

A PEACE MISSION

THE CHURCH RESPONSE TO CONFLICT

=WEST PAPUA CASE =

A CONTRIBUTION TO THE CONFERENCE

Within the context of

**A joint ecumenical programme of the United Evangelical Mission in the
Asian Region to empower church leaders and justice, peace and
integrity of creation (JPIC) contact persons**

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SUKAMAKMUR / NORTH SUMATRA

BY

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Introduction

First of all I would like to express my gratitude for the invitation to participate in this extra-ordinary meeting. It is a great honour to be here and to be asked to contribute to the discussion. I will do so by sharing some of the experiences we in the Office for Justice and Peace (OJP) in Jayapura have gone through over the last couple of years. I would like to stress that our experiences and way of working are far from normative for others, but I hope that sharing these experiences might in a modest way help you to come closer to your own answer as a church community to the challenges of today's world.

As I have been asked to present a 'case study on West Papua' I will start my presentation with some brief explanation of the background of the problems in Papua (*The problems in West Papua*). Further on I will dwell on some main fields of attention (*Faithful attention*) before getting into what we try to do as an office for Justice and Peace under the authority of the Bishop of Jayapura (*Office for Justice and Peace*). Special attention will be given to the central theme of 'building a culture of peace' as the main 'social condition' towards a solution of the problems. I will end with some critical remarks (*Church's involvement*), which might take us into further discussion and dialogue towards a way of dealing with the demands of the world nowadays.

1. The problems in West Papua

a. Some important information

1. Indonesia is a secular country with the largest Islam population in the world. The population is about 217 million. Roughly 90% formally confess themselves as belonging to the Islam-religion. Christians represent a minority, but have often been present in a rather non-proportional way, especially in the business world. Overrepresentation, especially when connected with the central government in the past (1980ties), has been often a source of potential conflict for the Muslim majority.
2. Geographically the Christian community is mainly concentrated in two parts of the republic: in Flores and Papua, although also Maluku, North Sulawesi, West Kalimantan and West Timor have a substantial Christian community. In Papua the demographic majority of Christians is challenged nowadays by a heavy migration (planned and spontaneous) from other Indonesian islands, slowly tipping over the demographic balance related to indigenous versus not-indigenous as well as related to Christian versus Islam
3. The Christian community in Papua is divided in a variety of Christian denominations, ranging from "liberal to fundamentalist" in kind. Consequences of that attitude are reflected in the ways the initial

founders of the various denominations have dealt with local traditions and culture.

4. Papua has only been integrated into the Republic of Indonesia during the sixties. The process has been very painful for the Papuan community as in the process its voice has been denied completely. Although an official referendum has taken place under supervision of the UN in 1969, everybody familiar with what happened knows that the whole process has been heavily manipulated and voices for independence have been eliminated. Nevertheless, the UN has declared the process legitimate and has endorsed the official integration in 1969. Political and economic interests of important power centres (USA and Australia) have marked the whole process more than fairness or respect for the right of people to self-determination. Therefore, it is not surprising that what happened way back in the sixties are nowadays the main source for protest and the increasing call for independence.
5. The integration of Papua into the Indonesian republic has been followed by a long period of oppression (30 years); the dignity of the Papuan as a human being has been denied, and people from outside show mainly an attitude of superiority, leaving the Papuan behind as feeling “stupid, uncivilised, and poor”. Most painful to hear Papuans who at the end of this long process talk about themselves as “stupid, uncivilised and poor”.
6. Since 1998 (the fall of President Soeharto) there has been more room for expression, which has led to a strong call for independence and awareness among the Papuans that things have to be changed. We are still in the middle of that new movement, while slowly the room for expression is decreasing again; the Indonesian government and security will not allow a ‘second East Timor’-story and feels itself backed up by important powers in the world, including the US, Australia and the European Community.
7. Since January 2002 the central Government has granted the province of Papua Special Autonomy in response to an increasing Papuan people’s call for independence.

b. The basic attitude of the Papuans

It is worthwhile to note that the Papuans have one very fundamental attitude, namely the desire to "govern themselves". Throughout their history, Papuans have proven to be able to govern themselves so as to be able to maintain their existence for many centuries. This fundamental attitude has also been shown by the Papuans to everybody and to whatever agency showing any tendency to stifle their chances to govern themselves. Such an attitude was shown in their encounter with the Dutch government, missionaries and

traders, and newcomers in general. It is not surprising, therefore, that any agency that wanted to "control" the Papuans often resorted to violence. In view of this fundamental attitude, it is also not surprising that December 1, 1961 has been written with golden letters in the pages of Papuan history, as at that time the Dutch government opened up a very agreeable future perspective for that fundamental attitude by initiating "the process of freedom". The loss of this perspective through an international political game in the sixties left a deep scar for the Papuans.

c. Three factual elements

While bearing the above information in mind, special attention should be given to three factual elements that also underlie Papuan problems today:

First: A complex of experiences during the last four decades, which we like to refer to as the collective "Memoria Passionis" ("memory of suffering"), such as:

- a. The development policy followed by the Indonesian government over the last 40 years; recently expressed in conflicting policies by the central government urging the implementation of a Presidential Decree (Inpres 1/2003) to speed up the division of the province, although the Decree was legally contradicting the UU21/2001 on Special Autonomy; the implementation of the Decree has completely paralysed the implementation of the Special Autonomy Law over the year 2003.
- b. Dozens of human right violations in Papuan territory since its integration into the Republic of Indonesia, with the most known recent cases as Abepura (nowadays handled in the Human Rights Court in Makasar), Wasior (2001), the murder of a political leader Theys Eluay (2001), and Wamena (2003)¹.
- c. The behaviour of the Indonesian armed forces in this territory, commonly marked by arrogance and an excessive use of power/violence, as most recently in Wamena (2003).

Second: Events during modern Papuan history, such as:

- a. The program for freedom initiated by the Dutch Government on December 1, 1961 by (1) nominating representatives of the local community to become 50% of the total membership of the *Nieuw Guinea Raad* (parliament); (2) flying the Morning Star flag besides the Dutch flag; and (3) "socializing" the national anthem "Oh Papua, My Land".
- b. The adoption of the New York Agreement (NYA) of 1962 as the basis of the transfer of *Nederlands Nieuw Guinea* from the Dutch to the

¹ See *Table of the pattern of violations of civil and political rights in West Papua, 1998-2004*, at the end of this paper.

Indonesian governments. This basic agreement was made without the participation of Papuans themselves in the negotiation.

- c. The Determination of the People's Opinion (PEPERA; English: Act of Free Choice) in 1969, which was implemented incorrectly as it was accompanied by intimidation, coercion, torture, and unilateral interpretation of the conditions of the implementation laid down in the NYA.

Third: The protest of the public has not been heard—there has been no serious response by the ruler, hence:

- a. The Papuans have never felt that their dignity and identity as human being were recognized; the government hardly ever took measures to promote and protect fundamental freedom and human rights of the Papuans.
- b. The Papuans have never felt that they were acknowledged and protected as full Indonesian citizens with full rights and obligations, as stipulated the second Amendment of paragraph 4 of the preamble of the Constitution of the Republic of Indonesia (the 1945 Constitution)².

d. Silence because of helplessness

The suffering summarized above finally produced a community, which was deeply disappointed and frightened. A community, which felt neglected and abused. A community, which felt used as a mere object of projects, which it was not consulted about. The community has been forced to hold back its anger for many, many years. It is quite natural that one-day the "memory of collective suffering" would finally reveal itself and become a source of "strength in the struggle", once the opportunity presented itself.

2. Faithful attention

The gospel offers us all kind of inspirations and I would like to draw attention to three major values which are often the very heart of the Good News and which are well worth considering central to our own way of living and acting. These three major aspects are: [1] ***inclusiveness***: nobody should be excluded from our caring attention; [2] ***compassion***: listen to your heart or the openness which prompts our heart to respond; and [3] ***reconciliation***: restoring relations while giving anyone a second or third (even seven times seven) chance, regardless of whatever suffering the person may have caused. They point to a full understanding and respecting of the dignity of each person, and it is this very dignity that is at stake in the complicated world of today.

² See Article 28

Fields of attention

Inspired by the gospel, we are invited to open up our hearts and minds to the surrounding world and to provide 'life which is for real' according to the most demanding call that any human being (and other beings) naturally asked us to listen to: *the call to be respected in his/her/its dignity as a being.*

It is not a secret that scores of real situations don't reflect this respect for human dignity. Just looking at what we face in Papua I would like to mention various fields that demand our special attention and might invite the participants of this meeting to reflect on the key problems in their own respective situation.

1. VIOLENCE: denial of human dignity

Violence, a daily pattern

Over the years I have witnessed people being killed, tortured or beaten up because of their socio-political beliefs, or because they just don't understand what is happening around them. Over a long period of time (roughly the last 40 years) Papuans have been killed or mistreated as they protested the way they have been handled politically, socially and culturally. The central government backed by security forces claim to know what is the best for the people, and claim to have the right to force anybody to bow to their 'legal' will. This has ended up in a complete denial of basic rights (to speak up, to get the needed education, to get economical opportunities etc), a complete denial of human dignity (why bother about 'primitive people'??). The step from denial of human dignity to 'the right to kill' has been proven very small.

Domestic violence

Physical violence is not just limited to the 'political world' but is often also found in the daily family life. Reports on wife-beating, the mishandling of children, or on sexual abuse of partners are common in Papua, and it is often amazing how this kind of treatment is hardly been given any attention in our male dominated Papua-world. The respect for human dignity is at stake on a very daily level.

2. TOLERANCE - INTOLERANCE

The multi-cultural setting

Respect for differences in culture and religion is often looked for, but as often not found. For instance, although recognizing each other as original inhabitants of Papua it still seems hard for coastal groups to give credit to their people from the mountains. The people from the north of Papua who have been enjoying access to education and to an earlier contact with the outside world often show a kind of superiority towards their compatriots from the south or the mountains. The situation has become still more complicated

as scores of people from other Indonesian islands have flooded into Papua. They very often feel much more clever and more civilised than Papuans and generally adhere to another religion (Islam).

From difference to conflict

This 'multi-cultural, multi-religious society' demands for an explicit effort by all parties to respect each other in their respective differences. This is easily said, but very hard to achieve. The lack of tolerance easily leads to conflict, as people who feel their own identity (and dignity) denied are easily ready to defend their well-being by all means. Above that economical conflicts can be easily turned into an ethnic or religious conflict as has been proved over the last years in Papua; but not only there: it has been proven in Indonesia (Maluku, Sulawesi, Kalimantan), and it has been proven world-wide (NewYork –September 2001-, Bali –October 2002-, Iraq –2003).

3. (UN)EQUAL OPPORTUNITIES

Being in charge of your own life

Under this heading we like to refer to differences in opportunities to be in charge of your own life and the life of the community, its development, its fulfilling of basic needs. In everyday terms it means the opportunity to get a job, to make a living, to have a roof over your head, to have bread in the cupboard, to have your voice heard and to be treated equally before the law. It means access to education, to healthcare, to participation in decision-making on any level of the society, access to information and the freedom to communicate.

Inadequate conditions of life

Looking at the situation in Papua we have to conclude that a lot of suffering is caused by unequal opportunities. The indigenous inhabitants of Papua are losing out to the people coming in from outside (transmigrants). Demographically estimates are that nowadays 45% of the inhabitants are people from outside, while 55% is indigenous. Around 70 of the inhabitants in the main urban centres like Jayapura and Sorong come from outside Papua, and determine the policies. They are often better educated and/or better equipped to profit from the economic opportunities. The education system is very poor and leaves countless numbers of indigenous people uneducated, hence not equipped to fill in the job-opportunities. The impact of this very damaging infrastructure is strengthened by systematic corruption on almost every level of the administration as well as by narrow ethnic concepts in which people in the position to recruit do so from a basis of nepotism rather than by adhering to an objective assessment of candidate quality.

It has to be admitted that budget-wise Papua has benefited from many opportunities over the years. Still, Papua is listed as one of the poorest provinces of the Republic, not capable to lift the larger part of the indigenous community above the familiar subsistence level. The ample availability of money has led to a rapidly increasing 'culture of corruption' as well. This 'culture of corruption' formerly was limited to people from outside Papua, civil servants, traders and such. But over the last years the same culture has rapidly spread out among the Papuans themselves as they are nowadays much more involved in the bureaucracy than ever. Hence we now face internally (within the original Papuan community) a growing inequality, and in the worst cases "Papuans selling Papuans", because of their own personal gain.

The latest example of such a reality is demonstrated by the trend to divide up the Papua province into three or more provinces. The division is mainly based on a combination of personal ambition of certain Papuans to get themselves a position in which they have access to governmental resources, with parties in the central government who wish to end the Papuan call for independence. In the effort to gain a position individual Papuans are not unwilling to sell their own people, to reach compromises with the central government and the security forces that are quite happy to play along in order to crack down on the liberating movement, which has picked up momentum over the last years. The whole trend fits the description of "divide et impera". Only a very small elite will gain from this division and a large part of the community will become the victim, surveying developing events from the sidelines and unable to join in. Given this evident increase in corruption and all the effects linked to it, the situation in Papua is very worrying.

Information gap

As people in the urban centres mainly decide on the opportunities, the gap between them and the community far inland (where most of the indigenous inhabitants are living) is growing rapidly. This is not only true when looked upon it from the point of view of economic activities but as much true when looked at it from the point of view of access to information and communication. There is hardly any balanced information available in the inland about developments; hence people are relying on the little bits that reach them (often mere slogans or rumours: either from the official side – government – or from own interest groups like the liberation movement). This leads easily to false (often: inflated) expectations. People's dreams are betrayed by the realities, and frustrations mount. This lack of access to information paralyzes the local community, or puts it on the wrong foot, and makes any effective participation in decision-making a mere piece of theatre.

Traditional (in)equality

Dealing with (in)equality of opportunities it should also be mentioned more explicitly than I did above that the traditional past carries with it a strikingly patriarchal way of thinking and living. Equality between men and women is not a very familiar element in the local traditions. Hence gender issues should be taken very seriously, especially also as Papua is more and more moving to a dramatic increase of HIV/AIDS³, the highest infection rate in Indonesia, and still increasing with a devastating speed every month. What is said about the relation between local traditions and the gender issue might be applied as well to traditions in our catholic church.

4. POWER SHARING – POWERLESSNESS

Disturbing power play

Still more worrying is the fact that local people are so easily manipulated, or even mistreated by institutions in power, especially by the security forces. Papua has a lot of security personnel all over the place. Besides the almost 'natural' fear among the local communities they seem to cause, a disturbing aspect as well is that they are not just there to maintain security, but also to make a living for their institution or for themselves as an individual. This might sound a bit strange to people from outside, but it might be better understood when I explain that the budget for the army and the police is only for 30% covered by the central government. These institutions themselves have to look for the rest of the budget (70%), hence mainly involving themselves in economic activities⁴, which according to frequent rumours are not always legally clean⁵.

The impact on the local community is dramatically illustrated in the 'sandalwood-industry'. Traders and security people are working together to collect this expensive sandalwood, which only can be found deep in the forests. Local people are hired to do the job. When delivering their materials at the base camp (after an extensive stay in the forest) they are paid for it (not in proportion to the high economic value of the materials they are delivering) and the money can be spent on the spot on shopping (run by sandalwood

³ A conservative estimate: at least 10.000 people infected on a population of 2,4 million. The disaster touches all levels of the community. In a recent statement (*June 7, 2004*) the Head of the Health service in the Mimika District said that of the 581 HIV/AIDS cases in his district, 130 concerned housewives, 103 concerned local farmers, and 100 concerned sex-workers.

⁴ Among others, companies like PT Freeport Inc, the huge copper and gold mine, pay heavily to the army to secure their protection.

⁵ In a recent article by Bill Guerin in *Asia Times Online, July 6, 2004* we can read: "The National Resilience Institute (Lemhanas), an influential military think-tank, has called on the government to establish an armed task force to combat illegal logging, mining and poaching. Lemhanas estimates the combined losses due to illegal logging, illegal fishing and illegal sand and fuel smuggling come to more than \$8 billion a year. This is almost 40% of the expected domestic revenue for the year, and is three times as large as the amount allocated to servicing foreign debt."

tradesmen) and on women made available. These sex-workers are mainly sex-workers who have worked in many other places previously and are at their last stage of service. Not surprising that HIV/AIDS is rapidly spreading via this kind of base-camps.

Powerlessness

Often people cannot refuse to be at the service of traders and other connected parties. Especially when the army or police is involved people are scared and feel powerless to stand up for themselves. This situation applies especially to areas where villages are alleged to be connected with the liberation movement (especially the OPM or TPN). The security forces just move into these villages while accusing the villagers arbitrarily of 'separatist activities'. This has been shown again in recent incidents in the highlands around Wamena. The security people take the attitude that they are always right, leaving no room for discussion or proper investigation, and claiming the right to act according to their will (this can mean detention, beatings, torture and even extra-judicial killings). Speaking about equality before the law it has been a very sad experience over the years that the security forces, especially their commanders, normally get away with their actions, while once in a while offering a lower ranked person to be taken to court and sentenced (not always in measure with the seriousness of the crime). This aspect is normally referred to as "certain parties enjoying impunity before the law".

I have just mentioned a number of areas where respect for human dignity is much at stake; the selection (and a selection it is!) is made referring to Papua and I assume that any participant in this meeting can draw up his/her own picture referring to the respective areas he or she is coming from. Any of the fields mentioned invites us to respond from within our mission '*to give life*', as in any of these contexts, life is damaged and even being destroyed.

3. Office for Justice and Peace⁶

Since 1998 we have started a small office to respond to developments in Papua, especially focused on the human rights violations, and at a later stage slowly switching to more 'solution oriented' activities, towards peace building and reconciliation. The main fields of activities are:

1. *Documentation & advocacy* : reporting on incidents, dealing with human rights violations, as well as advocacy and trying to open up the truth. The first eye-opening official report on human rights

⁶ See website: www.hampapua.org

violations has been published in 1995 under the responsibility of the Bishop of Jayapura⁷.

2. *Dissemination of information* : although we are mainly involved with the community of the victims, we have found that an important part of the work should include other parties to understand what is really going on and what is behind the protests of the people. We are looking for understanding in non-Papuan circles and eventually their sympathy or readiness to listen as we are aware of the fact that no solution will be found without involving other parties. We use local and national newspapers for this and try to publish every year a short analysis about developments over the past year.
3. *Human rights education* : we offer training to the local community; these trainings deal with human rights issues, but above all are meant to help the local community to understand themselves, and to discover that it is possible for them to handle their own situation. After the course we hope that a number of the participants get organised and can act as a kind of 'counterpart' of our office. To them to pick up the local issues or problems and they can be sure that they will find support through our office and access to the people they like to address.
4. *Inter-religion awareness and action* : we develop a regular dialogue with the leaders of various religions about the situation in Papua and facilitate their joint actions in response to the developments.

Through the various fields of activities we hope to create openings to mutual understanding as well as a willingness to dialogue, as for us moving to a dialogue is the main option in order to solve the problems, including the political ones.

Central theme: building a culture of peace

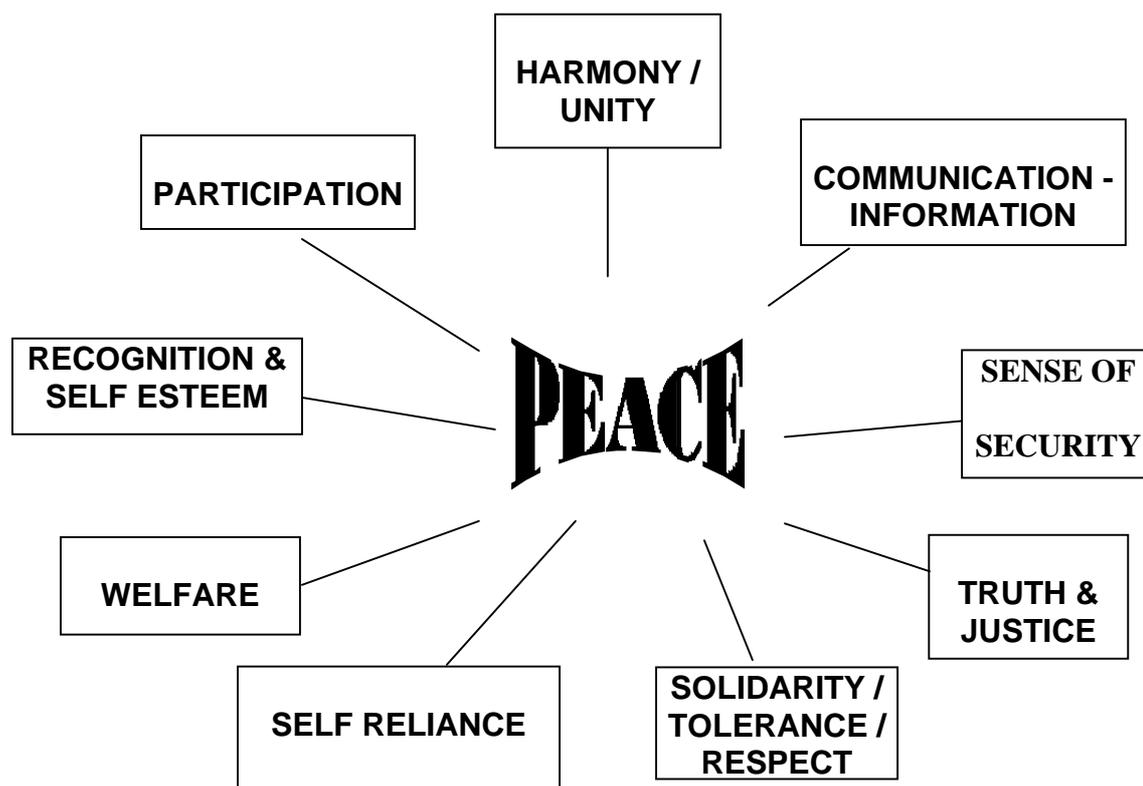
Related to the main '*fields of attention*' as we mention above, over the last two years we have tried to develop and socialise an articulated 'peace concept'; 'peace' is not just a matter of absence of war but touches to various aspects of daily life.

Creating "Papua, a land of peace" is one means towards the goal of liberation from oppression. It is also a precursor to the resolution of problems without the use of violence. Therefore, the concept of "Papua, a land of peace" is a '**social condition**', not a geographical area free of violence within a war zone.

⁷ For more information see *List of Publications* on the website

Nine components

As a framework for the development of the concept for “building a culture of peace”, we can identify a number of components that determine the existence of a “sense of peace”. These components are outlined below.



Brief explanation:

When it comes to “peace”, there are a number of elements that we desire as part of our daily reality and shared principles of the community: we want to feel secure, we want to be respected as a person irrespective of difference; we want to have enough to eat and for other basic needs to be fulfilled, we want to be treated fairly and justly; we want to be recognized as an individual and as an ethnic group; we want to live without dependence on anyone and with control over our own lives; we want our voices to be heard and taken into account; and finally, we want to live in harmony with nature, with a sense of unity, wholeness and holiness⁸.

⁸ A more detailed description is given in: Theo van den Broek ofm & Rudolf Kambayong ofm, “Membangun Budaya Damai dan Rekonsiliasi”, dasar menangani konflik di Papua, 2004, ISBN: 979-9381-44-4

All the components above are important and can serve as principles in formulating activities and policies in our efforts to "develop a culture of peace". Many of these components are "politically loaded", or require action that accords with this.

4. Church's involvement

Although our office is an integral part of the Catholic Church in Papua, from the very beginning we have looked for a dialogue with the Protestant Churches in our efforts to respond to developments. The leaders of the three main churches in Papua, and even over the last three years all the religious leaders sign all our human rights reports. We believe that it is very important to take a stand together, as the churches are an important institution in our area and often the only place people can rely on. The trust people have in churches demands from the churches to act accordingly.

In this context of co-operation I would like to mention a number of elements, which might be worthwhile to be discussed:

1. First of all I feel that within church-circles 'work for conflict transformation' or 'develop a culture of peace' is not yet looked upon as a very integral part of the church-mission. Churches (including my own) appreciate and even support the activities but value them also as something 'special'; or in other words this field of activity is not valued as an element of mission that should be a normal key element in any pastoral activity. Shouldn't it be at the very heart of the church-mission nowadays?
2. Related to remark above, the question still becomes more relevant when we realise that a number of churches/denominations we are working with rely completely on 'outside' NGO's for any activity related to human rights, or conflict transformation work/peace building.
3. The attitude shown in the two previous remarks might be directly related to a kind of globally used argument that the "church should stay away from politics". All parties eagerly use the argument: (a) by the church to stay away from a sensitive field of action (especially when the church is socially in a minority position), as well as (b) by the government or security-forces (in order to keep a potential critical institution –which has the trust of the people-, silent).
4. Connected with the argument above, it might be questioned whether there is any room for neutrality / impartiality? when a church or religious denomination takes its mission serious to establish peace, to create a new world? Shouldn't working on justice and peace assume that we opt for the weak party, the powerless, and the oppressed? If

the church likes to be faithful to its mission, I assume that only little room can be reserved for impartiality,

5. To enable its commitment as a religious denomination or church with peace-building activities, a re-evaluation is necessary as to the initial impact of the missionary work done in the past. Too often, referring to the situation in Papua, missions have robbed the local community of its most dearest property: tradition and local values, and with it has robbed the Papuan of its identity as a person or people. We better be honest on what has happened in the past in order to create the real room for peace building which bases itself first of all on respect of the own identity of the people, and the recognition of its undeniable dignity as human being. Without that respect there is no way for conflict transformation, I guess.
6. While mentioned elements of discussion are mainly related to various churches, it must be said that up till today we all have been very cautious in creating a constructive relation between the churches and the Islam-community. As churches in Papua are very emotionally related to the local population and even part of the people's new identity, the increasing influence of Islam has often been looked at as dangerous. Almost a natural reaction. Looking at the activities in my own office it can be said that only over the last years we have constructively sought the support by the Islam-community. The time we planned to launch an peace-appeal against the increasing violence (by any party), the Islamic leader was eager to join in with the other religious leaders in Papua. It is a very first start of a needed and constructive co-operation.

Religious institutions in Papua have a huge opportunity to serve the people by getting involved in conflict transformation work, as the conflict is at the moment felt by all, even in the most remote part of the inland. People look at the church with trust; up to the church to respond and prove herself trustworthy.

Thank you very much for your patience and readiness to listen.

Theo van den Broek ofm
Director SKP Jayapura

Sukamakmur, July 14, 2004

Table of the pattern of violations of civil and political rights in West Papua, 1998-2004

<u>No.</u>	<u>Cases</u>	<u>Description</u>	<u>Type of violation(s)</u>	<u>Status</u>
1.	The shooting at Steven Suripatty, 4 July 1998	During a student protest in Abepura, Steven Suripatty, an UNCEN student, was shot dead by TNI.	- Summary execution - Violation of freedom of opinion and expression	No prosecution. The Military Prosecutors promised to undertake an investigation into this case but there was no progress at all.
2.	The shooting at the protesters in Biak, 6 Juli 1998	The Biak people raised the <i>Morning Star</i> flag to express their political aspirations of independence as well as protest against injustices and gross human rights violations. The military and the police opened fire at the people, arbitrarily arrested, detained, and tortured them. Many people disappeared.	- Arbitrary arrest and detention - Summary execution - Torture - Enforced disappearances	No prosecution. Komnas HAM promised to to undertake an investigation into this case but there was no progress at all.
3.	Human rights violations in Pegunungan Bintang (Oksibil-Okbibab), in the late 1990s	The military has stigmatised the people who live in this area as separatists and rebels. Since the 1980s, the military has deployed various troops, including the Special Forces of the Army (<i>Kopassus</i>). These troops committed various types of intimidation and terror, including killings, death threats to local leaders, arbitrary arrest and detention of any blacklisted people, torture, violence against women and children, distributing a fake list of the members of OPM.	- Arbitrary arrest and detention - Summary execution - Torture - Violence against women - Violence against children - death threats	In 1999, the Territorial Commander of the army sent a team to investigate the cases and found numerous testimonies from the local people that confirmed the allegations of human rights violations. This team frankly apologised to the people.
4.	The Police operation to lower the <i>Morning Star</i> flag in Timika, December 1999	The police used excessive force to lower the flag that led to a clash with the people. The Police fired at the people causing casualties among the civilians.	- Violation of the right to freedom of opinion and expression - Violation of the right to freedom of peaceful assembly	Even though the Chief of Police of Papua promised to prosecute his personnel who used excessive power, there was no legal action taken.
5.	The Police operation to lower the <i>Morning Star</i> flag in Merauke, February 2000	The police used excessive force to lower the flag killing one person and leaving 22 people injured.	- Summary execution - Harassment - Violation of the right to know - Violation of the right to justice	No prosecution
6.	The Nabire incident, February-March 2000	The Chief of Police of Papua announced the alert status for Nabire as a response to the increase of the activities of the Papuan militias (<i>Satgas Papua</i>). In the beginning of February 2000, having released a list of the <i>Satgas Papua's</i> track record, the police conducted a sweeping operation leaving 2	- Arbitrary arrest and detention - Summary execution - Torture - Violation of the right to	No prosecution

		people shot dead and dozens of people injured. This operation also incited a horizontal conflict between Papuans and non-Papuans.	know - Violation of the right to justice	
7.	The shooting at civilians in Sorong, 27 July 2000	Within the context of the influx of displaced people from Ambon to Sorong, the local people feared that Maluku's conflict would incite a similar conflict in Papua. Therefore, the people refused to accept these internal displaced people and publicly expressed their concern. However, this attitude met a repressive action by the police. The police fired at the protesters killing 5 people, and arbitrarily arrested and detained dozens of people.	- Violation of the right to freedom of opinion and expression - Harassment - Arbitrary arrest and detention - Violation of the right to know - Violation of the right to justice	No prosecution
8.	The Police operation to lower the <i>Morning Star</i> flag in Sorong, August 2000	The police lowered the <i>Morning Star</i> flag using excessive force, leaving 3 people killed and 8 injured	- Summary execution - Harassment - Violation of the right to know - Violation of the right to justice	No prosecution
9.	The Police operation to lower the <i>Morning Star</i> flag in Wamena, 6 October 2000	The police launched an operation to lower the <i>Morning Star</i> flag in Wamena using excessive power inciting a horizontal conflict between the Papuans and non-Papuans. This clash caused 34 killed and 88 injured and scores of internally displaced people.	- Summary execution - Harassment - Arbitrary arrest and detention - Violation of the right to know - Violation of the right to justice	No investigation. 22 civilians were brought to trials as "scapegoats" and sentenced to jail.
10.	The Police operation to lower the <i>Morning Star</i> flag in Merauke, November 2000	The police launched an operation to lower the <i>Morning Star</i> flag using excessive force, causing 5 shot dead and 18 injured. This incident also caused a horizontal conflict between the Papuans and non-Papuans.	- Summary execution - Harassment - Arbitrary arrest and detention - Violation of the right to know - Violation of the right to justice	No prosecution
11.	Papuan students were arrested and detained following their protest in	A group of Papuan students publicly expressed their protest and complaint at the front of the US Embassy in Jakarta to mark the	- Violation of freedom of opinion and expression	No prosecution except the criminalisation of the students.

	Jakarta, December 2000	Papuan historical day of 1 December. The Police arbitrarily arrested, detained and then prosecuted four students with a charge of disrupting the public order.	<ul style="list-style-type: none"> - Arbitrary arrest and detention - Violation of the right to know - Violation of the right to justice 	
12.	The Police operation to lower the <i>Morning Star</i> flag in Merauke, Desember 2000	To commemorate the Papuan historical day of December 1st, people raised the <i>Morning Star</i> flag in many places backed up by a gentleman agreement between the Papuan Presidium Council and the government. However, the police used excessive force to lower the flag leaving 7 people shot dead, 2 people heavily beaten up, 3 seriously injured.	<ul style="list-style-type: none"> - Summary execution - Harassment - Arbitrary arrest and detention - Violation of the right to know - Violation of the right to justice 	No prosecution
13.	The Police raided student dormitories and the highlanders' resettlements in Abepura, 7 December 2000	Following the attack to the Police station in Abepura by an unidentified group, the police raided student dormitories and the highlanders' resettlement around Abepura. The police arbitrarily arrested, detained and tortured 105 people, shot dead one person. Of the detainees, 2 died in the Jayapura police custody due to the torture. A Swiss journalist who was in the same custody witnessed this incident. This incident caused a stream of refugees to PNG.	<ul style="list-style-type: none"> - Arbitrary arrest and detention - Summary execution - Torture - Violation of the right to own property - violence against women - violence against children - enforced displacement 	Under Law no. 26/2000 on Human Rights Court, the inquiry commission on human violations of Abepura found evidence that the police of Papua committed crimes against humanity and listed 25 police officers who were responsible for such crimes. However, it took three years before the Permanent Human Rights court convened its trial to prosecute only two suspects, that is Brigadir Gen. Johny Wainal and Commissioner Daud Sihombing.
14.	Influx of refugees to PNG, December 2000-Desember 2002	Due to political instability, many Papuans fled to Vanimo, Papua New Guinea, for safety. 324 people have been living in refugees camps in a critical condition since there was no recognition as refugees from both governments. These people have also been stigmatised as rebels or separatists.	-violation of the right to the status of refugee	Although these people are <i>de facto</i> refugees, both Indonesian and PNG governments do not recognise them as refugees. Both of them used the term "border crossers", instead. The only agency that provides some humanitarian aids is the Catholic Diocese of Vanimo in conjunction with the Catholic Diocese of Jayapura.
15.	The Sweeping police operation in Wasior, June 2001-October 2002	Due to serious environmental damage caused by logging industry in Wasior as well as the dispute over the payment of the landrights, the local people complained these issues to the company. However, the company backed by the Mobilce	<ul style="list-style-type: none"> - Arbitrary arrest and detention - Summary execution - Torture 	There was no proper investigation and prosecution. The police simply labelled 27 people as criminals.

		<p>Brigade Police ignored this protest causing anger and frustration among the people. Some people then attacked and killed three logging employees on 31 March 2001. Another attack occurred on 13 June 2001 leaving 5 members of the Mobile brigade dead.</p> <p>Claiming that the Free Papua Movement committed this attack, the police deployed 3 platoons of the Mobile police brigade to launch a sweeping operation. The police arbitrarily arrested, detained and tortured 140 people. 2 people were shot dead and 7 people disappeared, 55 houses were burnt down, public facilities and some churches were destroyed. Hundreds of people took refuge into the jungle.</p>	<ul style="list-style-type: none"> - Violation of the right to own property - internally displaced people - Violation of the right to know - Violation of the right to justice 	The inquiry commission on human rights violations of Wasior started its investigation in February 2004 (still in progress) under the mandate of Komnas HAM.
16.	Killings in Asike-Muting, Sept 2001	An OPM leaders, Willem Onde, and his assistant, John Tumin Kandam , were found dead in a suspicious condition.	<ul style="list-style-type: none"> - Violation of the right to life - Violation of the right to know - Violation of the right to justice 	The police did not investigate the case leaving rumours and assumptions spread out among the people.
17.	The Kimaam incident, November 2001	Due to the conflict of natural resources, the indigenous people protested the government which issued licences to some fishing companies operating in Kimaam water. On 28 November 2001, these people gathered in Maskura to express their public protest. The police then shot dead two people and seriously injured 2 others.	<ul style="list-style-type: none"> - Violation of the right of indigenous people over natural resources - Summary execution - Harassment - Violation of the right to know - Violation of the right to justice 	No prosecution
18.	Kidnapping and assassination of Theys Hiyo Eluay , November 2001	The Chair of the Papuan Presidium Council was kidnapped and assassinated by the Special Armed Forces after attending the commemoration of the National Hero Day, 10 November 2001, in the Special Armed Forces headquarters in Hamadi, Jayapura. On the following day, he was found dead and his driver, Aristoteles Masoka , disappeared.	<ul style="list-style-type: none"> - Summary execution - Enforced disappearance - Violation of the right to know - Violation of the right to justice 	Despite the strong opposition of most elements of the society in Papua which demanded an independent investigation team, the government set up the National Investigation Commission (<i>Komisi Penyelidik Nasional/ KPN</i>). This commission found evidence that the Special Armed Forces killed the victim. However, the prosecution was done through the military court rather than the

				human right court. 7 personnel were found guilty and sentenced 12 – 42 months. No investigation at all into the disappeared driver.
19.	The shootings at 2 American teachers and 1 Indonesian teacher in Tembagapura, 30 August 2002	2 American and 1 Indonesian teachers were shot dead in an ambush in Tembagapura.	Violation of the right to life	The Chief of Police of Papua conducted a preliminary investigation into the case and indicated that the military personnel might have been involved in the attack. The military then joined the investigation team of the police. Due to the strong pressure of the survivors and the victims' family in the US, FBI got involved in this investigation. On 26 June 2004, the US Attorney General announced that Antonius Wamang was the perpetrator.
20.	The Wamena incident, 4 April 2003	On 4 April 2003, an unidentified group stole weapons from the military arsenal in Wamena, including 14 guns and 3500 bullets, and killed 2 military personnel. The military shot dead one of the attackers on the spot. Following the incident, the military launched a sweeping operation to some 15 villages around Wamena and Kwiyawage causing 4 people shot dead, 48 people arbitrarily arrested and tortured, houses and churches burnt down, Kwiyawage people fled to the other areas for safety.	<ul style="list-style-type: none"> - Arbitrary arrest and detention - Summary execution - Torture - Violation of the right to own property - Involuntary displacement 	The religious leaders in Papua commissioned a coalition of Jayapura-based NGOs to undertake an investigation into this case. There were strong allegations that the military committed gross human rights violations. This coalition then submitted the report to Komnas HAM that undertook an official investigation into this case.
21.	Timika incident, Agustus 2003	The Chair of the Local Parliament of the Regency of Mimika declared the establishment of the Province of Central Irian Jaya . This decision was followed by a clash between the supporters and the opponents as this decision breached the Special Autonomy Law. This clash caused 5 people killed, 5 women raped and 4 people injured.	<ul style="list-style-type: none"> - Violence against women - Harassment - Violation of the right to know - Violation of the right to justice 	There was no prosecution . The central government postponed the implementation of this decision.
22.	Killings in Sugapa, 3 November 2003	6 carpenters were found dead at a construction place	<ul style="list-style-type: none"> - Violation of the right to life - Violation of the right to know - Violation of the right to justice 	No investigation.
23.	Killings in Yalengga, Bolakme, 5	The army shot dead 9 civilians, stigmatised as members of the	- Summary execution	No prosecution of the incident. 2 civilians

	November 2003	Free Papua Movement (<i>Organisasi Papua Merdeka/ OPM</i>), and arbitrarily arrested and detained 2 civilians. Of 9 victims, there were keywitnesses of the Wamena incident of 4 April 2003.	- arbitrary arrest and detention - violation of the right to know - Violation of the right to justice	were brought to trial with a charge of subversion.
24.	The legal proceedings of the Bolakme case of 5 November 2003 held in Wamena, <i>per</i> May 2004	The judges dismissed the request of the legal team for medical treatment for Jigi Jigibalom who had been paralysed and had been suffering from chronic cataract.	- Violation of the Standard Minimum Rules for the Treatment of Prisoners	

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Notes:

1. **The right to know** "is not simply the right of any individual victim or closely related persons to know what happened, a right to the truth. The right to know is also a collective right, drawing upon history to prevent violations from recurring in the future. Its corollary is a 'duty to remember', which the State must assume, in order to guard against the perversion of history that go under the names of revisionism or negationism; the knowledge of the oppression it has lived through is part of a people's national heritage and as such must be preserved". (Sub-Commission on Promotion and Protection of Human Rights, Doc. E/CN.4/Sub.2/1997/20/Rev.1, para. 17).
2. **The right to justice** means that "all victims shall have the opportunity to assert their right and receive fair and effective remedy, ensuring that their oppressors stand trial and that they obtain reparations. The right to justice entails obligations for the State: to investigate violations, to prosecute the perpetrators and, if their guilt is established, to punish them". (Sub-Commission on Promotion and Protection of Human Rights, Doc. E/CN.4/Sub.2/1997/20/Rev.1, paras. 26 and 27).