

West Papua Still no choice

Carmel Budiardjo



In 1973, Carmel Budiardjo founded TAPOL to promote human rights, peace and democracy in Indonesia; 'tapol' means political prisoner. Her untiring work in this field was acknowledged when she received the Right Livelihood Award.

When the Second World War in Europe and Asia came to an end, late in 1945, the country now known as Indonesia was a Dutch colony, the Dutch East Indies. Within months, Indonesia became an independent country. In the far east of the Indonesian archipelago was a territory, known then as West Irian (now West Papua), whose fate became a matter of international dispute involving the United Nations, a dispute that still has not been resolved.

At that time, the Dutch Government was in favour of self-determination for the Papuan people, but it came under heavy pressure from Washington whose main concern was to secure a world free of communism. The fear was that this dispute might benefit the Soviet Union, whose role in defeating fascism had been widely acknowledged as being crucial.

The dispute eventually led to the New York Agreement (15 August 1962) between the United States, the Netherlands and Indonesia. However, the Papuan people were not involved in these discussions. As the academic, John Saltford, writes in his book, *The United Nations and the Indonesian Takeover of West Papua (1963-1969): An Anatomy of Betrayal*:

'It was the Papuans who had most to lose from the settlement. They played no part in the negotiations, but they would be the ones who would have to live with the consequences.'

No choice

What is the dispute about? The New York Agreement gave the Papuan people the opportunity to participate in an Act of Free Choice to determine whether they wanted

to be an independent state or to continue to be integrated in Indonesia. But as it turns out, the Act of Free Choice was no such thing. Indonesia, which was at the time ruled by President Suharto and his powerful military forces, made it clear that there would be no choice; that Papuans were ignorant, lazy and too primitive. Universal suffrage was not the way the Act would be implemented. The decision would be taken by eight assemblies, comprising 1,022 members, most of whom had been chosen by military commanders. Moreover, the decision would be adopted by consensus. This was how ‘elections’ were conducted in Indonesia during the Suharto regime. At the time, President Suharto was quoted as saying:

‘Any vote against Indonesia would be regarded as treason.’

In January 1969, the British Embassy in Jakarta, Indonesia’s capital, made it clear that it knew what would happen. It has been quoted as saying:

‘Most independent observers are convinced that, given a free choice, the majority of the local inhabitants would not vote for continued incorporation in Indonesia ... But it is clear that they are going to be disillusioned when the Act of Free Choice leaves the territory, as it inevitably will, an integral part of Indonesia.’

Human rights abuses

Since then, the people of West Papua have suffered numerous violations of their human rights, their freedom of speech and of assembly. Over the years, tens of thousands of people have been killed or seriously wounded, simply for taking part in peaceful demonstrations, waving their own flag, The Morning Star. This flag, which was adopted at the First Papuan Congress in December 1991, is an important symbol of their determination to win freedom. This was also when they adopted the name ‘West Papua’ and their own national anthem.

Over the years, many Papuan activists have been arrested and sentenced to long terms of imprisonment simply for taking part in peaceful actions. When they are arrested for waving their Morning Star Flag, they face the charge of ‘*makar*’ – treason. According to the Indonesian Criminal Code, anyone charged with *makar* faces a sentence of up to twenty years.

Although Indonesia is now regarded as being a democratic country, following more than three decades of Indonesian military rule [1965-1998], West Papua still suffers the presence of many thousands of heavily-armed troops who are primarily responsible for the human rights violations that continue to occur there. Soldiers are hardly ever arrested. They enjoy impunity for their crimes.

Over the years, the sufferings of the West Papuan people have rarely

gained recognition around the world. However, in November 2004, troops from the military élite force, Kopassus, abducted and murdered the chairman of the Papuan Presidium Council, Theys Hiyo Eluay. He had been invited to attend a military event but this was clearly a trap. On his way home, his car was ambushed, he was strangled, and his body was found two days later a short distance away. His chauffeur, Masoka Aristotle, managed to escape and was able to phone his family and tell them about what happened but, since then, he has disappeared with nothing known to this day about his whereabouts or what happened to him. On this occasion, there were protests in many countries.

Papuan political prisoners

Today, Filep Karma, a fifty-eight year old former government employee, is one of West Papua's best known political prisoners. Amnesty International, Tapol, and other human rights organisations frequently highlight his case. Karma was first arrested in July 1998, after leading a pro-independence rally on the small island of Biak. Following a military clampdown, he was sentenced to six-and-a-half years in prison. According to several human rights organisations, about two hundred people were arrested together with him, including scores of women and children, many of who were tortured and raped.

Following an appeal, Karma's sentence was reduced to two years. However, this did not weaken his resolve to continue to struggle for his people and their inalienable right to self-determination. In December 2004, he led a peaceful flag-raising demonstration. This time, he was sentenced to fifteen years and he is still in prison. In August 2015, he was offered release for clemency. He refused to accept this, insisting that to do so would mean acknowledging that he had committed a crime. The Fairfax Media agency quoted him as saying:

'My point is that Indonesia must realise that it must free me unconditionally, restore my good name. It should also free other political prisoners in Papua and elsewhere in Indonesia and stop chasing those who are on the wanted list for expressing their freedom of speech.'

These are the words of a man of high principle, a man who has dedicated so many years of his life to the struggle of his people.

Rich natural resources

West Papua contains within its territory a copper and gold mine that is believed to be the largest source of these minerals in the world. But the

Papuan people are not the ones who enjoy the benefits of this abundance. West Papua's copper and gold have been exploited since the early 1970s by a US multinational corporation, Freeport McMoran, according to a contract granted by Indonesia during the Suharto era. As has always been the case in matters of this nature, the Papuan people were not involved in the negotiations that led to this contract. With the exception of a small number of people living in the vicinity of the mine who receive a small percentage of the profits, the huge earnings enjoyed by the company go to Freeport and its shareholders, while the Government of Indonesia also receives a share of the profits.

But there is a clear alternative for the international community. We should raise our voices loud and clear in support of the West Papuan people.

www.tapol.org



A new report has been produced by a group of foreign church representatives who visited West Papua earlier in 2015 to celebrate the arrival of the Gospel in the territory 160 years ago. The Quaker-led visit was highly unusual as foreign people are, generally speaking, not allowed access to West Papua. The church representatives made the visit at the invitation of Reverend Dr Benny Giay, the Moderator of the Kingmi Church in West Papua who said that Church leaders in West Papua feel as if they are 'surrounded by violence' and 'cannot escape'. The visitors wrote:

'We hoped to help to break down Papuans' experience of international isolation. We travelled without a *Surat Jalan* (Letter of Travel) from the police and visited Biak, Jayapura, the Paniai highlands and Manokwari and witnessed the suffering of the people and experienced the repressive presence of the state security apparatus first hand.'

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'Rev Dr Benny Giay was not being dramatic in his letter. Only a month before we travelled to West Papua, four young people, some of them in primary school, were shot dead by the Indonesian police in Paniai, in the remote highlands. One of the young people had been savagely beaten by the army the night before. He and his friends had been holding a vigil at a makeshift chapel when a car drove by without its lights on. One of the young people yelled at the driver to put his lights on. The car stopped, soldiers hopped out and proceeded to beat the boy. The next day, on 8 December 2014, the boy's friends went to protest the beating. When they arrived in town, they saw the car.

Angry, they started hitting the car. This is when the police opened fire with live ammunition, killing four. Despite calls by civil society for a thorough and independent investigation, no action has been taken ... It now seems that this will be one more example in a five-decade list of cases of impunity. It did not take much dialogue to peel back the layer of fear amongst many of the people we spoke to.'



**promoting human rights,
peace and democracy in Indonesia**