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West Papua Action Home Page

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List of supporting organisations

Briefing document

Letter to Kofi Annan

Letter to NGOs and others requesting support
for campaign

The following organisations and parliamentarians support
international calls on UN
Secretary-General Kofi Annan to review the UN's conduct in relation
to the Act of

'Free' Choice in West Papua in 1968-1969':

West Papua Association - UK - wpauk@hotmail.com
Tapol, the Indonesia Human Rights Campaign - UK -
tapol@gn.apc.org

Australia West Papua Association -
Brisbane - Sydney iris@matra.com, Melbourne westpapua@start.com.au,

pandai@bigpond.com
West Papua Action - Ireland - wpaction@iol.ie
KWIA - Flanders/Belgium - kwia@glo.be
West Papua Action Network (Wespan) - Canada -
westpan@zipllip.com

Indonesia Human Rights Committee - New Zealand -
maire@clear.net.nz

Survival International - France - survival@wcube.fr
PaVo - Papuan Peoples' Foundation - The Netherlands -
pavo@planet.nl

International Platform of Jurists for East Timor (IPJET) -
ipjet@antenna.nl

Pacific Peoples' Partnership - director@pacificpeoples partnership.org

West Papuan Women Association in the Netherlands -
insambern@hotmail.com
Oxford Papuan Rights Campaign - oprc@altavista.co.uk
Cambridge Campaign for Peace (CamPeace) -
campeace@altavista.co.uk
Peace Movement Aotearoa, Aotearoa / New Zealand -
pma@xtra.co.nz
Women's International League for Peace and Freedom (WILPF)
Aotearoa Section,
Aotearoa / New Zealand - joanmac@pl.net
"Children of Papua" (Anak-Anak Papua) - The Netherlands -
j.jtrots@freeler.nl
Foundation Pro Papua, established by veterans former Dutch New
Guinea - The
Netherlands - dezijsstras@hotmail.com
German Pacific-Network - info@Pazifik-Infostelle.org
Regnskogsfondet - Oslo, Norway - rainforest@rainforest.no
West Papua Courier - The Netherlands - west_papua@hotmail.com
Peace Foundation - Aotearoa, New Zealand - marionh@clear.net.nz
Christian World Service - New Zealand - gsouthey@actrix.gen.nz
Organization of People for Indigenous Rights - rufoj@yahoo.com
Forest Peoples Programme - England - marcus@fppwrm.gn.apc.org
f P c N interCultural - UK - Office@fPcN-global.org
National Union of Students - UK - owain@nus.org.uk
The Foundation for Endangered Languages - England -
nostler@chibcha.demon.co.uk
Disarmament & Security Centre - New Zealand -
adrienne@disarmsecure.org
Just Forests - Ireland - woodlife@justforests.org
Icra International - International Commission for the Rights of
Indigenous Peoples -
icra@skynet.be
Alternatives to Violence - Belfast - avpbelfast@hotmail.com
Tibet Support Group - Ireland - tibetire@indigo.ie
Pacific Concerns Resource Centre (PCRC) - Fiji Islands -
pcrc@is.com.fj
Anti-Racism Information Service - Switzerland - aris@antiracism-
info.org
Foundation for Human Rights Initiative (FHRI) - Uganda -
fhri@spacenetuganda.com
Swedish Association for a Free Papua - Sweden -
batte52@hotmail.com
The Fellowship of Baptist Churches of West Papua - West Papua -
tiom_wamena@hotmail.com
Intenational Volunteers for Peace - Australia - admin@ivp.org.au

Trócaire, the Catholic Agency for World Development - Ireland -
sfranch@trocaire.ie

Medical Association for Prevention of War - Australia -
mapw@mapw.org.au

Pax Christi, Australia - pax@paxchristi.org.au

International Work Group for Indigenous Affairs (IWGIA) - Denmark
-
iwgia@iwgia.org

Down to Earth - UK - dte@gn.apc.org

Afri - Ireland - afri@iol.ie

Movement for Peace, Human Rights, Communication and
Development - Greece -
keadea@otenet.gr

A SEED Europe, PO Box 92066, 1090 AB Amsterdam - Netherlands
-
peter@aseed.antenna.nl

East Timor Action Network (ETAN) - karen@etan.org - USA

International Physicians for the Prevention of Nuclear War (IPPNW)

Indonesia Human Rights Network - USA

Papuan American Student Association - Washington D.C, New York,
California, Texas
and Hawai`i - ajamiseb@hawaii.edu

11.11.11., Coalition of the Flemish North South Movement - Brussels,
Belgium -
Pol.Vandevoort@11.be

Forest Friends Ireland / Cairde na Coille - Dublin -
jjhaughton@hotmail.com

Papua Presidium Council (PDP) - West Papua

Nation Child Foundation - West Papua

Committee of 100 - Finland

Pax Christi, Irish Section - Ireland

The Netherlands Centre for Indigenous Peoples (NCIV) - Amsterdam
-
dorp@nciv.net

Religious Society of Friends (Quakers) - Australia

East Timor Ireland Solidarity Campaign - Ireland - etisc@connect.ie

KAIROS (Canadian Ecumenical Justice Initiatives) - Canada -
mobrien@kairoscanada.org

Canadian Action for Indonesia & East Timor - Canada -
cafiet@interlog.com

Global Peace and Justice Auckland - New Zealand

Pax Christi Aotearoa - New Zealand

Canadians Concerned About Ethnic Violence in Indonesia - Canada

Cuba Support Group - Ireland

Latin America Solidarity Centre (LASC) - Ireland

Frontline - The International Foundation for the Protection of Human
Rights

Defenders
Comhlámh - Ireland
Nepal Indigenous Peoples Development and Information Service
Centre (NIPDISC) -
kniipi@nipdisc.wlinnk.com.np - Nepal
The New Zealand Council of Economic and Cultural Rights -
Auckland - New Zealand
Women for Peace - Auckland - New Zealand
The Alliance Party - Auckland - New Zealand
Pax Christi Aotearoa - Auckland - New Zealand
World Development Movement - London - UK
Colombia Solidarity Campaign - London - UK
DeMMaK - West Papua
(Total NGOs: 77)

British Parliament: Ann Clwyd MP - Chair, All-Party Parliamentary
Human Rights Group; Jeremy Corbyn MP - Jnt. Vice-Chair; Lord Avebury - Jnt. Vice-
Chair; Robert Walter MP- Jnt. Vice- Chair; Mark Oaten MP - Treasurer; Julie Morgan
MP - Secretary, UK, PicheN@parliament.uk

Irish Parliament (TD = MP): Fianna Fáil (2 TDs): Dermot Fitzpatrick
TD, Charlie O'Connor TD; Progressive Democrats (2 TDs): Tim O'Malley TD, Fiona
O'Malley TD. Fine Gael (12 TDs): Enda Kenny TD, Leader, Gay Mitchell TD,
Spokesperson on Foreign Affairs, Michael Ring TD, Olivia Mitchell TD, Phil Hogan TD,
Damien English TD, Paul McGrath TD, Dan Neville TD, Fergus O'Dowd TD, Richard
Bruton TD, Denis Naughton TD, Pat Breen TD, Gerard Murphy TD; Labour Party (21
TDs): Pat Rabbitte TD, Leader, Labour Party, Michael D. Higgins TD, Spokesperson on
Foreign Affairs, Ruairí Quinn TD, Jack Wall TD, Joe Sherlock TD, Kathleen Lynch TD,
Joe Costello TD, Tommy Broughan TD, Jan O'Sullivan TD, Mary Upton TD, Brian
O'Shea TD, Liz McManus TD, Joan Burton TD, Seán Ryan TD, Emmet Stagg TD, Willie
Penrose TD, Brendan Howlin TD, Seamus Pattison TD, Róisín Shortall TD, Eamon
Gilmore TD, Breeda Moynihan Cronin TD; Green Party (6 TDs): Trevor Sargent TD,
Leader, John Gormley TD, Spokesperson on Foreign Affairs, Dan Boyle TD, Paul
Gogarty TD, Ciaran Cuffe TD, Eamon Ryan TD; Sinn Féin (5 TDs): Aengus Ó Snodaigh
TD, Caoimhghín Ó Caoláin TD, Martin Ferris TD, Arthur Morgan TD, Seán Crowe TD;
Socialist Party (1 TD): Joe Higgins TD; Independent TDs (4 TDs): Paudge Connolly TD,
Tony Gregory TD, Finian McGrath TD, Liam Twomey TD.

Finland: Ulla Anttila, MP, Vice Chairperson of the Human Rights'
Group, Kari Uotila, MP, Chairperson of the Human Rights' Group, Anni Sinnemäki, MP

New Zealand Parliament: Green Party : Jeanette Fitzsimons MP, Rod
Donald MP (co-leaders), Mike Ward MP, Ian Ewen-Street MP, Sue Bradford MP,
Metiria Turei MP, Sue Kedgley MP, Nandor Tanczos MP, Keith Locke MP (Foreign
Affairs Spokesperson); United Future: Larry Baldock MP; Progressive Coalition: Matt
Robson MP. Green Party of Aotearoa New Zealand -

International.Secretary@Greens.org.nz

Australia: Australian Greens Senator Bob Brown -
senator.brown@aph.gov.au

Australian Greens - DebF@cyberone.com.au

Canada: Svend Robinson, MP

European Parliament: Proinsias de Rossa, MEP.

Mrs Nuala Ahern MEP

Mr Alexandros Alavanos MEP

Mrs Mary Banotti MEP

Mr Margrietus (Max) J. van den Berg MEP

Mr Johannes (Hans) Blokland MEP

Mr Hans Udo Bullmann MEP

Mr Paulo Casaca MEP

Mr Michael Cashman MEP

Mr Luigi Cocilovo MEP

Mr Gerard Collins MEP

Mr Richard Corbett MEP

Mr Armando Cossutta MEP

Mr John Cushnahan MEP

Mrs Avril Doyle MEP

Mr Harald Ettl MEP

Mrs Pernille Frahm MEP

Mr Koldo Gorostiaga Atxalandabaso MEP

Mr Liam Hyland MEP

Mr Giorgos Katiforis MEP

Mrs Jean Lambert MEP

Mr Jo Leinen MEP

Mr Alain Lipietz MEP

Mrs Caroline Lucas MEP

Baroness Sarah Ludford MEP

Mr John Joseph McCartin MEP

Professor Sir Neil Mac Cormick MEP

Mrs Patricia McKenna MEP

Mr Erik Meijer MEP

Mr Seán O'Neachtain MEP

Mrs. Francisca Sauquillo Pérez Del Arco MEP

Mrs Catherine Stihler MEP

Mr Charles Tannock MEP

Mrs Anne E.M. Van Lancker MEP

Ulla Sandbaek MEP

Jens Peter Bonde MEP

Brian Crowley MEP

Niall Andrews MEP

(Total Members of European Parliament: 38; Total national parliamentarians: 73 Total Parliamentarians: 111)

BRIEFING re: call on Kofi Annan to review the UN's conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969

Background to the United Nations Involvement in West Papua (Irian Jaya) Until October 1962, West Papua (Irian Jaya) was a non-self governing territory that was being prepared for eventual independence by the Netherlands.

However, Dutch policy in West Papua was strongly opposed by Indonesia's President Sukarno who claimed that, as a former part of the Dutch East Indies, the territory was Indonesian.

When diplomatic appeals to the UN General Assembly failed to win him sufficient support, Sukarno embarked upon a massive arms build up and threatened to take West Papua by force.

In September 1961, the Dutch presented a plan (the Luns Plan) to the UN General Assembly to resolve the dispute peacefully. They proposed to hand the territory over to a UN administration that would remain until the population was considered ready to exercise their right to self-determination. Although it won majority support, it fell short of the required two-thirds of votes to be passed.

With no solution agreed at the UNGA, the threat of an Indonesian attack on the territory grew. To avoid this the US put pressure on the Dutch to give in to most of Jakarta's demands and come to some form of UN-brokered agreement with them.

The result was the signing on 15 August 1962 of the New York Agreement between the Netherlands and Indonesia.

In confidential communications, the Kennedy administration made clear the motivation behind its coercion of the Dutch. As one senior official advised the President on the day the Agreement was signed:

we ought to capitalise on the WNG settlement by moving fast toward the 'future fruitful cooperation' of which you spoke to Sukarno. Capital of the sort we've gained is a transitory asset to be used while it's still good. Moreover, Indonesia is one of the truly big areas of East-West competition; having invested so much in maneuvering a WNG settlement for the express purpose of giving us leverage in this competition, we'd be foolish not to follow through. [Komer. Memorandum to President Kennedy, 15 August 1962. In US Foreign Relations 1961-63, Vol XXIII Southeast Asia, (Department of State Printing Office, 1994), p. 626 - Enclosure 1]

Main points of the New York Agreement

Under the agreement, West Papua was to be handed over to the United Nations Temporary Executive Authority (UNTEA) for a minimum of 7 months. But unlike the Dutch plan, the UN was then permitted to transfer authority to Jakarta before any act of self-determination. Nonetheless, the New York Agreement did give the Papuans certain rights.

Under Article 22, The UN and Indonesia had to guarantee fully the rights, including the rights of free speech, freedom of movement and of assembly of the Papuans.

Under Article 18, all adult Papuans had the right to participate in an act of self-determination to be carried out in accordance with international practice.

Under Article 16, a number of UN experts were to remain in the territory following the transfer of administrative responsibility to Indonesia. Their primary task was to advise and assist the Indonesians in their preparations for Papuan self-determination that was to take place before the end of 1969.

Under Article 17, one year prior to self-determination, the Secretary-General was to appoint a representative who would lead a team of UN officials including those already stationed in the territory and additional staff as required. Their task was to continue and build on the work outlined in Article 16 and remain until the act of self-determination was complete.

Implementation of the New York Agreement

UNTEA 1962-63

Under the direct control of Under Secretary General Narasimhan, The United Nations Temporary Executive Authority (UNTEA) administered West Papua from 1 October 1962 to 1 May 1963 - the minimum period stipulated in the agreement. Indonesian military and civilian personnel were present in growing numbers throughout and there is much evidence in the UN archives and elsewhere to indicate that UNTEA's freedom to administer independently was severely restricted by Jakarta. As a result, Papuan rights and freedoms guaranteed under Article 22 suffered. In fact it seems that the UN's priority was simply to ensure that the Papuans acquiesced to whatever fate was decided for them, even if that meant abandoning the central tenet of the Agreement. As one senior UNTEA official privately reported:

if the date is advanced or if the Agreement is changed doing away with a plebiscite, I do not expect widespread disturbances because we have sufficient forces to control the situation - a whiff of grapeshot can easily control the situation if that is what UNTEA wants. [UN Archives: DAG 13/ 2.1.0.1:3. Report by D. Wilson (UNTEA Divisional Commissioner Merauke) to Somerville, 8 December 1962 - Enclosure 2].

Another senior UNTEA official made clear in his confidential reports that he was under no illusion as to the real state of affairs in the UN administered territory:

I have yet to meet any thinking, sober, generally responsible Papuan who sees good in the coming link with Indonesia....Unwelcome as the anxiety and resistance of thinking Papuans maybe it is of course hardly surprising if one is not under pressure to close one's eyes to what is in fact happening to this people at the hands of the three parties to the Agreement. [UN Archives: DAG 13/2.1.0.1:3. Report by Rawlings (UNTEA Divisional Commissioner Biak) to Somerville, 12 December 1962 - Enclosure 3]

Article 16

Following the transfer of administration to Indonesia, no UN officials were permitted to remain to fulfill Article 16's stipulations. As a consequence, this important part of the Agreement was never implemented. Because of this, there was no mechanism in place for the Secretary-General to be kept informed of the on-going situation in West Papua. This meant that with no international witnesses present, Indonesia was then able to completely ignore Article 22's provisions on human rights and political freedoms. The result of this state of affairs was commented upon by an American diplomat who was one of the few foreign officials permitted to enter the territory in early 1968. Reporting on the Indonesian response to Papuan resistance he noted:

The Indonesians have tried everything from bombing them with B.26's [sic], to shelling and mortaring them, but a continuous state of semi-rebellion persists.

Brutalities are undoubtedly perpetrated from time to time in a fruitless attempt at repression. [Report of a conversation between Reynders, US Embassy, Jakarta, and Ian Morgan, British Embassy, Jakarta, April 9, 1968. Public Record Office UK. FCO 15/162. DH1/7 - Enclosure 4]

The Act of Free Choice

In August 1968, Fernando Ortiz Sanz arrived in West Papua as the Secretary General's representative to advise, assist and participate in Article 18's Indonesian-organized act of self-determination (known as the "Act of Free Choice").

He originally planned to have at least 50 UN staff on his team but, following pressure from Jakarta, the total never exceeded 16 (including administrative personnel). As Ortiz Sanz was to mention in his final report to the UNGA, the failure to implement Article 16 meant that he had no experienced staff ready on the ground to advise him when he arrived. As a consequence, he had only a few months to begin the

task of gathering information with staff new to the territory - a job that should have already have been done over the previous 5 years.

While the UN had urged Australia as early as 1962 to adopt universal suffrage in Australian New Guinea (now the independent state of Papua New Guinea), Ortiz Sanz accepted Jakarta's argument that the West Papuans were "too primitive" to cope with a referendum. Instead he proposed a "mixed method" for the Act of Free Choice, which would allow direct voting in the towns while other areas would rely upon some form of "collective consultation". This, he privately warned Jakarta represented "the minimum requirement to satisfy world public opinion." [UN Archives: Series 100, Box 1, File 5: Ortiz Sanz to Indonesian Ambassador Sudjarwo Tjondronegoro, November 21, 1968 - Enclosure 5]

Indonesia rejected this and instead announced that they would use existing regional councils (which had not been democratically elected) to decide on behalf of the people. Before the final vote, these councils were to have additional members selected so that a planned total of 1025 Papuans would eventually take part in the Act of Free Choice. With no plebiscite, the selection of these additional members was the only potential opportunity that the Papuan people had to have any genuine involvement in the Act of Free Choice.

This was acknowledged by both Ortiz Sanz and the Secretary-General who emphasized:

...the importance of electing the additional councilors in a way that would ensure that the new councilors would truly represent the people of their constituencies. This would be the touchstone in the judgment about the fairness and validity of the whole exercise which would be made by Member States of the United Nations. [UN Archives: DAG 1/ 2.2.3: 9: Rolz-Bennett to Ortiz Sanz (cable No. 250), May 9, 1969 - Enclosure 6]

But in the end the UN witnessed the selection of only 195 out of the 1022 members who eventually took part in the Act of Free Choice (The final total was supposed to be 1026 following a last minute addition. However during the actual Act of Free Choice, 4 did not participate "due to illness"). Furthermore there is evidence from witnesses that these selections were made solely by Indonesian officials with no genuine Papuan participation.

For example, an Australian journalist, Hugh Lunn reported that the selection he witnessed consisted of a group of Indonesians walking into a silent crowd of Papuans and choosing six men that they themselves had selected. He then described how Indonesian soldiers arrested three Papuans who displayed placards demanding a plebiscite. One journalist appealed to Ortiz Sanz to intervene, but he simply said that he was there just to observe [Hugh Lunn article in The Australian newspaper, August 21, 1999 - Enclosure 7]. Elsewhere, two Papuans (Willem Zonggonao and Clemens Runawery) attempted to travel to New York to present a Papuan petition calling for independence but were detained by the Australians after they crossed over into Australian

New Guinea. This was in direct response to a request by the Indonesians. As Gordon Jockell, Australia's Ambassador to Jakarta commented:

immediate concern of Indonesia is that early arrival of these 2 West Irianese at UN could stimulate defiance and seriously upset the management of conduct of Act of Free Choice within West Irian...Malik said he hoped that we'd keep the 2 refugees on Manus island over next few weeks as a satisfactory way of dealing with the problem. [Quoted in television documentary by Mark Worth. "Act of No Choice," SBS Television, Dateline programme, broadcast in Australia, 25 August 1999. See The Age, 26 August 1999 - Enclosure 8].

It is no surprise therefore that when the Act of Free Choice finally took place, all 1022 members of the 8 Papuan Regional Assemblies voted unanimously for integration with Indonesia and rejected independence.

It was the result desired by all those involved, except the Papuans. As a US document from as early as 1968 made clear, Ortiz Sanz's intention from the beginning was to ensure that West Irian remained with Indonesia. The only matter of debate was the extent to which any genuine Papuan opinion would be permitted:

He is therefore attempting to devise a formula for an "act of free choice" in West Irian which will result in affirmation of Indonesian sovereignty but which will also represent a fair reflection of the people's desires and will stand the test of international opinion....Ortiz recognizes that the problem facing both him and the GOI [Indonesia] is the risk that the Irian representatives, however they might be constituted, would vote against remaining in Indonesia. He concedes that it would be inconceivable from the point of view of the interests of the UN as well as GOI, that a result other than the continuance of West Irian within Indonesian sovereignty should emerge. [US Archives (NARA) Pol 19 West Irian: 4 October 1968, US Embassy to Dept of State Washington - Enclosure 9]

Despite the fundamental flaws in the whole process, international reaction was comparatively muted. As one British diplomat in New York reported to London:

Our strong impression is that the great majority of United Nations members want to see this question cleared out of the way with the minimum of fuss as soon as possible...the Secretariat, whose influence could be important, appear only too anxious to get shot of the problem as quickly and smoothly as possible [A. D. Parsons, UK Mission to the UN, to D. F. B. Le Breton, July 17, 1969. PRO: FCO 24/449, (FWD 1/4) - Enclosure 10].

The lack of international interest in a genuine implementation of Papuan self-determination was also referred to by another British diplomat even before Ortiz Sanz's arrival in the territory:

The strength of the Indonesian position lies in the fact that ... they must know that, even if there are protests about the way they go through the motions of consultation, no other power is likely to conceive it as being in their interests to intervene. . . . I understand that the exiles may find support in the Australian press.

But I cannot imagine the US, Japanese, Dutch, or Australian Governments putting at risk their economic and political relations with Indonesia on a matter of principle involving a relatively small number of very primitive people. [J. M. Sutherland to D. Murray, 'Foreign Office South-East Asia Department, April 30, 1968. PRO: FCO 15/162 DH1/7 - Enclosure 11]

Ortiz Sanz's report to the UNGA concluded only that an act of self-determination had taken place in accordance with "Indonesian practice" - A clear breach of Article 18 of the Agreement which specified "International Practice".

Furthermore Ortiz Sanz's UNGA report explicitly mentions that Article 22 was not "fully implemented and the Administration exercised at all times a tight political control over the population" [para 251].

Despite an unsuccessful attempt by some African countries, led by Ghana, to give the Papuans a further opportunity to vote again on the issue, the UNGA voted on 19 November 1969 to "take note of the result", and with that West Papua effectively disappeared from the UN's agenda.

Conclusions

To conclude, there is overwhelming evidence to show that the West Papuans did not have the opportunity to exercise their right to self-determination as guaranteed in the New York Agreement and under UNGA Resolution 1514 on the granting of independence to colonial peoples (14 December 1960). This view was expressed privately at the time by members of Ortiz Sanz's own team and the British Foreign Office noted:

Privately, however, we recognise that the people of West Irian have no desire to be ruled by the Indonesians who are of an alien (Javanese) race, and that the process of consultation did not allow a genuinely free choice to be made. [PRO: FCO 24/449 (FWD1/4). FCO briefing on West Irian prepared for the UK delegation to the UNGA, 10 September 1969 - Enclosure 12]

But more importantly CV Narasimhan, the retired UN Under Secretary-General who was central to the UN's involvement in 1960's West Papua, has now publicly spoken out on the Act of Free Choice. In an interview with the AP journalist Slobodan Lekic he confessed:

It was just a whitewash. The mood at the United Nations was to get rid of this problem as quickly as possible...Nobody gave a thought to the fact that there were

a million people there who had their fundamental human rights trampled...How could anyone have seriously believed that all voters unanimously decided to join his [Suharto's] regime?...Unanimity like that is unknown in democracies. [Published in an article by Lekic in the Sydney Morning Herald, 23/11/01 "Historic Vote was a Sham: Ex-UN Chiefs Admit" - Enclosure 13].

With such serious allegations from the key UN figure involved, supported by overwhelming evidence from newly de-classified UN and other documents, there is a very strong case for the United Nations to look again at this episode from its past.

Otherwise this issue will continue to damage the UN's reputation as a defender of political and human rights. In the Netherlands, the Dutch Foreign Minister has already ordered a similar exercise and results are due out in the next year or so.

The UN has already carried out re-examinations of other UN operations - a major example being Rwanda. There is also a UN "Lessons Learned Unit" in place to investigate past events.

Furthermore, the consequences of the 1969 Act of Free Choice are still very much relevant to the people of West Papua today. Since the UN's withdrawal, the West Papuans have been subjected to widespread political and human rights violations and many thousands have been killed. But in June 2000, the easing of political repression in Indonesia offered the Papuans the chance to hold a peaceful Congress made up of Papuans from all walks of life.

They elected Theys Eluay as Chairman of the Papuan Presidium and as one of their central pronouncements, called for a review to be held of the 1969 Act of Free Choice which they rejected as illegitimate because it was not a genuine act of self-determination. A year and a half on, Theys Eluay has been murdered and the political openness of the past few years has gone. Nonetheless the Australian-based Professor of International Law, Professor Sam Blay is currently carrying out a re-examination on behalf of the Presidium. Furthermore, a book on the subject by Dr. John Saltford (based upon his Ph.D thesis) is due out this September, to be published by Routledge-Curzon.

It is surely in the best interests of the West Papuans, the UN and even the Indonesians, that the full facts surrounding the Act of Free Choice be revealed.

There is nothing to be gained from maintaining a distorted version of history that can only further distort current efforts to solve the West Papuan issue peacefully. It is far better that the UN itself addresses this task rather than remain silent and leave it to others.

[JFS Jan 2002]

Letter to Kofi Annan, presenting submission

26 March 2002

The Hon Kofi Annan,
Secretary-General,
UN Plaza,
New York, NY 10017
fax: (212) 963-4879

Dear Secretary-General,

Request for a review of the UN's conduct in relation to the Act of Free Choice 1968-69 in Irian Jaya/Papua.

I would like to invite your consideration to a matter of grave and pressing importance to the people of Papua (formerly Irian Jaya) and to the need for peace and calm to be restored to the territory of West Papua.

In August 1969, the Indonesian authorities conducted an Act of Free Choice in West New Guinea (West Irian, later Irian Jaya, and now Papua) to determine the future status of the territory. The Act consisted of the convening of eight councils of altogether 1,022 persons, meeting under pressure from the Indonesian authorities to adopt a decision that would confirm the territory's integration into the Republic of Indonesia. The result was a unanimous decision (with not a single dissenting voice) in favour of integration. The decision was later confirmed in a resolution of the UN General Assembly on 19 November 1969 which 'took note of' the report of the Special Representative of the Secretary-General. Thereafter, the issue of Irian Jaya/Papua was removed from the agenda of the United Nations.

During the past 32 years, there have been many attempts by Papuans and by NGOs around the world to draw attention to the fraudulent nature of this Act. After the downfall of President Suharto in May 1998, the issue was raised with renewed vigour in Papua, and has become the basic theme of protests, leading in a number of senses to violent clampdowns by the security forces and acts of violence with many casualties.

Events in Papua over the past three years have shown that the people's deep sense of betrayal and injustice done, with the apparent acquiescence of the UN, have been and continue to be a source of continual unrest. The matter cannot be allowed to rest, particularly as the people of Papua have also seen how a popular consultation, properly conducted by the UN in East Timor in August 1999, had a quite different and easily predictable result. This only adds to their sense of having been betrayed.

On 22 November last year, in confirmation of what many people have been saying for years, Mr Chakravarthy Narasimhan, who was a UN Under Secretary General at the time of the Act and who was closely involved in overseeing the work of the UN mission that was present in Papua at the time, told the press when asked about the Act: 'It was just a whitewash. The mood at the United Nations was to get rid of this problem as quickly as possible. Nobody gave a thought to the fact that there were a million people there who had their fundamental rights trampled on.' He also said:

'Suharto was a terrible dictator. How could anyone have seriously believed that all voters unanimously decided to join his regime. Unanimity like that is unknown in democracies.' Former UN Under Secretary General Brian Urquhart was also quoted as saying in the same press report: 'It wasn't our most glorious hour.' [AP, 22 November 2001]

Two member states of the UN, Nauru and Vanuatu, spoke out at the UN General Assembly in 2000 in favour of a reconsideration of the act of self-determination in Papua in August 1969, and the matter was also raised in the same year at the annual meeting of the South Pacific Forum.

The fraudulence of the Act has been a constant source of unrest in Papua. In June 2000, a widely supported Grand Papuan Congress was held in Jayapura and set up a body called the Papuan Presidium Council. One of the main demands of this organisation is for the history of Papua to be 'rectified', meaning that the events surrounding the Act should be reconsidered. Since the Council was established, there have been numerous acts of protest, aimed primarily at affirming Papua's identity and taking the form of raising the Papuan flag. Numerous acts of violence against the Council and its members in many parts of the territory reached a climax on 10/11 November last year with the abduction and assassination of the chairperson of the Council, the highly-respected tribal leader, Theys Hiyo Eluay. There is deep disquiet in Papua about the fact that the murder investigations have been placed in the hands of the military, the very force that many people fear may have been responsible for the crime.

The grave betrayal continues to be a source of unrest and protest in Papua and constitutes a threat to stability and peace in the region of South East Asia.

In the past few years, an academic, John Saltford, has undertaken a careful investigation of the UN's behaviour before and during the Act when it had the task of advising and assisting the Indonesians in the conduct of the Act. His investigations, for the purposes of which he was given access to hitherto classified documents at the UN Secretariat in New York, drew attention to an alarming litany of decisions which colluded with the Indonesian authorities in their efforts to secure a unanimous declaration in the territory.

A large number of organisations meeting recently in Germany decided to seek your help and understanding by requesting you to undertake a review of the UN's conduct in relation to the Act which, as Mr Urquhart has said, 'was not our most glorious hour'.

I am attaching a briefing document which sets out the facts about the United Nations role in the Act of Free Choice. The document includes quotations from a number of documents which are also being submitted.

We have been mandated to request you to instigate a review of the UN's conduct in relation to the Act of Free Choice 1968-69.

We look forward to your response to this request.

Yours sincerely,

Carmel Budiardjo,
Director, TAPOL, the Indonesia Human Rights Campaign.

Letter to NGOs and others requesting support for campaign: please cut and paste the letter below and send to NGOs and others requesting them to add the name of their organisation to the call on Kofi Annan to instigate a review of the UN's conduct in relation to the Act of 'Free' Choice 1969-69.

[Begin letter to NGOs and others]

Dear Colleagues,

We are writing to ask you to take part in a crucially important campaign to persuade the UN Secretary-General Kofi Annan to conduct a review of the UN's conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969'

The United Nations was under formal obligation to "advise, assist and participate" in an "act of self-determination in accordance with international practice" in West Papua by 1969. What took place became known as the "Act of 'Free' Choice", which West Papuans now condemn as an "Act of No Choice". The abysmal failure of the UN's mission in West Papua condemned the West Papuan people to more than three decades of repression, massacres and the violation of their rights, a situation which continues to this day: for example, in November 2001, non-violent West Papuan leader Theys Eluay was assassinated.

At an International Solidarity Meeting in October 2001, in which solidarity groups, NGOs, and West Papuans participated, it was decided to submit a request to Kofi Annan to conduct a review of the UN's conduct. One strong precedent for such a review is the review initiated by Kofi Annan in 1999 when he sought and gained

permission from the UN Security Council to review the UN's actions in relation to Rwanda in 1994.

A formal submission was presented to the UN Secretariat in New York on 26 March 2002. Country missions were lobbied on the same day, and an international campaign was formally launched. Simultaneous campaigns were launched in up to ten countries internationally.

We attach a short briefing on the reasons for this call for a review.

We hope that your organisation will be willing to lend its support to this campaign, by:

1. agreeing to lend its name to this call for the UN to review its conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969;
2. by writing to Kofi Annan on your own letterhead;
3. by actively participating in the campaign for this review.

If you wish to lend your organisation's name to this call, please cut and paste the following, fill in your name and contact details, and send by email to: wpauk@hotmail.com or by fax to: +353 1 882 7576 -

++++
(Name of NGO, address, contact details, email contact here) support international
calls on UN Secretary-General Kofi Annan to review the UN's conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969'
++++

Please also write to Kofi Annan on your own letterhead, copying your letter to wpauk@hotmail.com:

The Hon Kofi Annan
United Nations Secretary-General
UN Plaza
New York, NY 10017, USA
Fax: 001 212 963 2155; 963 7055, 963-4879
Email: sg@un.org ; ecu@un.org

The submission documentation, and updates, are available at:
<http://westpapuaaction.buz.org/unreview>

Should you wish to enquire further, please contact any of the signatories to this letter.

Yours faithfully,

Nick Angelopoulos, West Papua Association - UK -
wpauk@hotmail.com
And on behalf of the following organizations:
Tapol, the Indonesia Human Rights Campaign - UK -
tapol@gn.apc.org
Australia West Papua Association -
Sydney iris@matra.com, Melbourne westpapua@start.com.au.,
Brisbane
-pandai@bigpond.com
West Papua Action - Ireland - wpaction@iol.ie
KWIA - Flanders/Belgium - kwia@xs4all.be
West Papua Action Network (Wespan) - Canada -
davidweb@sympatico.ca
Indonesia Human Rights Committee - New Zealand -
maire@clear.net.nz
Survival International - France - survival@wcube.fr
PaVo - Papuan Peoples' Foundation - The Netherlands -
pavo@planet.nl

Rationale for call on Kofi Annan to review the UN's conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969'

Last November, the Papuan people of Indonesian-controlled West Papua (or Irian Jaya as it was re-named by Jakarta) buried Theys Eluay, the West Papuan leader who was leading a non-violent struggle for self-determination.

West Papua has been run by Jakarta since 1963. In 1969, Indonesia staged a declaration of loyalty to attempt to satisfy obligations under an international agreement to which it was a signatory to hold an "act of self-determination in accordance with international practice". West Papuans have always insisted that the act was neither fair nor representative.

Both the UN Secretariat and the vast majority of UN member states had either rejected or ignored their claim. However in an unprecedented admission to the journalist Slobodan Lekic, retired UN Under-Secretary-General Chakravarthy Narasimhan has now said publicly that the whole operation was a "whitewash". This admission by Narasimhan is profoundly significant because he was the senior UN Secretariat figure responsible for the organisation's involvement in West Papua from 1962 to 1969.

To make sense of current West Papuan resistance to Indonesian rule it is necessary to understand why the Papuans were denied their right to self-determination and why it was that an Asian country ended up in control of this vast, resource-rich land

and its Melanesian population. The answer to this lies not in the dubious merit of Jakarta's claim to the territory, but rather in the Cold War politics of post-1945 Southeast Asia.

When the Netherlands finally granted Indonesian independence in 1949 they remained in neighbouring West Papua on the grounds that the indigenous inhabitants had nothing in common with the Indonesians. Instead, the Dutch began preparations for Papuan independence, initially in conjunction with Australia, which controlled the eastern half of the island. But while Australia's colony became the independent state of Papua New Guinea in 1975, the West Papuans were to endure a very different fate.

Insisting that West Papua was his, Indonesian President Sukarno turned to the Soviets for arms and threatened to invade the Dutch colony. In 1962, under pressure from the US who wanted Sukarno appeased to entice him away from Moscow, the Dutch gave in. They agreed to sign an agreement with Jakarta handing West Papua over to a temporary UN administration, but only on condition that self-determination would take place, "in accordance with international practice," within six years.

In the event, the UN pulled out seven months later without any consultation with the Papuans and handed them over to Indonesia. As one senior UN official commented

at the time:

That there will ultimately be quite serious resistance to the Indonesians is, I think certain, therefore from the point of view of expediency it behoves the UN to depart as soon as the Indonesians are in fact thick enough on the ground.

When a small UN team returned in 1968 to help Indonesia prepare for the promised act of self-determination, the Papuans had already experienced five years of Jakarta's military rule. As one visiting American diplomat noted, the Indonesians had "tried everything from bombing to shelling and mortaring, but a continuous state of semi-rebellion persists".

Aware of their deep unpopularity, Jakarta declared in January 1969 that a referendum was impractical because the people were too "primitive." Instead, they selected just over 1000 Papuans to act as representatives for the whole population.

Rather than protest, the UN chose to cooperate. As a consequence, in July and August 1969, Jakarta arranged for a selection of international diplomats, UN officials and journalists to bear witness as groups of Papuan "representatives" paraded in front of them unanimously declaring their love for Indonesia and their desire to join the Republic. It was in stark contrast to the UN-organised referendum in East Timor thirty years later.

Despite the farcical nature of Indonesia's stage-management of the Act, there was little international interest. Writing in 1968 one British official commented:

I cannot imagine the US, Japanese, Dutch, or Australian governments putting at risk their economic and political relations with Indonesia on a matter of principle involving a relatively small number of very primitive peoples.

Another British diplomat in New York reported:
the great majority of United Nations members want to see this question cleared out of the way with the minimum of fuss as soon as possible...the [UN] Secretariat, whose influence could be important, appear only too anxious to get shot of the problem as quickly and smoothly as possible.

With minimal objection, the UN General Assembly simply voted in November 1969 to 'take note' of a UN report of the Papuan declaration of loyalty, and with that the UN washed its hands of responsibility for the West Papuan people.

Thirty-two years on, despite the best efforts of the international community, the issue has not gone away. At the same time, an estimated 100,000 West Papuans have died while their land and natural resources have been seized for the benefit of Indonesia and its multi-national partners. Nonetheless, now that the most senior UN official involved at the time has admitted on the record that West Papuan "self-determination" was a complete charade, it is time for Kofi Annan to revisit this question, both for the West Papuan people and for the credibility of the United Nations itself.

Further information and briefing material, including the full submission to the UN Secretariat is at: <http://westpapuaaction.buz.org/unreview>

(Name of NGO, address, contact details, email contact) support international calls on UN Secretary-General Kofi Annan to review the UN's conduct in relation to the Act of 'Free' Choice in West Papua in 1968-1969'

[end letter to NGOs and others]
