

From: Emily Goldman  
 To:  
 Subject: West Papua Report: February 2006



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**The West Papua Report  
 February 2006**

*The following is the 24th 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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**February Overview:** International attention grew to the deteriorating human rights climate in West Papua. A senior UN official expressed concern about possible genocide there while major human rights organizations and a US Senator visiting Jakarta urged President Yudhoyono to end a ban on access to West Papua for international journalists and NGOs. Human Rights Watch, noting increased militarization and reports of human rights abuse, pointedly raised the concern that Indonesia might have "something to hide" in West Papua. The International Federation of Journalists described a ban on foreign media in West Papua as "a direct attempt to conceal human rights abuses from the world." A US Congressman, a long-time advocate on behalf of the Papuans, publicly pressed Secretary of State Rice to address greater attention to the plight of Papuans.

Meanwhile, Papuan civil society continued to rally behind West Papuan governmental bodies opposed to the partition of West Papua dictated by

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the central government. The latter appears determined to press ahead with provincial elections on 10 March which will disenfranchise Papuans living in the disputed new provincial jurisdiction.

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In the Timika area, Papuans protested efforts by Freeport to prevent them from extracting trace gold and copper from waste rock. Their demands, which also included provision of humanitarian assistance to impoverished Papuans in the area, were supported by demonstrations in Jakarta, Makassar, Semarang, and Jayapura. West Papuan parliamentarians also called for a suspension of operations at the mine. Freeport management has refused permission for the National Human Rights Commission to visit the site, prompting the local Commission team chief to "deplore" Freeport's action. A Papuan independence leader had told the Indonesian media that he is committed to avoiding human casualties in his struggle. He echoed concerns of Papuan and international observers regarding the failure to pursue leads indicating Indonesian military involvement in the attack in August 2002 that left two US citizens and one Indonesian dead.

Strengthening the peace effort in Liberia.

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Fighting for access to medical care and proper public health in Haiti.

Strengthening freedom of expression in Viet Nam.

### UN Special Advisor Expresses Concern over Possible Genocide in West Papua

A senior UN official, in the context of a public warning about conflicts in several African countries that could become genocidal, expressed concern about developments in West Papua. Juan Mendez, a special adviser to the UN Secretary-General on the Prevention of Genocide, told *Voice of America* on 27 January that "West Papua in Indonesia" was among "countries of concern where indigenous populations are at risk of extinction."

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The Australian media carried an interview on 1 March with Mendez in which he expressed concern that the Indonesian government was preventing human rights observers from monitoring the situation in West Papua amid "worrying" reports of abuses there. He added that the UN was prepared to step in and mediate a solution to the long-running tensions in the province. "It's very worrying and there's evidence about violence that's continued since 1963. It's important that we look closely at the conflict

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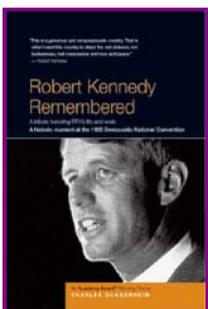
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now and make sure it's not getting out of hand," he told the *Sydney Morning Herald*. Asked if he was prepared to act as a mediator between the government and separatists, Mendez said "absolutely," although he noted that that would require invitations from both parties.

The Yale Law School's Allard K. Lowenstein International Human Rights Clinic concluded in an April 2004 report that there was "a strong indication that the Indonesian government has committed genocide against the West Papuans." (For Yale report go to:

[http://www.law.yale.edu/outside/html/Public\\_Affairs/426/yls\\_article.htm](http://www.law.yale.edu/outside/html/Public_Affairs/426/yls_article.htm).)

A 2005 University of Sydney study reached a similar conclusion.

### **US Congressman Presses Secretary Rice on West Papua**

In an appearance before the US House of Representatives International Relations Committee on 15 February, Secretary of State Condoleeza Rice faced criticism for what a Congressman described as the Bush Administration's inadequate attention to the situation in West Papua. In extended remarks, Congressman Eni Faleomavaega (Democrat-American Samoa) lamented the deteriorating human rights conditions in West Papua, and reminded Rice that "the crisis of West Papua . . . will not go away." He added, "We need your help."

Noting that the US government considers West Papua to be a part of Indonesia, Rice assured Faleomavaega that US officials "tell Indonesia all the time (of) the need for sensitivity to and protection of minorities within Indonesia and for significant autonomy for those populations." Rice assured that "the issue is not off of our radar screen, even though we may not agree on the same solution."

### **US Senator Presses Indonesia on Access to West Papua**

During a mid-February visit to Indonesia, Senator Russ Feingold (Democrat-Wisconsin) urged Indonesia to ease a ban on access to West Papua. Senator Feingold informed a press conference that he had told Indonesian President Yudhoyono that "any degree of openness and ability to examine what happened there would be helpful." He said that he explained that granting access would demonstrate Indonesia's "dedication to trying to solve this difficult problem." He said that he expressed concern that the Papuans be able to "feel comfortable in their region and had the openness and the protection from many possible abuses by the military."

### **Human Rights Watch Asks Indonesian President if his Government has Something to Hide in West Papua**



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In a public letter to Indonesian President Yudhoyono, Human Rights Watch (HRW) complained about the Indonesian government's ban on the foreign media and NGOs from the province of Papua in eastern Indonesia (to see the letter, go to:

<http://hrw.org/english/docs/2006/02/10/indone12653.htm>).

HRW also drew attention to the ongoing militarization of West Papua, expressing concern regarding "the human rights impact of the increasing military presence in Papua." HRW indicated that the ban had been used to hide a deterioration of human rights observance in West Papua, including "a significant build-up of troops [and] . . . reports of widespread displacement of civilians, arson, and arbitrary detention in the central highlands region." HRW said it feared "the lack of access and monitoring by independent observers, including the media, will further create a climate in which the armed forces and police believe they can act with impunity and commit abuses, unreported and away from the public eye." Referring to a recent statement by Defense Minister Sudarsono endorsing the ban, HRW noted that Sudarsono had "admitted that some cases of killing, rapes, and abuses by some soldiers had occurred in the province."

HRW also expressed "alarm" that the Indonesian government effort to ban or limit press coverage of human rights violations and other issues in West Papua "harkens back to the previous era of autocracy, not the new democracy that your government leads." HRW Executive Director Roth concluded: "We fear that restrictions on reporting from Papua are aimed at making the human rights situation in Papua largely invisible to the world and reducing international pressure to ensure respect for human rights. But as your government has learned from its experience in Aceh, silencing or censoring the media will only fuel misinformation and create conditions for more abuse. These cannot be the goals of a reform-minded democratic government. Aceh is now open to critical eyes; unless there is something to hide, we cannot understand why Papua should not also be accessible. Human Rights Watch urges the Indonesian government to respect press freedom and to allow full press coverage of all issues affecting the province."

### **International Federation of Journalists Demands End to Ban of Foreign Journalists in West Papua**

The International Federation of Journalists (IFJ), an organization representing over 500,000 journalists in more than 100 countries, called on the Indonesian government to lift its ban on foreign media in West Papua (for letter go to: <http://www.ifj.org/en/content/view/full/72301/>). In a February 17 statement, the IFJ expressed concern that the ban constituted "a direct attempt to conceal human rights abuses from the world." The statement noted that "greater public scrutiny of the region is needed to minimize social, cultural, political, human rights and environmental abuses by the military, local government or corporations."

The IFJ specifically objected to Indonesian Minister of Defense Juwono Sudarsono's contention that a ban on access to West Papua for all foreign media, churches, and NGOs was necessary because their presence in West Papua would "encourage Papuans to campaign on issues of human rights." The IFJ also noted that the ban had prevented any foreign journalist from having official access to the region during the past 18 months. This, the IFJ noted, had severely restricted the media's ability to tell the West Papua story.

The IFJ reminded the Indonesian government that the restrictions on foreign media were "in direct opposition to Indonesia's obligations since ratifying the International Covenant on Civil and Political Rights." Article 19 recognizes the right to "seek, receive, and impart information and ideas through any media regardless of frontiers." "Restrictions on foreign journalists represent a blatant violation of this right and seriously curtail the ability of the world's media to report in West Papua," said IFJ president Christopher Warren. "An independent and free media is essential to ensure democracy," said Warren. He added that "the silencing and censoring of the media will only fuel misinformation and foster conditions for abuse, mistreatment and corruption."

The president of IFJ's affiliate in Indonesia, Alliansi Jurnalis Independen (AJI), Heru Hendratmoko, said: "AJI will never agree with any policy on media banning . . . We have to respect the people's rights wherever they live, including people in West Papua, to get access for information. So let journalists work freely there."

### **West Papuan Civil Society Unites to Oppose Partition**

The Jakarta Post and other Indonesian media reported in February that West Papuan civil society was rallying against plans by the central government to partition West Papua into two or more separate provinces. The groups explicitly supported the stand of the Papuan Legislative Council which has indicated its opposition to the creation of West Irian Jaya province.

"I fully support the Council's decision because it is considered the best to avoid any possible conflicts that may arise in Papua over the establishment of West Irian Jaya province," Rev. Herman Saud, chairman of the Papuan Injili Christian Church Synod, said in Jayapura on 18 February. Rev. Herman Saud warned it would set a bad precedent were the central government to ignore Article 76 of the 2001 Papua Special Autonomy Law which states that any partition of the province must first be approved by the MRP.

Also opposing the partition were the Indonesian Christian Students Movement (GMKI), Association of Catholic Students (PMKRI), Indonesian Christian Women's Association (PWKI), and the Cooperation

Forum of Non-governmental Organizations (Foker LSM). The growing Papuan consensus against partition was reinforced by the results of a public consultation conducted by the Papuan People's Assembly (MRP) within the purported new province which showed broad opposition to the plan.

It remains unclear how the central government will react to the strong Papuan consensus against division of West Papua. It faces a key test of its policies in provincial elections for governor, long delayed but now set for 10 March. It appears that while plans to hold simultaneous elections in the disputed "West Irian Jaya" province are on hold, voters living in the disputed jurisdiction will not be allowed to vote in the election set for West Papua.

### **Pressure Mounts to Shut Down Freeport McMoRan Mining Operation**

Pressure continued to mount on Freeport McMoRan, Inc. to shut down its massive mining operation in West Papua. The company has faced years of accusations that it has devastated the local environment and conspired with the Indonesian military in decades of human rights abuses targeting local Papuans.

The new focus on the mine was prompted by demonstrations by Papuans beginning in mid-February just outside the mine operation area. Local citizens succeeded in closing down mining operations in a protest over refusal of the company to allow them to work waste rock for remnant gold and copper. They also demanded that the company address issues such as discrimination in employment, disadvantaging Papuans, and inadequate fundamental services in the area.

In support of these protests, hundreds of demonstrators clashed with security forces at the Jakarta headquarters of the mining company on February 23, 27, and 28. Police, employing tear gas and water cannon, were able to disperse the crowd, which included Papuans and allies from environmental NGOs. Some demonstrators were injured and a number were arrested. Several police were also injured in the melee. NGO and media sources contend that some of those detained were severely mistreated once in police custody. There were also demonstrations in Makassar in South Sulawesi and in Semarang in Central Java that similarly called for Freeport to suspend operations.

In the West Papua capital of Jayapura, protesters numbering upwards of 500, succeeded in winning the support of the local parliament (DPRP) leadership, which announced on 28 February that it was sending a letter to the central government and to the management of the Freeport McMoRan mine calling for a cessation of mining operations while investigations

were undertaken. The Papuan People's Assembly (MRP) has taken similar action.

For its part, Freeport McMoRan management appeared unwilling to cooperate with investigations. The Indonesian media reported on 28 February that it would not give permission for a team from the National Human Rights Commission (Komnas Ham) to visit the site to investigate violence associated with the demonstrations earlier in the month.

Alberth Rumbekwan, head of Komnas Ham's Papua office, told the media February 28 that his organization had received the complaints by victims of violence and sought to look into the incidents. He said he contacted certain PT Freeport Indonesia officials in Tembagapura and Timika on 27 February, but that the company's management refused to allow a Komnas Ham team to come to the mine site in Tembagapura because, the company contended, no act of violence was committed against civilians. Rumbekwan noted that the investigation was necessary inasmuch as two security guards and three civilians had been injured in the demonstration, according to Indonesian security authorities. "We feel offended by the company's attitude," added Rumbekwan. "We strongly deplore PT Freeport management's prohibition for a Komnas Ham team to come to listen directly to them and the victims. We think something wrong is being covered up," he concluded.

### **Papuan Independence Fighter Speaks Out**

In a rare interview from his jungle hide-out, Kelly Kwalik, local commander of the Papuan resistance (OPM), spoke briefly to Indonesian SCTV network journalists about the 2002 attack on a group of US citizens near the Freeport McMoRan mine in West Papua. In the interview, summarized in the weekly journal "Reformasi," he claimed that while OPM was committed to confronting the US-run mining operation which has devastated the local environment and enabled decades of human rights abuses by the Indonesian military, the OPM was determined to avoid harm to "Papuan, non-Papuan, and foreigners." He called for involvement of international NGOs to investigate the facts surrounding the case, including the identity of three masked shooters who many believe to have been members of the Indonesian military. He also questioned the rationale for the sudden removal from West Papua of Police Chief I Made Pastika after the respected police official released a police report indicating the likely involvement of the military in the attack.

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