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*Human rights conditions in Papua  
And  
The role of international humanitarian agencies*

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As East Timor got their independence after the ballot July 1999, Papua became the youngest province of Republic of Indonesia. Unlike in the case of East Timor, the national or international forum didn't pay too much attention to Papua<sup>1</sup>, formerly Irian Jaya, until 1998. Papua, one of the provinces which is very rich in natural resources. Papua seemed to be of hardly any interest to the international world, partly caused by the oppressive system of the Indonesian New Order that forbid any publication on the real situation. All the information available to the public (and to schools!) in Indonesia was distorted: a stone-age culture, a primitive society or a cannibalistic one, etc. As a result, most of the factual background of Papuan history was not available for the public. Just a few people or circles had detailed and updated information such as rights groups, churches' networks, and, of course, the government and military. The situation really changed after Soeharto was toppled on May 21<sup>st</sup>, 1998.

Taking this event as a starting point, this paper will deal with:

- I. A brief description of the root causes of Papuan nowadays protest and movement towards freedom/independence
- II. Recent conditions of Papua from a human rights point of view, and
- III. Some analysis and questions concerning the role of humanitarian agencies vis-à-vis the actual situation.

## I. Root causes

The Human rights condition in Papua can not be understood without paying proper attention to its root causes; these root causes can be summarized as follows<sup>2</sup>

### 1. Collective memory of suffering:

- a. The Centralized development policy for almost 40 years, which never was tuned to the local needs or to wellbeing of the local people as first priority; in spite of the fact that in 1970 the central government gave the autonomy status to Papua based on the Law no. 12/ 1969 establishing the autonomous province of Irian; within this centralized development policy the people were treated merely as an object or a target for projects/ programs
- b. Recurrence of gross human rights abuses without any human rights court that resulted in factual impunity for the perpetrators and also in a guerilla movement, namely Free Papua Movement (OPM), in many parts of Papua<sup>3</sup>,

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<sup>1</sup> The official name of the province had some changes. It was called "Nederlands Nieuw Guinea" in colonial Dutch era; then "Irian Barat" (West Irian) in Soekarno era; "Irian Jaya" since 1969; and finally "Papua" after adoption Law on Special Autonomy in October 2001.

<sup>2</sup> For more detailed information on the background of Papua situation, see. Theo van den Broek ofm and J. Budi Hernawan ofm, *Memoria Passionis di Papua: Kondisi Hak Asasi Manusia dan Gerakan Aspirasi Merdeka, Gambaran tahun 1999*, Jakarta: SKP Keuskupan Jayapura dan LSPP Jakarta, 2001, page 63—78.

<sup>3</sup> Osborne, R., *Indonesia's Secret War: the Guerilla Struggle in Irian Jaya*, Sydney: Allen & Unwin, 1985.

- c. Status of military operation zone for almost 18 years (1980-1998) that made the people suffer from the military operation or the clash between the military and the OPM<sup>4</sup>.
2. The dark history of the-60s:
  - a. Dutch Government's program moving towards Papuan freedom on December 1<sup>st</sup>, 1961 by (1) nominating representatives of local community to form 50% of *Nieuw Guinea Raad* (parliament); (2) flying the Morning Star Flag beside the Dutch flag; and (3) socializing the national anthem "Oh Papua, My Land".
  - b. Adoption of New York Agreement (NYA) of 1962 as the basis of the transfer of the *Nederlands Nieuw Guinea* from the Dutch to the Indonesian government without the participation of Papuans themselves in the negotiation.
  - c. The Determination of People's Opinion (PEPERA) in 1969 was implemented through intimidation, coercion, torture, and unilateral interpretation of conditions of the implementation that was laid down in the NYA, so that it had inherent legal flaws.
3. An identity crisis: for almost 29 years (since integration) the Papuans were forbidden to show their own culture, Melanesian culture. As the name 'Papua' was taboo for government, President Soeharto officially changed the name to 'Irian Jaya'.

As a result of the root causes summarized above, the Papuan people became a silent-traumatized society that kept their suffering deep down in their collective memory as they struggle to gain freedom, to be recognized as human beings, to protect their dignity and identity. For years, the most explicit expression of the struggle was in raising the *Morning Star* flag as a symbol of freedom, identity, and dignity. But government and security forces always perceived it as a sign of separatism that warranted harsh repression<sup>5</sup>. That repression was the common policy of the New Order government and security forces in facing the Papua Problem.

## II. Human rights conditions in Papua since reformation era

After student movement toppled Soeharto on 21 May 1998, Indonesia had three presidents with different political frameworks and policies related to their different origine of power and legitimacy. The development of the Papuan struggle is strongly related to the kind of central government policy it has to deal with.

### 1. B.J. Habibie

B.J. Habibie was the first president. As he came to the presidency with Soeharto's intervention, he didn't have strong power nor legitimacy. All people in

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<sup>4</sup> See the statement of Indonesian National Commission on Human Rights that confirmed the bad situation in Irian Jaya/ Papua, 24 August 1999.

<sup>5</sup> See, *Irian Barat dari Masa ke Masa*, Jayapura: Dinas Sejarah Militer Kodam XVII/ Tjenderawasih, 1971: a historical account of the military role in Papua published on the eighth anniversary.

Indonesia, including Papua people, initially could speak out any aspiration, and protest against the government without any repression.

In the beginning the Papuans called for justice such as land rights, migrants, KKN, etc. until they raised the *Morning Star* flag. In the midst of the euphoria, it couldn't be understood that Papuans who protested by raising the flag in July 1998 were shot dead by the security forces in Biak (July 6<sup>th</sup>, 1998)<sup>6</sup>. Even in the reformation era, the Papuan people didn't enjoy any substantial change in politics. They didn't enjoy any democracy to speak out their aspiration for justice that had been silenced for years. As a result, the struggle for justice in Papua turned to a struggle for political aspiration, that is: independence. The aspiration for independence spread rapidly throughout the entire island because it was a very clear expression of the memory of suffering. The Papua problem became one of prominent problems in transition Indonesia besides Aceh and East Timor.

To cope with the rapid political development, the government offered the Papuan people a national dialogue. The government assumed that the Papuan aspiration for independence was rooted in the failure of its development policy so Habibie and his cabinet were convinced that all the Papuans needed was prosperity. He really was shocked when the Papuan delegates called '100 team' declared that all they were asking for was an independent state and recognition of their independence in 1961. "We are fed up with you, Indonesia. Let us walk out of the country because we had our own independence since 1961". It was the core situation at that moment February 26, 1999. The government didn't have any words to respond to the situation so the president just said, "You can go home and think it over again". The clear-cut expression in the national forum covered by the national and international media was enthusiastically welcomed by Papuan people so the members of the "team of 100" were accepted as their heroes.

The people in every part of Papua really enjoyed the 'honey moon' situation by building-up Command posts (posko) to spread their aspiration for independence. But it was not for long, because Brigjend. Pol Hotman Siagian, Chief of Police in the Province of Irian Jaya, announced law (no. MK/01/IV/1999 at April 17<sup>th</sup>, 1999) banning Posko-posko to spread the aspiration for independence. At the same time, unidentified persons terrorized members of 100 Team who lived in Jayapura. Once again, the common repressive policy of the past was applied again to respond to the aspiration for independence

## **2. K.H. Abdurrahman Wahid**

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<sup>6</sup> Indonesian National Commission on Human Rights (Komnas HAM) made a preliminary investigation into the case by sending a fact-finding team to Biak on July 1999. After reporting the fact they found out, they promised the Papuan people to send a more complete team to make a thorough and comprehensive investigation. But the promised team never showed up. See. *Laporan Tahunan Komisi Nasional Hak Asasi Manusia Indonesia 1999*, Jakarta: Komnas HAM.

K.H. Abdurrahman Wahid, called Gus Dur, was the second president in the new era. He was more a legitimate president based on the most democratic election in Indonesian history but more or less a 'victim' of a compromise among political parties that didn't want to see a woman president. In his presidency, he faced up to many fundamental problems such as a corrupt justice system, dissatisfied provinces due to a centralized governmental system, an economic crisis, some dissatisfied generals who were fired due to their alleged involvement in gross human rights violations in East Timor after *the referendum in 1999*<sup>7</sup>.

During Gus Dur's regime, Papuans experienced a number of historical events<sup>8</sup>:

- ❖ Raising the Morning star flag was allowed to which had been forbidden since 1969, and singing the national anthem, "Hai Tanahku Papua" (Oh, My Land Papua) on December 1<sup>st</sup>, 1999 as a commemoration of the "independence" in 1961.
- ❖ The President officially apologized to Papuan People for the human rights violations committed in the past and at the same time, agreed to restore the name "Papua" instead of Irian Jaya: December 31, 1999. Indeed it was a first public apology *by* the government.
- ❖ Held the Great Deliberation: 23-26 February 2000 as follow-up step to formulate the aspiration for independence. At that moment, the representatives of Papuan people for the first time gathered freely from 14 districts of the province and took an initial step to establish a collegial leadership called "Presidium Dewan Papua" (Papuan Council Presidium).
- ❖ The president funded Rp. 1 billion for the Second Papuan Congress: 29 May- 4 June 2000 held in Jayapura. 501 official representatives of Papuan People of 14 districts took part with thousands Papuan people as observers around the meeting hall. The Congress formulated some fundamental aspects: [1] the official Papuan leadership, [2] the outline of Papuan struggle for independence, [3] the mandate given to the Presidium to take any reasonable action to develop the Papuan aspiration for independence, such as lobbying in national and international forums.
- ❖ Unlike the legislature which viewed Papuan aspiration for freedom as merely separatism, the president was open-hearted to hold a dialogue with the stakeholders of Papua, such as *the* presidium or *the* religious leaders<sup>9</sup> to understand the situation from a different than the government's view point. Indonesian National Commission on Human Rights set up the Commission for Inquiry into Human Rights Violations (KPP HAM Abepura) of Papua: 5 February – 5 May 2001 based on the new human rights law, namely Law No. 26/2000 on Human Rights Court.

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<sup>7</sup> See the conclusion in the report of the Commission for Inquiry into Human Rights Violations on East Timor that worked under authority of Indonesian National Commission on Human Rights, *Laporan KPP HAM Timor Timur*, Jakarta, 1999.

<sup>8</sup> For more detailed information and analysis on the situation in Papua 2000, see. Theo van den Broek et al, *Memoria Passionis di Papua: Kondisi Sosio-Politik dan hak asasi manusia tahun 2000*, Jakarta: SKP Keuskupan Jayapura dan LSPP Jakarta, 2002.

<sup>9</sup> See "The Papuan Problem", a paper presented by *the Bishops from Papua* to President Abdurrahman Wahid, 27 June 2000.

But also some bloody incidents still happened in many areas in the most eastern province of Indonesia. There were various trigger factors, such as military arrogance, Satgas Papua arrogance, land rights issues, but no ethnic or religious sentiments. Here are some important incidents:

- ❖ Nabire, 28 February 2000: security forces shot people dead<sup>10</sup>.
- ❖ Wamena, 6 October 2000: police operation to lower the Morning Star flag flared up into a clash between Satgas Papua and the police and turned to anti-migrant violence<sup>11</sup>.
- ❖ Merauke, 1 November 2000: police shot people dead<sup>12</sup>
- ❖ Jayapura, the end of 2000: influx of refugees to PNG due to growing tension in Jayapura
- ❖ Jayapura, 28 November 2000: police detained the prominent leader of Papuan Council Presidium.
- ❖ Jakarta, 1 December 2000: police detained 4 students who took part in a rally in the front of US Embassy calling for rectifying history of Papua
- ❖ Merauke, 2 December 2000: clash between police and Satgas Papua turned to anti-migrant conflict
- ❖ Abepura, 7 December 2000: attack on the police station and retaliation of the police on student dormitories and resettlements of people who came from the inland area<sup>13</sup>.
- ❖ Merauke, January 2001: hostage crisis in timber area committed by Willem Onde
- ❖ Jayapura, March 2001: protest or rally in Jayapura during Special Autonomy session,
- ❖ Wasior, 31 March 2001: an unidentified group attacked the timber employees
- ❖ Wasior, 13 June 2001: hit and run attack on the mobile police who were on guard of the timber business

### **3. Megawati Soekarnoputri**

Finally Megawati Soekarnoputri, the leader of PDIP, the biggest party, became in charge on July 23<sup>rd</sup>, 2001 after a majority of General Assembly voted to impeach Gus Dur due to Buloggate I. Megawati really has a different standpoint. She always stresses the Unitary Republic of Indonesia. Her interest as well as her party is for stability and the economy so she should rely on the military and the tycoons. She hasn't taken any substantial steps in promoting human rights. The most prominent examples are:

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<sup>10</sup> See. "Laporan Situasional Nabire, Kabupaten Paniai: Peristiwa 28 Februari 2000, Sebelum dan Sesudahnya", Jayapura : SKP Keuskupan Jayapura, April 2000.

<sup>11</sup> See. "Peristiwa Tragedi Kemanusiaan Wamena 6 Oktober 2000: Sebelum dan sesudahnya" an investigation report by joint team under coordination of SKP Keuskupan Jayapura that consisted of Legal Aid of Jayapura, KontraS Papua, ELSHAM Papua, Jayapura, January 2001. National Commission on Human Rights made a visit to Wamena and found out the fact. They issued a statement on 9 October 2000 but no further litigation.

<sup>12</sup> Report by Legal Aid of Jayapura, Pos Merauke, November 2000.

<sup>13</sup> See Report of the Commission for Inquiry into Human Rights Violations of Papua, May 2001.

- ❖ Presidential speech in front of a military parade in Jakarta, late December 2001, declared that, “We are suddenly aware...of the need for force to protect our beloved nation and motherland from breaking up... but with the laws of Indonesia as your guide. You can do your duty without worrying about being involved in human rights abuses. Do everything without doubts”.
- ❖ Restoration of Military Command Iskandar Muda 5 February 2002 which in DOM era took responsibility for gross human rights violations in Aceh province
- ❖ The President didn't intervene when the retired generals refused to give their testimony before the Commission for Inquiry into Human Rights Violations (KPP HAM) of Trisakti, February 2002, that made the investigation into the harsh repression of military against student movement in Jakarta 1998,
- ❖ The Presidential decree No. 10/ 2002 on National Investigation Commission (KPN) into Theys murder backed-up with military disregarded the protests of NGOs, religious leaders, PDP, *and* Papuan People,
- ❖ She insisted on reactivating Presidential Instruction No. 7/2001 on restoring law and order in Aceh (issued by President Gus Dur on April 2001) as a legal base to make a military operation in the conflict area possible.

When she was the vice-president, she made a sight seeing trip to Papua in August 2000 rather than a serious effort to understand the aspiration of the People. After her visit in August 2000, the central government gave a lot of money to Papua via a *crash program*: Rp. 20 billion per district in Papua (14 districts in Papua Province!). The local government had to spend the money before the end of the year! The government assumed that money or prosperity was the main problem of Papua. It was just a part of the problem. The government failed to understand the core problem, which lay deep down in the human dignity and history of Papuan people.

The way of thinking that still prevails in government circles can be analyzed *via* the process of deliberations on the Special Autonomy draft bill for Papua Province. Instead of holding a democratic dialogue on human dignity and history, the central government pushed the adoption of the draft bill. They didn't realize that Papuan people deeply mistrust any government promises. “They had given us autonomy status in 1969 without any fundamental change. Now, they gave it again in 2001? What is the difference between the two? All we want is independence. Nothing else!” That was/is the feeling and thought of Papuan people. The resolution of the Papuan Congress affirmed the rejection. So, the Papuans were split: pro-Independence vs pro-autonomy. The polarization really paralyzes the people and make them vulnerable to any provocation as well<sup>14</sup>. The condition looks like walking into a blind alley.

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<sup>14</sup> See, Theo van den Broek, “Special Autonomy: Its process and final contents”, Jayapura: SKP Keuskupan Jayapura, December 2001.

As a result of growing tension, a divided society, there were on going violent incidents such as

- ❖ Hostage crisis in Ilaga due to two Belgian film-makers who were kidnapped by TPN/OPM, June – August 2001
- ❖ Enforced disappearance in Bonggo allegedly committed by special unit of TNI (Kopassus), June 25, 2001<sup>15</sup>
- ❖ Internally Displaced Peoples' (IDPs) crisis (about 1099 persons) in Sarmi Tengah due to the clash between TNI and TPN/OPM, July 2001<sup>16</sup>
- ❖ Bloody incident in Ilaga triggered by the some young man who tried to rob a weapon from TNI personel, September 28, 2001
- ❖ Kidnapping and murder of Theys Hiyo Eluay, the chairman of Papuan Council Presidium, that was allegedly connected to military operation in Papua, November 10, 2001

Besides the big incidents or events, the daily life of Papua *is* more and more influenced by alcohol, prostitution, drugs, land rights disputes, especially in urban centers. This daily life could be a trigger factor of any conflict or violent incident.

When we overview all the conditions, we only can reach the conclusion that Papua will not be free from conflict that could flare up any time due to a long and prolonged history of suffering without a political solution/ mechanism.

### **III. Role of International humanitarian agencies**

It is clear that all Papuans want is their freedom, human dignity, and recognition of their identity. As churches, we have a long history of living with the people at all levels of society<sup>17</sup>. We have much experience as the only group the People trusted.<sup>18</sup> We heard the people but also learn from the people to cope with their suffering and struggle for justice. But we realise that we don't have political power to change situation at once. All we have is moral power and *people's* trust that *can* be used as a strong pressure on the government.

Based on the situation above, we can't be neutral. As churches, we are on the side of the people who struggle for justice and human dignity in a peaceful way. People might say that the church is "doing politics"; and indeed if defending basic values as human dignity and justice is valued that way we just get along with that; but for sure we don't mean to be involved in politics if it is articulated as a clear-cut involvement in a political struggle for independence. Taking sides for

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<sup>15</sup> The investigation report by Synod of the Evangelical Christian Church in Tanah Papua on disappearance in Bonggo, District of Jayapura, Jayapura, 3 August 2001.

<sup>16</sup> Report of Synod of the Evangelical Christian Church in Tanah Papua, November 23, 2001.

<sup>17</sup> Churches (protestant and catholic) were the pioneers in many parts of Papua prior to the government either in Dutch era or in Indonesian era.

<sup>18</sup> Most of indigenous people are Christian, especially in the inland areas of Papua.

the oppressed also leads us to a long-term program of action which focuses on some specific and relevant areas:

1. Struggle for justice

It is imperative to uncover the hidden human rights violations in many parts of Papua as far as we can because it is the part of the root causes. Without an official investigation and documentation, the Papuan people's true history never will be known and recognised by official Indonesian authorities. As churches, we support some human rights NGOs in Jayapura that are committed to empower the people and to advocate for them and we collaborate with NGOs at the national level and international as well. The Catholic Church has a special department under the bishop of Jayapura, namely the Office for Justice and Peace<sup>19</sup>, to cope with the human rights agenda: reporting human rights conditions, human rights training at grass root level, empowering local institutions, etc.

2. Interreligious cooperation

It is fundamental for Papuan people to prevent any conflict via religious or ethnic sentiment that is very common in Indonesia nowadays to split up the people. We don't have a real ethnic or religious clash like in Molluccas, West Kalimantan, Poso, or other parts of Indonesia. Last year, we started building up interreligious dialogue or cooperation especially among Christian and Islam leaders. It should be developed in the future.

3. Conflict prevention in specific areas

It is imperative for any institution to be more active towards the conflict prevention program, best known as "Papua as a peace zone" campaign. Given the multi-ethnic and multi-faith society it is very easy to spark of horizontal conflicts; social unrest and violence can easily be provoked in a society where differences are not just economical but also following lines of religious and ethnic demarcation. So it is more useful to prevent them rather than to be firemen all the time. Last year, religious leaders issued several joint appeals as responses to the conflict or violence that flared up in many parts of Papua. The religious leaders are more and more convinced to promote collaboration at least beginning within themselves. It is a huge task to do the same at the grass root level. Based on our observation, there are some potential conflict areas: urban centers, inland areas that suffered from the clash between military and OPM during the era of military operation zone, multi-national corporation (MNC) centers such Timika with *Freeport Indonesia Company* or Bintuni Bay with *British Petroleum*.

4. Building up strategic basic communities

It is a strategic step to empower the people at the grass root level. The feasible way to do that is building up small groups at the grass root level, well organized, conscious, well informed. Such groups become social agents who

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<sup>19</sup> See, the Profile of the Office for Justice and Peace, Jayapura 2002.

can cope with the problems in a more proper way than outsiders. The same groups could function as network of the NGOs or churches to monitor human rights conditions in many areas of Papua. But this requires capacity building at the grass root level, sustainable assistance plus some relevant facilities.

#### 5. Contingency planning

It is urgent to build-up a responsive infrastructure to cope with emergency situations such as clashes, bloody incidents, IDPs, refugees. For years churches or religious institutions could only help them after all things happened, for example in the 1980s or at the end of 1999 when there was an influx of refugees to PNG. We didn't have professional skill to face the problem<sup>20</sup> nor did the local government. It will be helpful if some professional institution could support us in this matter.

To discuss the role of international humanitarian agencies depends on the commitment of the agencies themselves. It is not a secret that many international humanitarian organizations depend on the political framework of the main supporting parties. Another main factor is that the commitment is also based on the atmosphere of international diplomatic relationships.

What I described above actually is the way to get in touch with the reality not just with the discourse. At the same time, the people can use the following as clear indicators of how far humanitarian agencies have a real commitment to Papuan people. As humanitarian agencies, the best ways to be involved:

1. Supporting local initiatives described above rather than endorsing their own programs. Local initiatives are more adapted to the situation and people. For years people just had to follow instructions. They are fed up with the top down approach.
2. Supporting local institutions especially in capacity building programs. Many local institutions (NGOs, tribal councils, religious institutions) need some capacity building both short term and long term. Any good program cannot work without proper human resources.
3. Making interventions in national and international forums to promote human rights conditions in Papua. It is very important to make a strong intervention on human rights conditions in Papua at the UN level<sup>21</sup>. But it is a big question how far the international community still pays attention to human rights in the midst of anti-terrorism campaign that promotes a security approach.
4. Building up a mutual relationships with local institutions to have updated information from the grass root level so that the world can hear and learn of the Papuan suffering and its struggle for justice.

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<sup>20</sup> *Returnees From Papua New Guinea To Irian Jaya, dealing particular with returnees to the Waropko-Mindiptana area, survey report*, Jayapura: Office for Justice and Peace, Diocese of Jayapura, January, 1999.

<sup>21</sup> See, the statement of Franciscans International and Dominicans for Justice and Peace in Geneva, 14 December 2001, on the human rights conditions in Papua esp. Abepura case and Theys' case.