



## ROBERT F. KENNEDY MEMORIAL

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### The West Papua Report March 2005

*The following is the 13<sup>th</sup> in a series of regular reports prepared by the Robert F. Kennedy Memorial Center for Human Rights (CHR)-West Papua Advocacy Team providing updates on developments in West Papua. The CHR has monitored and reported on the human rights situation in West Papua since 1993 when Indonesian lawyer Bambang Widjojanto received the annual RFK Human Rights Award.*

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#### **Members of U.S. Congress Call for U.N. Review of "Act of Free Choice"; Cite Ongoing Human Rights Abuses in West Papua as Reason for Opposing Resumption of U.S. Training to Indonesian Military (TNI)**

In March, members of the **Congressional Black Caucus**, at the initiative of **Congressman Eni Faleomavaega** (D-American Samoa), took action calling on the U.S. government and the UN to address the human rights situation in West Papua and to support Papuans' right to self determination. In a March 17 letter to **U.N. Secretary-General Kofi Annan**, 36 Caucus members urged the U.N. to review its role in the "Act of Free Choice." That procedure, by which Indonesia formally annexed West Papua in 1969, is seen by many observers, including the U.N. officials charged with overseeing it, as fraudulent. The 36 Congress members join more than 170 parliamentarians worldwide in urging the U.N. to review the Act.

The Caucus members also wrote to **U.S. Secretary of State Condoleezza Rice** opposing her decision to resume provision of the **International Military Education and Training (IMET)** program to the **Indonesian military (TNI)**. Members noted continuing human rights abuse in West Papua and urged that the U.S. government support Papuans' right to self-determination.

## **RFK Advocacy Team Member testifies at Congressional Hearing on Human Rights in Indonesia**

The **U.S. House of Representatives Subcommittee on Asia Pacific Affairs** held a March 10 hearing on human rights concerns in Indonesia. The TNI's record of human rights abuse and impunity was the focus of speakers' testimonies, and some lawmakers attacked Secretary of State Condoleezza Rice's decision to resume IMET for the TNI.

**Subcommittee Chairman, Rep. Jim Leach**, cited Indonesia's record in holding elections as evidence that the country is successfully transitioning from corrupt to democratic governance. However, he also noted the importance of improving Indonesia's human rights record and the accountability of its security forces and of resolving peacefully separatist conflicts such as the decades' old situation in West Papua.

The U.S. government was represented at the hearing by **Deputy Assistant Secretary of State for East Asia Marie Huhtala**. She stated that "Indonesia's human rights record is mixed and there is much to be done. That said, there has been progress, including an increased willingness among the Indonesian army to hold their own service members accountable for human rights violations."

**Rep. Eni Faleomavega** spoke out eloquently against the decision to resume IMET for the Indonesian military. "Even in the aftermath of the devastation caused by the recent tsunami, the media has reported that the Indonesian military has withheld food and humanitarian assistance from those believed to be pro-independence. The U.S. must not and cannot turn a blind eye to these abuses or Indonesia's repression of the people of Aceh and West Papua," he declared.

**RFK West Papua Advocacy Team member Edmund McWilliams** testified concerning the major challenges to resolving the human rights situation in West Papua and elsewhere throughout the archipelago. McWilliams, a retired U.S. Foreign Service Officer who headed the U.S. Embassy's political section in Jakarta from 1996 to 1999, stated that "We have in Indonesia a new government, a fragile, fledgling government, that unfortunately is not prepared or not capable of defending fully the fundamental human rights of their own people. The principal menace to those fundamental human rights and also to this government is posed by essentially the Indonesian military." (Testimony available online at: [www.rfkmemorial.org](http://www.rfkmemorial.org)).

Also testifying was former **U.S. Ambassador Alphonse La Porta**, who now heads the corporate-funded **U.S.-Indonesia Society (USINDO)**.

### **West Papuan Religious Leaders Press "Land of Peace" Designation for West Papua**

During a March visit to Washington, D.C., **Reverend Herman Saud**, President of Synod for the largest Protestant church in West Papua, told the RFK West Papua Advocacy Team that he has joined with Catholic and Islamic leaders in West Papua to resume efforts to secure Indonesian government designation of West Papua as a "Land of Peace." The plan, which will be announced formally in Geneva during the U.N. Commission on Human Rights, prioritizes the demilitarization of West Papua. This effort by religious leaders runs counter to the TNI's plans to base thousands more troops in West Papua (see following report).

### **TNI's Destabilizing Actions in West Papua Continue with Announcement of Major Troop Build-up**

**Lt. General Hadi Waluyo**, commander of the military's strategic forces (KOSTRAD) announced on March 16 that KOSTRAD would construct a new division built around the existing 3rd Brigade, now based in Makassar, South Sulawesi. The new 3rd Division, he said, will be based in West Papua. The KOSTRAD commander said the creation of a new division and its deployment to West Papua was based on Indonesia's "defense needs." Earlier in March, a TNI spokesman claimed the armed opposition in West Papua (**Free Papua Movement**, or OPM) consisted of 650 fighters possessing 150 weapons.

In a statement on March 19, Indonesian Army spokesperson **Brig. General Hotmagaradja Panjaitan** added that the first deployment of 5,000 troops would be to the Sorong area from their current base in Makassar. Panjaitan then said that the deployment would secure Indonesia's border with Papua New Guinea, 750 miles to the east.

(Sources: *Kompas*, March 17 Cyber Media website; *Jakarta Post*, March 19; and BBC Worldwide Monitoring Service, March 19)

### **TNI Misusing International Development Assistance to Conduct Military Operations in West Papua**

Papuan religious leaders in contact with the RFK Memorial Center's West Papua Advocacy Team have confirmed reports

from West Papuan officials and others that the TNI is using international aid funds designated for humanitarian purposes and development within West Papua to fund its ongoing military operations in West Papua's central highlands. The military reportedly is also utilizing the funds to create militias along the lines of the thug groups it created and employed in East Timor in 1999 to devastating effect.

The military has also continued its ban on travel to the area, even by church officials seeking to deliver humanitarian assistance to thousands of people who have sought refuge in the forests to escape the TNI's violent assaults on local population centers.

A senior religious figure in West Papua has told the West Papua Advocacy Team that financial interests, particularly gold exploration and extraction, are one factor motivating TNI interest and activity in the area. A March 22 report in the Queensland, Australia, *Courier Mail* noted that within the central highlands "there are 10,000 non-Papuans mining alluvial gold which is [then] flown out by helicopter to Jayapura and then sent to Jakarta."

### **Scholars See Tensions Rising in West Papua; Offer Recommendations for Achieving Peace and Progress**

*Irian News* (March 7) provided summaries of four papers recently published as part of the **East-West Center's** project, "Management of Internal Conflicts in Asia - Policy Papers on Papua." One paper commenting on Jakarta's control over West Papua observed that "... the fragility of Jakarta's authority and the lack of Papuan consent for Indonesian rule are both the cart and the horse of the reliance on force to sustain central control." ([http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub\\_ID=1458&Search](http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub_ID=1458&Search) string)

A second study explored whether special autonomy could resolve the secessionist challenges in West Papua. The analysis noted that Jakarta had "backslid" on special autonomy offers and instead adopted more coercive measures to respond to separatist demands. The paper concludes that the coercive approach failed to address the underlying causes of injustice fueling the conflict and assessed that "it is not conceivable, therefore, that the government may once again turn to special autonomy as a means to address separatism." The paper encourages Jakarta to consider instead linking concessions offered in the original special autonomy legislation and genuine dialogue. Failure to pursue the course of concessions and dialogue, the paper concludes, would mean West Papua would likely remain "a continuing source of conflict and secessionism for the Indonesian state." ([http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub\\_ID=1523&Search](http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub_ID=1523&Search) string)

A third study examined the ways in which large-scale migration and rapid economic change have fueled separatism and ethnic conflict in West Papua. This research notes that three quarters of a million migrants from other parts of Indonesia have resettled in West Papua since 1970. Rapid modernization and demographic change have resulted in the displacement and dislocation of West Papua's indigenous population, provoking Papuan resentment and demands for independence. The report adds that these dynamics have led to growing competition for land and resources between settlers and Papuans. The research foresees the threat that this social dynamic could trigger a larger outbreak of communal and ethnic violence as occurred recently in neighboring areas such as the Malukus and Central Sulawesi. It concludes that unless the Indonesian government reverses many of its divisive policies and brings woefully lacking services to remote indigenous communities, the "continuing inflows of migrants into the province may well overwhelm the mechanisms for social management that have so far kept conflict from spiraling out of control." ([http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub\\_ID=1567&Search](http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub_ID=1567&Search) string)

The fourth paper examines the development of Papuan nationalism. It contends that a pan-Papuan identity has been forged from a mosaic of tribal groups. It explores the possibility that the Special Autonomy Law of 2001, if fully implemented, might provide a framework in which Papuan national aspirations could be realized. ([http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub\\_ID=1458&Search](http://www.eastwestcenter.org/res-rp-publicationdetails.asp?pub_ID=1458&Search) string)

### **Amnesty International Renews Calls for Release of Prisoners of Conscience; End to Indonesian Abuse of West Papua People's Political Rights**

In a February 1 statement, **Amnesty International (AI)** charged that "... [S]ince early 2001, repressive legislation has once again been used with increasing frequency against government critics, including labour and political activists, journalists, and independence activists in Nanggroe Aceh Darussalam (NAD) and Papua Provinces."

The statement also underscored that "Amnesty International believes that the right to freedom of expression includes the right to peacefully advocate referenda, independence, or other political solutions and that these rights must be upheld."

AI noted that many Papuans have been convicted for just such peaceful political appeals and called on the Indonesian government to "immediately and unconditionally release **Filep Karma** and **Yusak Pakage**, and all other prisoners of conscience in Indonesia." Karma and Pakage were detained in December 2004 for their role in a peaceful political demonstration in Abepura, near the West Papuan provincial capital of Jayapura (see the February 2005 *West Papua Report*).

AI also called on the Indonesian government to "conduct effective and independent investigations into the allegations of human rights violations by members of the security forces in Abepura in relation to the events of 1 December 2004, including the unnecessary use of force against peaceful demonstrators, and the ill-treatment of detainees; and to prosecute those found to be responsible. "

### **World Council of Churches and Franciscans International Press for Papuan Human Rights at U.N. Commission on Human Rights**

The **World Council of Churches (WCC)**, in a statement at the convening of the 61st session of the **U.N. Commission on Human Rights (UNCHR)**, stated that "the economic, social, and cultural rights of the Papuan people will be the main focus of the WCC's involvement in this year's 61st session." The WCC has called on the UNCHR to inform the government of Indonesia that "its present measures to divide the province [of West Papua] against the wishes of the people can only lead to further denial of their socio-economic and cultural rights." More information on WCC work is available at: <http://wcc-coe.org/wcc/what/international/chr2005.html>

Meanwhile, **Franciscans International**, together with other NGOs with Special Consultative Status with ECOSOC, submitted a document to the UNCHR that expressed deep concern over the "ongoing practice of torture, arbitrary arrest and detention, and displacement reportedly committed by the security apparatus . . ."

It emphasized that "cases of extra-judicial killings reported in the villages of **Mariedi**, Bintuni District where **BP Tangguh Gas project** is located, and in **Mulia**, District of Puncak Jaya cause us deep concern." It added that the situation in Puncak Jaya, scene of military operations since late summer, "exemplifies the gravity of the general situation." It also concluded that the Indonesian judicial system had proved its "inability to convene fair trials owing to the pervasive influence of the security apparatus."

The statement stressed that human rights defenders in West Papua are "under threat," noting that staff of the **Institute for Human Rights Study and Advocacy (ELSHAM)**, **Aliansi Demokrasi Papua (ALDP)**, **TRITON Foundation** and the **Catholic Church's Office for Justice and Peace** had been "arrested and detained due to their work to protect and promote human rights in different parts of Papua."

### **Necessary Preparations for Regional Elections in West Papua Problematic**

According to the *Jakarta Post* (March 8), provincial offices of the **General Elections Commission (KPUD)** in West Papua claim to be unprepared for the direct elections for regional heads set nationwide for June. Local administrations have not finished compiling data on eligible voters, despite a February 28 deadline. Moreover, election materials remain unavailable. One solution under consideration is to delay the elections until November when they can be held in conjunction with the gubernatorial elections.