 16/9/08

¹⁶⁶ Sid Maher, 'Policy should reflect new Indonesia', *The Australian*, 28 May 2008, p. 5

Conclusion

At present there are two dominant strands of thought regarding West Papua and the Australia-Indonesia relationship. One has a favourable view of West Papuan independence aspirations. This is largely influenced by human rights abuses in the province; the perception of a 'Javanese empire' that is destroying indigenous West Papuan culture; and questions surrounding the province's incorporation into West Papua, especially the 'Act of Free Choice'. A central feature in this school of thought is the belief that the Australian government has a moral imperative to act as an advocate of West Papuan independence, and a corresponding strong criticism of a perceived preoccupation with maintaining good relations with Jakarta.

The other dominant strand of thought places a greater emphasis on warm relations with Jakarta and believes a sense of West Papuan victimhood is often embellished. This school of thought believes Australian government support for West Papuan independence would be counterproductive and bring disastrous foreign policy implications; and that West Papua's status within Indonesia is reflective of Indonesia as a multi-ethnic state that mirrors the borders of the Dutch East Indies.

These two approaches, while completely at odds, nonetheless share a common binding thread, that being a recognition that West Papua is a serious issue for both Australia and Indonesia. This was a fact laid bare in 2006 by the diplomatic storm that followed the arrival in Australia of forty three refugees.

The phrase 'pebble in the shoe', while originally coined in reference to East Timor, could now be used as an accurate description of West Papua and its effect on the Australia-Indonesia relationship. It is an issue that the Australian government, in seeking a warm relationship with Indonesia, may wish to avoid, yet in all likelihood will not be able to do so. The arrival of the forty three refugees in Australia in 2006, and the wrangling that ensued, is as stark a reminder as any that when dealing with a relationship as complex as that between Australia and Indonesia, years of patient diplomacy can be unravelled by a single incident.

While the effectiveness of the security treaty and other similar measures in easing the pressure of 'the pebble in the shoe' remains to be gauged against a significant test, it may be all the governments of both nations can reasonably expect. The convergence of so many dividing factors into this single issue would suggest West Papua will continue into the future as a significant test for the Australia-Indonesia relationship.

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