

# **The West Papua Report**

## **November-December 2004**

*The following is the tenth in a series of regular reports prepared by the Robert F. Kennedy Memorial Center for Human Rights-Indonesia Support Group providing updates on developments in West Papua. The RFK Center has monitored and reported on the human rights situation in West Papua since 1993 when Bambang Widjojanto received the annual RFK Human Rights Award.*

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### **ANALYSIS: John Rumbiak -- West Papua is a "Ticking Time Bomb"**

During a speaking tour in Australia in early November, John Rumbiak, international advocacy coordinator for the West Papua-based human rights group ELSHAM, told Australian media that West Papua is now a "ticking time bomb." He reports that increasing militarization, coupled with human rights abuses and unmet demands for independence are gravely destabilizing the area.

Rumbiak, who spoke with various governmental and non-governmental audiences, noted that 25,000 troops had been dispatched to the mineral and timber-rich province in recent years. Also contributing to growing tensions, he explained, more than one million migrants had moved into West Papua from elsewhere in Indonesia, threatening to make native Papuans a minority in their own land, as happened to the Dayaks of Kalimantan in recent decades.

Rumbiak noted that militia groups added to the explosive mix and that there had been a recruitment surge in December 2003 during a visit to the Freeport mining area by Eurico Guterres, a former East Timor militia leader convicted by an Indonesian court of war crimes in

East Timor and facing at least 10 years' imprisonment for the havoc wreaked by his militia there in 1999 (see RFK Papua Report, "Jakarta Appoints War Criminal from East Timor to Head Police in Papua" and "TNI Establishes and Supports Militia Groups in Papua; Continues Campaign in Central Highlands," January 2004, available online at:

[http://www.rfkmemorial.org/human\\_rights/1993.htm](http://www.rfkmemorial.org/human_rights/1993.htm).

Rumbiak described Papuans as possibly ready to turn their frustrations against the migrants (as has happened repeatedly in Kalimantan, where indigenous Dayaks have attacked Madurese and other immigrants).

Noting that newly elected Indonesian President Susilo Bambang Yudhoyono has expressed interest in resolving the conflict in West Papua, Rumbiak urged the international community to press Yudhoyono to establish the "necessary pre-conditions" for peaceful dialogue, including withdrawal of troops from West Papua, dismantling of militia groups and cessation of government attempts to divide West Papua into three separate provinces, absent the will of the Papuan people.

### **Indonesian Military Kills Pastor and Other Civilians, Closes Churches and Causes Civilian Internal Displacement and Starvation**

New details are emerging regarding a major operation launched by the Indonesian military (TNI) in West Papua's Central Highlands. A statement by Jayapura-based Christian church leaders and prominent human rights groups ELSHAM, Kontras and the Indonesian Legal Aid Institute, reports killings and attacks in the area that have been underway since Indonesia's August 17 Independence Day. At least eight people, including a pastor and a police officer, have been killed, while a reported 5,000 civilians have been displaced from their villages.

Indonesian police and military claim that the Free Papua Movement (OPM) separatist fighters are responsible for the killings that have opened the door for the military operation now underway. Religious and tribal leaders and human rights defenders in West Papua contend that the TNI is behind the shootings. These claims are backed by the *Jakarta Post*, according to which reliable sources told its reporter that the Army's Special Forces (*Kopassus*) were involved in the initial killings that prompted the military offensive.

Pastor Socrates Sofyan Yoman, President of the Fellowship of Baptist Churches in West Papua, who recently visited the affected area, states that TNI personnel killed the Reverend Elisa Tabuni, a clergywoman in the Puncak Jaya town of Mulia on September 14.

According to Yoman, shortly after killing the pastor, troops in a helicopter fired on Papuans who were gathering food in a garden, killing two of them. The reported military attack prompted local villagers to flee their homes for refuge in the forest, where they are starving, because the TNI has destroyed their food crops and blocked humanitarian relief organizations from entering the area. In addition, the military operations have forced the closure of many churches in the area. Subsequent reporting claims that 147 villages have now been affected by the operation.

The Queensland *Courier-Mail's* Greg Poulgrain cites Tom Beanal, acting executive director of

the mass political organization Papua Presidium Council and a prominent leader within West Papua's Dewan Adat, as raising grave concerns about the Papuan villagers displaced by the Indonesian military offensive.

The military, numbering a reported 2,800 personnel, are based near Tingginambut, 13 miles from Mulia in Puncak Jaya where a purported OPM attack in which five people were killed was the pretext for these latest military operations in the region (see October 2004 RFK West Papua Report, "Indonesian Military Launches Major Destabilizing Operation...", available online at: [http://www.rfkmemorial.org/human\\_rights/1993.htm](http://www.rfkmemorial.org/human_rights/1993.htm)). Beanal and others charge that the military, following a widely recognized TNI modus operandi in West Papua and elsewhere, has resorted to provocative acts carried out by TNI-organized and directed militia. The TNI reportedly has relied on these staged incidents as a pretext for initiating overwhelming TNI force into the area. TNI seeks to maintain a pretext for its presence and operations in West Papua (and in Aceh) so as to facilitate its often illegal exploitation of vast natural riches and extortion of foreign and domestic firms operating there.

An investigative team (see next item) has not been allowed into the area, nor have church groups wishing to provide aid and emotional support to the displaced and frightened villagers.

### **Indonesian President Reacts to New Indonesian Military Violence; Asks Former West Papua Governor to Help Resolve Tensions**

Indonesia's President Susilo Bambang Yudhoyono has backed a move by members of the Papuan parliament to set up an investigation into the raids in the Central Highlands.

Yudhoyono also reportedly has told senior Papuans leaders that he would ensure that military operations in Puncak Jaya would not result in more civilian casualties. In a presidential instruction to Coordinating Minister for Political, Legal and Security Affairs Admiral (retired) A.S. Widodo and TNI Chief Endriartono Sutarto, Yudhoyono said the military operation should be conducted wisely and carefully and that the local people "should not suffer from excesses during the operation" according to former governor of West Papua, Barnabas Suebu.

Suebu urged that the government involve traditional and religious leaders or local traditional institutions. "Don't just [rely on] a security approach," he said.

Yudhoyono also has asked the former governor of West Papua, Freddy Numberi, to assist in resolving tensions in West Papua.

Numberi, a Papuan who holds the post of Minister for Fisheries and Marine Affairs in Yudhoyono's cabinet, has been asked to work with Coordinating Minister for Political, Legal and Security Affairs Widodo, who is leading government efforts to resolve the West Papua question.

Numberi has stated that the Law on Papuan Special Autonomy should become the basic pillar by which to resolve the West Papua issue. He also reportedly has urged that the government issue a regulation implementing the special autonomy law.

## **Unresolved Killings of Freeport Schoolteachers Continues as Major Obstacle in U.S.-Indonesian Relationship**

According to Indonesian and international media accounts, newly named Indonesian Defense Minister Juwono Sudarsono has rejected publicly conditions set down by the U.S. government as a *quid pro quo* for restoration of ties between the Indonesian and U.S. militaries. Among the conditions was one that focused on the August 2002 ambush within the Freeport copper and gold mining operations area of the company's entire international school teaching staff. An Indonesian teacher and two American colleagues were killed in the attack, and eight other American citizens were injured, including a six-year-old girl.

Initial police reports as well as NGO and media reporting pointed to the Indonesian military as culpable, but the military has denied its involvement. A U.S. Federal Bureau of Investigation inquiry is continuing. In the meantime, Indonesian police have yet to apprehend an Indonesian named by a U.S. grand jury as one of the perpetrators of the attack. On November 21, during a regional trade conference in Santiago, Chile, Indonesian President Yudhoyono pledged to U.S. President George W. Bush that the Indonesian Government would continue to search for the alleged perpetrator. However, he reportedly made no mention of continuing the investigation to identify others responsible for the attack.

Sudarsono has announced that he will visit the U.S. in March or April 2005 to push for resumption of U.S.-Indonesian military ties and to discuss human rights concerns with members of the U.S. Congress and U.S.-based human rights organizations.

## **Support Grows Among U.K. Parliamentarians for U.N. Review of Discredited 1969 Act of Free Choice**

Three former U.K. Cabinet ministers have joined the international campaign urging U.N. Secretary General Kofi Annan to authorize a U.N. review of the U.N.'s 1969 action in supervising and accepting the results of the Act of Free Choice, through which Indonesia formally incorporated West Papua. The Act, dubbed the Act of No Choice by West Papuans, was controversial among U.N. member states at the time and has been discredited as failing to meet the requirements of an act of self determination by the Papuan people.

The three are the Right Honorable Michael Meacher, Member of Parliament (MP) and former U.K. Environment Secretary (1997-2003), the Rt. Hon. Clare Short who served as Secretary of State for International Development (1997-2003), and the Rt. Hon. Andrew Smith MP, who had been a member of Prime Minister Tony Blair's Cabinet for five years prior to his resignation in September.

Smith, who was Chief Secretary to the Treasury between 1999 and 2002 and Secretary of State for Work & Pensions from 2002 to 2004, in a letter to Secretary Annan, wrote, "...it is clear that the Act of Free Choice was certainly not a free democratic choice, and that the people of West Papua have been denied their right democratically to determine their own future."

Smith called on Kofi Annan to respond "... both on the question of a review of the Act of Free

Choice, and any other initiatives the U.N. can take to promote a peaceful settlement consistent with the human rights and self-determination of the people of West Papua."

The Rt Hon. Lord Frank Judd, a Member of the House of Lords and former Foreign Office Minister and Director of Oxfam, also has joined the review campaign.

The four join 17 other Members of Parliament who are backing the campaign. They are the Rt. Hon. Andrew George, Lynne Jones, Betty Williams, John McDonnell, Martin Smyth, Sue Doughty, Kevin McNamara, Rob Marris, David Taylor, Julia Drown, Bill Etherington, Ronnie Campbell, Phil Sawford, Marsha Singh, Roger Berry, Ann Cryer, and Mike Hancock.

### **Indonesian Authorities Deny West Papuans the Right to Commemorate December 1 Independence Day; Indonesian Police Shoot and Beat Peaceful Demonstrators and Human Rights Defender**

According to Indonesian media sources, the Indonesian government forbid Papuans from commemorating West Papua's December 1 Independence Day. The ban extends to raising the West Papuan Morning Star flag, adopted in 1961 by members of the New Guinea Council, the legislative body established by the Dutch colonial administration there to prepare the territory for self rule. The ban was signed by the regional military commander and police chief as well as by West Papua's governor.

Notwithstanding the ban on demonstrations to mark West Papua's independence day, Papuans gathered peacefully in large numbers near Jayapura, the West Papua capital on December 1. Indonesian authorities responded with force, with police shooting five of the participants and arresting 18.

The incident was reported by John Rumbiak, international advocacy coordinator for ELSHAM. The Indonesian Government recently banned international journalists from visiting West Papua.

Mr. Rumbiak said that police beat an ELSHAM human rights worker who tried to photograph the police attack on demonstrators. Police also reportedly beat Filep Yopi Karma, one of the event organizers, as they took him away on a police truck for interrogation. Karma and theological student Yusak Pakage, also accused by police of organizing the flag raising, remain in police detention. Karma, an adherent to the principle of nonviolence and the nonviolent direct action tactics championed by Martin Luther King, Jr., and Mohandas K. Gandhi, was a lead organizer of a 1998 peaceful flag-raising demonstration in Biak and was beaten and shot by Indonesian armed forces who brutally attacked sleeping demonstrators in the early morning hours.

Among the five people wounded by police were 20-year-old Marselina Gobay, who was shot in the leg, and 24-year-old Yermia Kayame, who was shot in the head.

"The concern is that this is a peaceful demonstration and from a human rights perspective it has to be allowed to take place," Rumbiak told the international media. "It is freedom of expression." Rumbiak said the demonstration had been calling on President Yuhoyono to initiate a peaceful

dialogue between the government and independence supporters.

(Sources include: *Kompas Cyber Media*, November 26, and *Sinar Harapan*, November 26)

### **Police Reportedly Involved in Illegal Logging**

According to the *Jakarta Post* (November 23), senior police officers may be involved in rampant illegal logging in West Papua. According to the report, Indonesian police are investigating the possible involvement following the confession of a low-ranking officer.

The *Jakarta Post* article notes that many observers have long claimed that police officers are actively and directly involved in illegal logging activities, which have contributed to massive deforestation in the country.

A separate *Jakarta Post* report noted that the former Sorong police chief and subordinates are expected to face trial in the near future for their alleged involvement in the illegal logging.