



Solidarity for Indigenous Papuans

GENERATING RESOLUTION TO RESOLVE WEST PAPUA CONFLICT

The conflict¹ in West Papua has been maintained for half a century between Indonesian government maintaining the unitary state of Indonesia on the one hand and Organisasi Papua Merdeka² (OPM) on the other aspires to reclaim West Papua, a nation that was established in 1961 before its annexation by United Nations backed Indonesia. The conflict has erupted recently over the last two years since December 2018 killing³ of 19 Trans Papua road construction workers by the West Papua National Liberation Army the armed wing of the Free Papua Movement that goes by the acronym TPNPB OPM. The long⁴ simmering conflict has affected the lives of all the Melanesians in West Papua in all aspects of their lives since 1961 when Indonesia declared its Three Command Operations famously known as ‘Trikorā’ at the time and invaded West Papua.

There are two major actors of conflict in West Papua, Indonesian government represented by its military (Indonesian Armed Forces - TNI) and Police and West Papua people who are demanding for Independence represented by Organisasi Papua Merdeka (OPM) and its military wing the West Papua National Liberation Army (WPNLA). The two major actors are backed by groups who have certain interests to gain from the conflict who turn to support each side of the conflict to benefit from the spoils.

Indonesian government through its military has set up both legal and illegal militia groups, intelligence network, Civil Society Organizations, Churches, Youth Groups, Student Groups, Cultural Groups, academics, and women’s group from the international level down to the provincial and local level that can be easily applied to cover opinion polls about West Papua and relay state’s Pancasila ideology to West Papuans including intimidation, counter protests⁵ and creating fear among the people of Papua suppress them from expressing their opinions. They set up spies everywhere taking advantage of their huge immigrant population to do their clandestine work of spying and passing on information on every suspicious move of the indigenous Papuans everywhere making free movement and expression of opinion seem to be a taboo for the indigenous Papuans inside West Papua.

¹ <http://www.parisglobalist.org/forgotten-land-under-the-sun-the-west-papua-conflict/>

²

https://www.researchgate.net/publication/335036052_9_Forgotten_Genocide_in_Indonesia_Mass_Violence_Resource_Exploitation_and_Struggle_for_Independence_in_West_Papua

³ <https://www.thejakartapost.com/news/2018/12/07/papua-mass-killing-what-happened.html>

⁴ <http://rallu.xyz/2019/06/17/papua-the-longest-indonesias-war/>

⁵ <https://asiapacificreport.nz/2019/09/11/daily-post-indonesia-online-propaganda-undermining-west-papua/>

Regardless of the tense situation, West Papuans' Civil Society Organizations, churches, youths, students, women's and cultural groups including the pro-independence political parties sprang up at every opportunity after the fall of Suharto in 1998. These organizations continue to raise their voices⁶ regardless of continuous intimidation and death threats they face every day. Some of their leaders have been killed and some are targets of the Indonesian intelligence. The OPM is still active militarily in the remote jungles where most West Papuans were scattered throughout the territory. Due to the communication difficulties posed by the harsh geography of the area, OPM groups survived and operate independently of each other.

Some of these groups⁷ have turned to cargo cult indoctrinating their members based on personality cult around the leaders of those organizations interpret independence for West Papua based on their own beliefs giving false hopes for their members to believe the impossibilities. Apart from the majority that are fighting for independence under the Morning Star Flag, two other flags have also surfaced; the 14 Star Flag group founded by Thomas Wangai and Sangsaka flag group under Paulus Kaladana and Agus Kapropka in the Star Mountains that existed alongside the Morning Star groups. These groups also have their own concept of a nation with their own cabinets, currencies, ideologies and other aspects; all are embroiled in the personality cult of their leaders in those isolated communities.

These groups claim to have only one common enemy that is Indonesia yet ignore the huge differences that run deeper into their inherited tribal enmity from the past as well as their different views on the concept of nationalism, freedom and struggle towards achieving that freedom or 'merdeka' that they often claim to fight for. The Indonesian intelligence⁸ (KOPASUS) knowing these existing differences and general low exposure to education and the outside world often take advantage to work with the groups to neutralise what they term as 'pikiran jahat' rebellious minds from those groups.

These differences have now become the Indonesian's grand stand position to justify their presence in West Papua as enlightened class to continue rule and direct the less enlightened class of uneducated Papuans. Indonesians general perception is that if West Papua is granted independence, pre-existing tribal and sectoral conflict would surface and bring the nation into chaos much worse than the chaos created and maintained over 50 years by Indonesians themselves. It is illogical to think of such knowing the fact that the neighbouring Papua New Guinea with similar background has stable government for the last 40 years of independence without strong force like Indonesia. Indonesians are instead setting up divisions and confusion⁹ among Papuans and immigrants to continue to divide and rule in Papua.

⁶ <https://media.neliti.com/media/publications/223157-the-campaign-of-papua-peace-network-for.pdf>

⁷ <https://www.nonviolent-conflict.org/struggle-self-determination-west-papua-1969-present/>

⁸ <http://www.esisc.org/upload/publications/briefings/west-papua-pro-independence-movements-and-their-impact-on-the-security-situation-in-indonesia/West%20Papua%20Pro-independence%20movements%20and%20their%20impact%20on%20the%20security%20situation%20in%20Indonesia.pdf>

⁹ <https://www.lowyinstitute.org/publications/west-papua-issues-wont-go-away-melanesia>

The problems¹⁰ of marginalization, racism and exploitation of natural environment are among the top issues being addressed by NGOs, Churches, Cultural Groups and prominent Papuan leaders in both Papua and West Papua provinces.

<i>WEST PAPUA CONFLICT – 1961 - 2020</i>
1. RE-FRAMING THE CONFLICT
<p>Positions:</p> <ul style="list-style-type: none"> ▪ Position of actor 1: The position of Organisasi Papua Merdeka (OPM) is for complete independence. They have declared their nationhood on December 1st 1961 and proclaimed that on 1st July 1971 and maintained that ever since. ▪ Position of actor 2: The position of Indonesian government is that West Papua has been part of Indonesia since Indonesia and Papua were colonized by a single colonizer under Netherlands East Indies which independence for Indonesia on August 17th 1945 by Indonesia included Papua even though Papuan leaders were not involved at the time. ▪ Reflections on incompatible positions. The two have huge differences between them; they have historical differences, cultural differences, racial differences, geographical differences, religious differences and other aspects it's really a clash of two different nations. They are two different nations that have no similarities between them only a stint of administration of New Guinea by the Netherlands from Batavia in the Island of Java from 1989 to the 1930s. This brief administration did not mix the cultures or population but they were kept separately apart and people in New Guinea do not know Indonesians and Indonesians do not know New Guineans. The Indonesia's deal with Netherlands to transfer West Papua to Indonesia did not involve West Papuans including the signing of New York Agreement and Freeport Contract of Work between USA and Indonesia. Indonesia's immigration policy to fill West Papua with its own population and militarization of the territory killing Papuans causing displacement and refugee crisis over the years has also contributed to the differences. Exploitation of resources and immigration is still going on combined with poor health and education services for the Papuans are other issues that are causing tensions in the region.
<p>Interests:</p> <ul style="list-style-type: none"> ▪ Interests of actor 1: To acquire independence and run their own country out of Indonesia by whatever means possible. ▪ Interests of actor 2: To maintain West Papua inside Indonesia by whatever means possible. ▪ Reflections on incompatible and/or compatible interests. There has been no compromise on both parties on the positions they held. The takeover of West Papua by Indonesia was indeed undemocratic and militaristic in nature but the international community under United Nations was weak in condemning Indonesia at first and continue to remain silent that boost Indonesia's legitimacy in West Papua. Indonesia knows that when the international community supports West Papua it has no reason to hold on but allow West Papua to be independent. As an appeasement to the strong demands for independence from the West Papua people Indonesia granted Special Autonomy for Papua province in 2001 under Law Number 21 of 2001 but the intentions of the law were not

¹⁰ https://awasmiffee.potager.org/?page_id=51

fully implemented and Papuans continue to demand for independence from Indonesia.

Needs:

- **Needs of actor 1:** Independence; For West Papuans, independence is the only solution that will resolve the issue of human rights crisis and environment destruction, exploitation and marginalization in West Papua. Indonesian's presence in West Papua will always be the problem that will never be resolve by anything apart from independence.
- **Needs of actor 2:** Raw materials and Strategic interests; Indonesia's need in Papua has been the raw materials including the huge land mass for its growing population as well as territorial expansion for its growing military power. Economic and security reasons are the two major reasons that are often hidden under national unity rhetoric.
- **Reflections on incompatible and/or compatible needs.** Both sides hold different views that are incompatible driven by different needs; one need for the preservation of its own identity and dignity while the other driven from need for profit making and maintaining its own international image. There is a clear lack of trust between Indonesians and Papuans inside Papua, the two groups cannot even mingle together in peace.

2. SUGGESTED SOLUTIONS

Solution 1:

Deployment of United Nations led impartial investigation team;

The deployment of United Nations led impartial investigation team into Papua and West Papua will assist greatly in identifying the causes of West Papua conflict. The investigation team will include United Nations Special Envoys, representatives from Pacific Islands Forum, ASEAN, MSG, EU ACP and other stakeholders including the media, churches and regional NGOs. The team will spread throughout West Papua to investigate about all aspects of development including the government policies, laws and management practices from 1963 to present. The team will also visit and talk with Papuan CSOs, Churches, Customary leaders, Political groups, internal refugees, armed groups and other stakeholders within Papua and West Papua provinces unescoted by the Indonesian military and police. The team should be given total freedom by the Indonesian government to do their investigative work.

The investigation team among other issues will investigate on;

- (a) Development in all sectors; education, health, welfare, agriculture, comerce, sports, arts and culture, environment and other aspects,
- (b) Human rights abuses from 1963 to present,
- (c) Government policies and regulations,
- (d) Armed conflicts,
- (e) Refugees and Internally Displaced People (IDPs), and
- (f) Other aspects

Solution 2:

Signing of Peace Agreement between the Government of Indonesia and the West Papua National Liberation Army

The signing of peace agreement is a must for peace initiatives in West Papua to flourish. Indonesia cannot continue to deny that there is no armed conflict in West Papua when there is obviously an armed engagement in most areas of West Papua throughout the last 60 years. It is considered as one of the longest conflicts in the Asia Pacific region and Indonesian government cannot deny that fact. The less equipped West Papua National Liberation Army cannot be the reason why Indonesia continue deny the existence of the armed struggle in West Papua because Indonesian military and police have lost their lives in the hands of the OPM and vice versa.

The signing of peace treaty will be followed by;

- (a) Withdrawal of Indonesian military,
- (b) Replacement by International Peace Keeping force
- (c) Reconciliation, reconstruction and rehabilitation of West Papua National Liberation Army members
- (d) Establishment of Truth and Reconciliation Committee
- (e) Formation of West Papua Police force
- (f) Repatriation of West Papuan diaspora back to West Papua
- (g) Formation of West Papua transitional Government
- (h) Establishment of Government institutions assisted by the UN officials
- (i) Others

Resolution 3:

Community initiated awareness activities targeting the eradication of structural factors.

West Papuans have been living in fear for more than 50 years due to heavy military build-up of their country including huge network of spies, intelligence gathering and targeted kidnapping and murder of suspected sympathizers and leaders of the West Papua struggle and human rights activists and the leaders of civil society organizations. There is also a mental illness among West Papuans that need to be reconstructed to normal lives.

The process of Reconciliation, reconstruction and rehabilitation needs to focus on mental factors to rehabilitate West Papuans who are simply sick due to the long lasting conflict and their longing for freedom from Indonesian occupation. Mental illness is an obvious illness that is among many of the West Papuan population which the leaders need to take into consideration during the program of reconciliation and reconstruction.

3. COMMENTS ON ARTICLE 46 OF LAW NUMBER 21 of 2001¹¹

Chapter XII on Human Rights Article 46:

(1) In the framework of consolidating national unity and integrity in the Papua Province, it is formed Truth and Reconciliation Commission.

(2) The duties of the Truth and Reconciliation Commission as referred to in paragraph (1)

¹¹ <https://www.walhi.or.id/wp-content/uploads/2018/07/uu-otonomi-khusus-papua.pdf>

are:

a. to clarify the history of Papua to strengthen the unity and integrity of the nation within the Unitary State of the Republic of Indonesia; and

b. formulate and define reconciliation steps.

(3) Membership composition, position, arrangements for the implementation of duties and financing of the Commission

(2) Truth and Reconciliation as referred to in paragraph (1) shall be regulated in a Presidential Decree after getting the recommendation from the Governor.

The Article 46 is based on "human rights" which has separate International Law that deals with all human rights issues of the UN member states of which Indonesia is a member of that in principle automatically surfaced the 1945 constitution thus nullifying the Article 46 (2) (a) *to clarify the history of Papua to strengthen the unity and integrity of the nation within the Unitary State of the Republic of Indonesia* . The truth and reconciliation referred to in point (1) therefore cannot be interpreted based on the 1945 constitution because human rights are universal and can only be interpreted according to international standard best practice applying International Law.

As a rule of thumb, the reality on the ground dictates that the Commission is not likely to function should it be formed by the Indonesians based on the Indonesian Laws because the deep distrust between Papuans and Indonesians over the 60 years could be obviously seen on the ground in Papua and West Papua. There needs an international third party involvement notably the United Nations Human Rights Mechanisms.

Before the Truth and Reconciliation Commission is established and running, the following steps should be taken by the National Government of Indonesia NOT the Papua or West Papua Provincial Government;

1. Signing of Peace Treaty Between Indonesian Government and West Papua National Liberation Army (TPNPB OPM),
2. Repatriation of West Papuan Refugees in the Diaspora from around the World into West Papua include allowing West Papuan leaders who are in exile to return home safely without intimidation or any threat,
3. Withdrawal of Indonesian military from Conflict zones and throughout Papua
4. Invitation of Regional Peacekeeping Mission lead by the PIF countries into monitor the Ceasefire and disposal of weapons by the West Papua National Liberation Army members

As per point (3) membership composition should consist of;

- (a) United Nations Human Rights Commission (lead organization)
- (b) Indonesian Human Rights Commission
- (c) Papuan Council of Churches
- (d) Papua Customary Council
- (e) Other Stakeholders

The reconciliation Step among other steps should ensure to establish;

1. Weapons disposal centres
2. Mental rehabilitation centres
3. Skills training Centres

4. Short and medium term community development
5. Other initiatives

Note: Rational behind the suggestion is that (1) If the TRC is set up to follow the UN standards, the main program is that the combatants have to put down their weapons before other programs to run smoothly because the existence of weapons in the hands of combatants are the source of armed conflicts in Papua regions.

(2) Papuan Refugees both internal refugees and those in diaspora should be facilitated to return to their respective places because the existence of refugees will indicate that West Papua conflict is still at large.

(3) The institutions that will handle the TRC must be neutral and third parties must involve not the institutions that Indonesia created because Papuans will not trust institutions established in Indonesia by Indonesians.

The TRC will NOT be successful if;

(1) The Republic of Indonesia and combatants in Papua do not have an MoU to put down weapons,

2. Papuan refugees spread throughout the world and inside Papua do not return to their places in Papua,

3. Indonesian military operations continue in the regencies within Papua and West Papua.

4. There is NO third parties in the TRC. Papuans will not believe anything about the TRC if there is no neutral third party involvement.

5. Experience from 2009 repatriation of Papuan refugees from Kiunga to Papua had shown otherwise. Papuans will not believe in anything Indonesia says this time around.

Solidarity for Indigenous Papuans is a network of CSOs and individual activists working for the well-being of indigenous Papuans in Papua and West Papua provinces.