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The West Papua Report May 2005

The following is the 15th 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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US Congressman Presses Senior U.N. Official on "Act of Free Choice"

At a 19 May public hearing, **U.S. Representative Eni Faleomavaega** (D-American Samoa), ranking minority member of the U.S. House of Representatives' Sub-committee on Asia and Pacific, pressed **Mark Malloch Brown**, Chief of Staff for **U.N. Secretary-General Kofi Annan**, on the issue of self-determination for West Papua. Faleomavaega reminded the U.N. official that he and 36 other members of the U.S. Congress had written to the Secretary-General earlier this year requesting Annan's support for a U.N. review of the "Act of Free Choice" by which Indonesia annexed West Papua. Faleomavaega presented Brown with documents related to the 1969 "Act," widely seen as fraudulent, and requested that the 37 Members of Congress receive a prompt response to their letter.

Major U.S. Investors Tell Freeport McMoRan Copper & Gold to Review Relationship with Indonesian Military

Stockholders of gold mining behemoth **Freeport McMoRan Copper & Gold, Inc.**, (New York Stock Exchange symbol: **FCX**) questioned the company's payments to the Indonesian military in connection with Freeport's operations in West Papua. At the

company's May 5 annual shareholders' meeting in Wilmington, Delaware, approximately seven percent of investors (accounting for nearly nine million shares) voted in favor of a **resolution** calling on Freeport management to report to shareholders concerning the potential investor risks and liabilities resulting from corporate payments to Indonesia's notorious rights-abusing military. The resolution is available online at http://www.rfkmemorial.org/human_rights/1993.htm. An additional seven percent of investors abstained from the resolution. The resolution was introduced by **New York City's firefighters, teachers, and police pension funds (NYCERS)** and cited particular concern regarding the unresolved August 2002 ambush on Freeport's mining road in which three schoolteachers were killed and eight others injured.

A similar resolution put before **ExxonMobil** (NYSE symbol: **XOM**) shareholders on 25 May in connection with Indonesian military "protection" of that company's Aceh natural gas operations also garnered more than seven percent of the ballots. Both resolutions send a strong message to corporate management and received well above the percentage needed to carry forward similar resolutions during next year's shareholder season. The ExxonMobil resolution can be found at www.stopexxonmobil.org.

RFK Center Calls on President Bush to Continue Successful Ban on U.S. Military Sales & Assistance to Indonesia; Pickets Freeport/ExxonMobil Gala Event

In advance of Indonesian President **Susilo Bambang Yudhoyono's** first state visit to the U.S., the RFK Center joined a wide range of U.S. organizations in urging U.S. President **George W. Bush** not to offer military assistance to Indonesia. The groups called on Bush to raise concerns about ongoing human rights violations and the failure to bring to justice members of Indonesia's security forces responsible for human rights violations in West Papua, Aceh, and Timor-Leste. In a May 24 letter to Bush, the RFK Center and 52 human rights, labor, religious, peace, and other groups urged the president "to ensure that this first visit of President Yudhoyono advances respect for human rights and implementation of genuine justice and military reform throughout Indonesia rather than maintaining business-as-usual." Text of the letter to President Bush is available online at: http://www.rfkmemorial.org/human_rights/1993.htm.

Citing continuing severe human rights violations by Indonesia's armed forces in West Papua, the RFK Center and others noted that withholding prestigious U.S. military assistance is the best leverage the U.S. government has to demonstrate its commitment to justice, human rights, and democratic reform in Indonesia.

The RFK Center also joined others in holding an informational picket at a May 25 major gala dinner reception for President Yudhoyono, hosted by **Freeport McMoRan**, **ExxonMobil**, and other corporate sponsors at Washington, D.C.'s Mandarin Oriental Hotel. The picketers passed out informational flyers to gala attendees, urging them to help Yudhoyono rein in Indonesia's criminal military activities.

Papuans Brief Washington on Eve of President Yudhoyono's Visit

A delegation of **Papuan civic leaders** and human rights advocates visited Washington, D.C., May 18 - 23 for meetings with **Members of Congress** and their staff, **U.S. Department of State**, media, and U.S. NGOs. Their briefings covered:

- Papuan civil society continues to seek the senior-level dialogue with the Jakarta government promised by President Yudhoyono during his election campaign. A central item for discussion in such a dialogue will be the proposal to transform West Papua into a "Land of Peace," entailing the demilitarization of West Papua among other confidence- and peace-building measures.
- Bloodshed and suffering continues in West Papua with frequent uninvestigated killings by Indonesian state forces and continued blocking by Indonesian authorities of humanitarian assistance to thousands of Papuans chased into forests by recent Indonesian military (TNI) operations in the central highlands.
- Jakarta policies continue to marginalize Papuans by failing to fund essential services, notably in the **Baliem Valley** where even administrative services have broken down. Elements of the TNI continue to draw on international aid funds for military operations, and for road development in service of illegal TNI logging operations. There are well-researched reports that contend that members of the military have introduced HIV/AIDS-infected prostitutes into TNI-run prostitution rings, notably in the **Merauke** and **Timika** areas. HIV/AIDS rates are higher in West Papua than anywhere else in Indonesia.
- Arms and ammunition continue to enter West Papua, flowing to various militias created and supported by elements of the TNI, including fanatical nationalists and jihadists. These militias are stoking religious and ethnic tensions.

Indonesian Court Hands Down Severe Sentences for Papuan Prisoners of Conscience

In a decision reminiscent of the worst days of Indonesia's **Suharto** dictatorship, an Indonesian court sentenced two prominent Papuan human rights defenders to harsh prison terms for their involvement in peaceful civil protests, which the court characterized as "treason." On 26 May, **Filep Karma** and **Yusuk Pakage** were sentenced to 15 and 10 years' imprisonment, respectively, for raising the Papuan "Morning Star" flag on Papuan "independence day," December 1, 2004, in symbolic protest of Jakarta's usurpation of Papuans' right to self determination. Indonesian armed forces attacked the peaceful demonstration. The severity of the sentences (which exceeded the prosecution's demands of five years' imprisonment) dismayed human rights advocates in West Papua and abroad. The detention and treatment of Karma and Pakage had already sparked protests by hundreds of Papuans, resulting in police riots (see below). (Source: *BBC News*, May 26, 2005)

Amnesty International (AI) has declared both Karma and Pakage "prisoners of conscience" stipulating that they were "detained for their peaceful and legitimate exercise of their right to freedom of expression." AI notes that 34 Papuans have been detained under such circumstances since 1998, when Army General Suharto was forced from power via a peaceful mass citizens' movement, and Indonesia began its purported democratic era. (Source: AI February 2005 bulletin)

Students Press for Dismissal of Provincial Police Chief in Brutality Incident: Police Reportedly Inject Protestors with Unknown Substance

Dozens of students demonstrated in Jayapura on 17 May to demand the removal of the provincial police chief for his alleged failure to control police who brutally assaulted demonstrators on 11 May in nearby Abepura. That demonstration, involving hundreds of young protesters, was sparked by the trial of two Papuan human rights advocates (Karma and Pakage, see above) who were involved in a December 2004 "independence flag" raising. Both police and students reportedly were injured in a melee provoked by police tactics at the 11 May demonstration. According to eyewitness reports documented by **ELSHAM News Service**, police beat and stabbed peaceful demonstrators until the victims were bloody and bruised, some with deep flesh wounds. Students also reported that the police injected injurious chemicals into four of the students in police custody. According to one victim, the injection caused him to become weak, cold and dizzy, with muscle aches.

In what appears to be a rare acknowledgment of wrongdoing by Indonesian authorities, the Jayapura police chief and chief of the riot unit have been transferred out of the province, while a disciplinary council sentenced nine field officers involved in the affair to 21 days in a police prison. The council found them guilty of chasing and beating protesters and firing their weapons without an order from their superior. (Sources: May 18 *Jakarta Post* and *ELSHAM News Service*)

Papuans Reject Annexation by Jakarta

The *Jakarta Post* (3 May) reported that approximately 300 protesters demonstrated outside the Jayapura provincial council buildings on 2 May to protest of the United Nations' 1969 decision to permit Indonesia to annex West Papua under the auspices of a fraudulent act of self determination. The demonstrators, protesting under the banner of the **Papua People's Civil Rights Coalition**, specifically challenged the **United Nations Temporary Executive Authority's (UNTEA)** decision to hand over control of West Papua to Indonesia on May 1, 1963, after Indonesia invaded the former Dutch colony a year earlier. The demonstrators called on the international community to review the 1969 "Act of Free Choice," urging an international dialogue on the matter. They also rejected any special autonomy status for the province before the matter was settled.

The previous day, 1 May, approximately 100 students and residents gathered at Abepura Trikora field to commemorate the 1963 transfer as a "day of human rights violations."

International Support for Peace in West Papua

The 2 May closing statement by **West Papua Solidarity**, an international gathering of Papuan rights supporters, calls for:

- open and unfettered access to West Papua
- an end to all military cooperation and arms sales to Indonesia

- the release of all Papuan political prisoners
- stronger support for Papuan women's groups and for the implementation of national and international laws to protect Papuan women against all forms of violence in the home and from Indonesian state forces
- support for calls by Papuan officials and civil society for West Papua to become a "Land of Peace"

The group strongly condemned the decision by Indonesian authorities to further militarize West Papua by increasing the number of Indonesian armed forces there, in particular, the deployment of **KOSTRAD** (Strategic Reserve Force) troops. The government's militarization plans will bring the total number of Indonesian state forces in West Papua to 50,000.

The group, which held its fifth annual meeting in Manila, also condemned efforts by the government of Indonesia to compel the **University of the Philippines**, which served as the location for the solidarity meeting, to cancel the gathering and expressed gratitude to the university and to the **government of the Philippines** for resisting Jakarta's pressure.

Notes from Ground Zero: West Papua Advocacy Team Member Eben Kirksey's Observations on Current Developments in West Papua

Recently, I had the opportunity to travel to West Papua. During my trip, the Indonesian military (TNI) unveiled its plans to increase its presence in West Papua by up to 15,000 new troops. This will bring the total number of Indonesian military personnel in the territory to 50,000 – approximately one soldier for every 24 civilians.

The TNI rolled out its planned escalation of military occupation of West Papua in the context of increasing international support for Papuans to be given the opportunity to exercise their right to self determination. To date, more than 200 legislators from around the world, church leaders (such as **Nobel Peace Prize Winner Archbishop Desmond Tutu** of South Africa), and more than 80 international non-governmental organizations have called on the United Nations to review the circumstances of Indonesia's 1969 annexation of West Papua. And though few newspapers have published stories about these initiatives, word is rapidly spreading amongst Papuans.

As West Papua's self-determination movement gains international recognition, it is clear that the Indonesian armed forces are stepping up a domestic campaign of violence. Members of **Indonesia's Parliament** support the new troop deployments, hoping that more military personnel will prevent Papuans pressing for self determination from gaining ground. Yet the facts on the ground reveal a gruesome picture of severe human rights violations against Papuan civilians by these Indonesian forces.

According to church reports, scores of Papuans have died as a consequence of the harsh military operations in the highland district of **Puncak Jaya**, where troops reportedly have burned down entire villages of Papuan civilians. Thousands of people have fled their homes for the forest. The Puncak Jaya operation began in August 2004, and new incidents are reported by church groups nearly every week.

Indeed, while I was in West Papua, a series of extra-judicial executions took place in the area near the **Coffee River** (*Kali Kopi*). Indonesian troops assassinated the rainforest couriers of **Free Papua Movement leader Kelly Kwalik**.

At first, punishing Papuan villagers for the successes of human rights campaigners seems a poor strategy. The international outrage in 1999 – when Indonesian soldiers and militias rampaged through **East Timor** after its historic vote for independence – resulted in a U.N. mission to liberate the occupied territory. Indonesian authorities are hiding their campaign of violence in West Papua by restricting access by journalists, human rights workers, and tourists. Major news networks are not covering the recent abuses even as graphic pictures of mutilated corpses and detailed Indonesian-language reports circulate the globe amongst activists.

My observations in West Papua underscore the analysis that current abuses will continue until the international community pressures the government in Jakarta to withdraw its heavy military presence, effectively prosecute human rights abusers, and engage in serious dialogue with West Papuan leaders to resolve the conflict.

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(Modified from Kirksey, S. Eben, "Massive Military Build-up in West Papua," *New Internationalist*, May 2005, Issue 378.)