

WEST PAPUA 2010: A LITERATURE SURVEY

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May 2011



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Introduction

The purpose of this literature survey is to introduce the reader to the available academic resources regarding the ongoing conflict in West Papua. In reviewing the chosen texts, I have tried to summarise their main arguments, assess their importance to the debate and expose any weaknesses or oversights. All the books and reports discussed in this review have the potential to be extremely useful to the student of West Papua; hopefully this document can help you decide which will be most relevant to your area of interest.

The process of choosing which books and reports to include and those to leave out was difficult. The books included are prioritised according to: the contribution they made to the debate at the time, the quality of the information they provide and their ongoing relevance to the conflict today. There are many more that could have been considered, but those included are a good starting point for anyone beginning their research journey. The focus here is on academic research with a political agenda: there are many other photographic essays, travel journals, guidebooks and biographies which make interesting reading, but they do not fall within the scope of this review.

For those already familiar with the history and politics of West Papua, this review may serve as a reminder of how much has changed and how much has been achieved in the last twenty-five years. In 1983, when TAPOL published their book-length report, *West Papua: the Obliteration of a People*, the conflict in West Papua was a little-known issue, the OPM were fighting their factionalised guerrilla struggle and East Timor was in the grip of its own struggle for self-determination. While few of the issues raised in that report have been fully resolved, the fall of Suharto and the process of democratisation that has taken place in Indonesia has produced some positive changes. There are active West Papua support groups in many Western countries and the amount of literature and research being produced has increased exponentially since 1998. All of this suggests that, if a long-term perspective is taken, the work discussed in this report has produced fruit. Interest in and awareness about West Papua is growing. This can only be a good thing for those who wish to find genuine solutions to the problems encountered there.

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The Suharto Era

West Papua: The Obliteration of a People

Compiled in 1983, *West Papua: The Obliteration of a People*¹ is a book-length report published by TAPOL that aims to publicise over a decade of human rights abuses in Indonesia. TAPOL - which means ‘political prisoner’ in Indonesian – describes itself as a ‘leading English language authority on the human rights situation in Indonesia and East Timor.’ They aim to promote peace, human rights and democracy in Indonesia’².

The first two chapters focus on the history of West Papua, from early colonial contact with the first Western explorers, through the Japanese occupation during World War II, the forming of the Indonesian nation and the diplomatic manoeuvres that led to the signing of the New York Agreement. Chapters 3, 4 and 5 focus on the three biggest grievances of West Papuans at that time, the exploitation of their resources, dispossession of their land and culture, and widespread human rights violations.

Through empirical data, the TAPOL report demonstrates the exploitation of Papuan resources - showing steep rises in output from exports without corresponding expenditure in the government budget for Irian Jaya. The report laments the deliberate exclusion of Papuans from employment in the oil industry, and outlines the historical roots of the ongoing conflict between the displaced Amungme people and the Freeport mine. This part of the report draws heavily on Indonesian news sources including the Indonesian Council of Churches journal, *Berita Oikoumene*, the Jayapura weekly, *Tifa Irian*, the Jakarta weekly, *Tempo*, and the Jakarta Catholic Daily, *Kompas*. It also draws on the writing and research of Indonesian Academic George Aditjondro in the social sciences journal *Prisma*. This is noteworthy because these sources were not widely available outside Indonesia at the time, both because of the language barrier and the lack of distribution channels (internet publication was not available). This means the TAPOL report played a crucial role in documenting and publicising the economic exploitation of Irian Jaya in the 1980s.

The chapter on Human Rights abuses outlines the worst of the atrocities of the 1960s and 1970s, during the peak of the conflict between the OPM and the Indonesian military. Abuses by the Indonesian government include mass killings, arrests and detentions, disappearances and executions and the detention of political prisoners. The information is usually quite specific, referring to the names, dates and locations of abuses. Special mention is made of the 1981 Operation Clean Sweep, the aim of which was to ‘undermine resistance to the government by intimidating and persecuting the families of those who leave home to join the resistance in the bush’. While these abuses have since been more widely acknowledged, they were not well known at the time of writing and the TAPOL report was performing an important function by highlighting these abuses. It has

¹ Budiardjo, Carmel and Liem Soei Liong, Tapol, *West Papua: The Obliteration of a People*, Tapol, London, 1983

² <http://tapol.gn.apc.org/>

continued to be an important source of information for academic research, being referenced in many later human rights reports and enquiries³.

The chapters on refugees and the resistance further demonstrate the scale of the political problems, and also reinforce the message that all is not well in West Papua. The numbers of refugees and the extent of Papuan resistance are indications of the degree of Papuan dissatisfaction, while the final chapter on Western support and complicity in West Papua aims to place the responsibility back at the feet of the Western powers who have provided political and military support to the Indonesian regime.

The conclusion of the TAPOL report reflects its aims to publicise the injustices, rather than to recommend specific policy changes.

West Papua is in fact Indonesia's first colony. Worldwide ignorance about the events that led to its colonisation, the nature of repression and the degree of resistance has made it possible for Indonesia to proceed with its destruction of Papuan life largely unhampered by international condemnation... By their complicity and acquiescence, the Western powers have lent their support to the atrocious crimes of the Indonesian Military in West Papua, crimes that are leading to the obliteration of the Papuan people. It is a situation that must not be allowed to continue.⁴

In its historical context, the TAPOL report is the first step of a long campaign - it aims to educate the world about the situation, so that it will no longer be possible for 'Indonesia to proceed with its destruction of Papuan life'. As a first step towards greater knowledge and education, the report seems to have been very successful.

Indonesia's Secret War – The Guerilla Struggle in Irian Jaya

Published soon after the Tapol report, but reaching a wider audience, was Robin Osborne's seminal *Indonesia's Secret War – The Guerilla Struggle in Irian Jaya*⁵. Robin Osborne was at that time a journalist, who had written on the politics of Irian Jaya and Papua New Guinea for newspapers such as *The Guardian* (UK) *The Australian*, *Tempo* (Indonesia) and *The Times of Papua New Guinea*. Published by Allen & Unwin in 1985, the book was a response to two violent episodes in 1984, which received widespread media coverage. The first was an OPM ambush on a Catholic mission plane, flown by a Swiss pilot, which ended with the execution of two Indonesian passengers. The second was the murder and torture of respected Melanesian anthropologist, musician and elder, Arnold Ap. After his death, the Indonesian government denounced Ap publicly as an OPM sympathiser and support person. In mid-1984, ten thousand West Papuans fled the

³ The report and other TAPOL works were cited fairly extensively in Robin Osborne's *Indonesia's Secret War*, discussed below.

⁴ TAPOL report, p 106

⁵ Osborne, Robin, *Indonesia's Secret War*, Allen & Unwin, Sydney, 1985.

Indonesian province to seek refuge in Papua New Guinea (PNG). At the time Osborne was writing, the conflict and the refugee crisis were at their height and this would have given the book a compelling sense of urgency, which is somewhat diminished today.

Osborne's purpose in writing the book seems to have been threefold: to publicise the fact that there was a little-known war and subsequent refugee crisis going on in Irian Jaya and on the PNG border; to demonstrate that the OPM 'poses a far more serious challenge to Indonesian rule than many outsiders think, or the Jakarta government admits'; and to highlight the impact of the strained diplomatic triangle between Indonesia, PNG and Australia in prolonging the conflict. The book is written in an objective, journalistic style, focussing on events and facts, rather than feelings, opinions or personal experiences. At times, the author does reveal his own convictions, for example, in the introduction he states: "The author, like most other visitors to Irian Jaya, believes that the great majority of West Papuans support the OPM's goal of an independent state."⁶

Like most other books on the subject, it starts with a detailed account of the events that led to Irian Jaya's incorporation into Indonesia at the end of the Dutch colonial period. This section benefits greatly from a personal interview with one of the architects of the handover, Australia's External Affairs Minister, Sir Garfield Barwick. Osborne also accesses many first hand accounts expressing the views of Dutch, Indonesian, Australian, American and West Papuan political leaders from the period. But Osborne also outlines cultural developments within West Papua, which will later influence the conflict. For example, he traces the birth of the independence movement to a religious messianic belief system, known as the Korero movement. Rooted in an ancient Biak legend, Korero predicted the return of the Lord, Manseren Mangundi, who would free the people. In his quest for divinity, Manseren Mangundi was aided by the Morning Star, which brought him supernatural power. This legend inspired the belief that raising the morning star flag would attract supernatural help to the Papuan struggle (even today, flag-raising remains the most common form of non-violent resistance). Korero prophets, known as *konor*, have been significant in the nationalist movement, and Korero beliefs, mixed with Christianity, still inspire aspects of the Papuan liberation quest. By including these cultural factors in his account, Osborne creates a more complete picture of the Papuan independence movement.

The second chapter of Osborne's book is devoted to the resistance that emerged in response to the 1969 Act of Free Choice, culminating at the time of the 1977 elections. Osborne profiles the main resistance leaders and provides detailed accounts of OPM activities, arguing that 'Indonesian reprisals continued to be the movement's greatest recruiting tool.' Much of the information about ABRI activities is drawn from the TAPOL report and previous TAPOL bulletins, which in turn rely heavily on OPM sources. One of the difficulties in obtaining accurate information about West Papua is that often information originates either from OPM or the Indonesian government, who are both participants in the conflict. But Osborne counters this by including eyewitness accounts from independent observers, such as unnamed Western missionaries, Australian geologist Robert Mitton, members of a RAAF mapping team who witnessed strafing

⁶ Introduction, p xiv

attacks in the Baliem Valley and Terry Doyle, a civilian pilot who also witnessed strafing attacks at Akimuga near the Freeport mine. For example, Doyle describes the army's indiscriminate killing of a Papuan man who was just standing by the side of the road:

They threw the body on the ground, and all the Indonesian soldiers had their photo taken, posing with their feet on his neck or head. Like big-game hunters.⁷

Chapter Three, 'The New OPM' focuses on the period from 1980 to 1984 and draws on Indonesian army and government reports stolen by the OPM in ambushes or leaked by civil servants. In the early 1980s, PNG also captured a number of significant OPM field communications. This chapter demonstrates the depth of OPM factionalism and the extent to which it was at war with itself from 1980 to 1983. However it also shows the determination of the movement to attract international attention to their cause, whether through guerilla tactics, such as ambushes and kidnapping, through declarations of independence or diplomatic appeals to foreign governments, NGOs, or international institutions such as the United Nations and the South Pacific Forum. The strength of this commitment is reflected in the words of OPM defence minister, (from the Pemka faction) Lawrence Doga, 'For as long as the Melanesian race exists in west Papua, the struggle will go on.' By 1984, the presence of refugees in PNG was attracting interest from local and foreign media, while the OPM was increasing its legitimacy, unifying its support and gaining a voice in international arenas.

Indonesian Government policy in Irian Jaya is discussed in Chapter 4, 'Paradise Lost'. Osborne concludes that Irian Jaya has become 'an internal colony.'

The population's resources are exploited without permission being sought or due compensation paid; their traditions are derided; their land alienated in the 'national interest'; their political rights subsumed by the need for republican unity; their human rights abused in an organised manner.⁸

Osborne targets all the big greivances: the social and environmental impacts of the Freeport mine, the forced labor of the Asmat people in military-run logging operations, overfishing by Japanese fishing companies, and the social exclusion and loss of traditional lands resulting from transmigration, all of which are well-documented elsewhere. It is the section devoted to the life and death of ethnologist Arnold Ap that brings home the human dimension of the Papuan campaign to protect and revive their culture. Ap was the curator of an ethnology museum at the University of Cenderwasih (UNCEN) and formed the cultural group *Mambesak* which performed and recorded Papuan music, to wide acclaim. A devout Christian, Ap also revived the *Koreri* legend, and was considered a *konor* (prophet or wise man) by the people. According to exiled OPM leader, Seth Rumkorem, Ap was also active in the OPM before he was arrested and later killed by the Indonesian military. Osborne, who was evidently so moved by Ap's

⁷ Terry Doyle in a conversation with Osborne, Canberra, 1984, p 70

⁸ p 116

life that he dedicated the book to the martyr's newborn son⁹, tells the story of Ap's life and death with great respect and compassion.

It is in the final chapter of Osborne's book that the journalist makes a unique contribution to the West Papuan story. Focussing on activities 'East of the border', Osborne has access to the political elite in Papua New Guinea through his time as a Press Secretary to Prime Minister Julius Chan, and later to the Deputy Prime Minister in the Pangu Party government. He analyses the impact of cross-border refugee flows, the repeated incursions of Indonesian Army (ABRI) troops into PNG territory, the solidarity most PNG Melanesians feel for their West Papuan brothers and the successive wooing of PNG politicians by the powerful elite in Jakarta. However, in spite of continued attempts by PNG Prime Ministers to bend over backwards for Jakarta, the relationship described by Osborne is always tense. In 1981, West Papuan émigrés in PNG decided to hold a Melanesian Solidarity Week, which included a South Pacific Human Rights Tribunal, a mock trial that found Indonesia guilty of twelve specific violations of international law. Relations deteriorated even further during Julius Chan's time as Prime Minister, until the Indonesian government was actively supporting the re-election of Michael Somare. Then in 1983, PNG discovered that the Trans-Irian highway being constructed by Indonesia crossed into PNG territory at four separate points, feeding fears that Indonesia had expansionist designs on PNG. In 1984, PNG lost patience, boldly denouncing Indonesia's lack of responsiveness at the United National General Assembly. The book ends with the refugee issue unresolved, but PNG was again showing signs of pursuing a tougher policy on West Papuan refugees.

Osborne is a journalist. His book, which seems to be impeccably researched, recounts fairly objectively the events of OPM's guerrilla struggle, but makes no recommendations and contains little analysis. *Indonesia's Secret War* caused a stir when it was released; more than twenty years later it remains a highly useful source of information about the early years of the conflict.

Poisoned Arrows: An Investigative Journey Through Indonesia

George Monbiot's *Poisoned Arrows*¹⁰ is the personal story of a journalist travelling through Irian Jaya, with the intention of finding out more about the impact and intention of transmigration. Monbiot was at this time a zoologist by training, who had spent two years working on natural history and current affairs programs for the BBC. During this time, he had stumbled upon a story that he thought was 'dark enough, and sweeping enough, to justify abandoning my livelihood.'¹¹ Transmigration was, according to human rights campaigners in Britain, Indonesia's 'scheme to wipe its tribal people out. And the

⁹ "For Arnold C. Ap Jnr, born Blackwater refugee camp, West Sepik, Papua New Guinea, 1984. May he grow up to see what his late father envisaged."

¹⁰ Monbiot, George, *Poisoned Arrows*, Originally published Abicus Books, 1989, Updated and republished by Green Books, London, 2003

¹¹ Monbiot, p4

method it was using was so callous, so simply destructive, that it was eliminating both the tribes people themselves, and the people sent out to despatch them.¹² Monbiot builds tension and establishes his journalistic integrity by claiming to ‘give equal weight to both sides.’ “If I was to go to Indonesia to see transmigration for myself I needed to be as prepared to confirm the (Indonesian) government’s view of things as that of the human rights groups.¹³” However, this attempt to begin the investigation from a neutral position is largely a dramatic device: Monbiot would not have thrown in his job, and travelled half-way around the world to write a glowing account of transmigration that not even his publisher would want to read. Monbiot’s story is a narrative and it needs a drama. Monbiot plays up the danger and fear in his covert assignment: ‘The government was jumpy about its controversies, and tended to eliminate people who saw embarrassing things.¹⁴’ The reader can expect Monbiot to not only reveal the truth about transmigration, but to deliver an Indiana Jones style adventure on the way.

Monbiot’s journey begins in Jakarta, where he discovers something of the crowded conditions and the lack of land available to peasant farmers. In central Java, improved medicine and sanitation had led to a population explosion, but land division practices had reduced the average farm size to just a quarter of a hectare. Jakarta was growing by 300,000 new inhabitants each year, 80,000 of whom were moving in from the countryside¹⁵. While transmigration was mooted as being a solution to this problem, the numbers involved were barely having an impact. However Monbiot also acknowledges that the Indonesian culture made his fact-finding mission difficult; how could he find out about people’s real circumstances when ‘problems were smiled away or stored up, and successes were modestly made little of’¹⁶.

Once in Irian Jaya, Monbiot and his photographer companion, Adrian Arbib, visit a transmigration site at Salor, near Merauke, where they unconvincingly pose as ‘development consultants’ supervising the transmigration project. With no official or even local escort, no formal introduction from the head of the transmigration site, no company business cards or paperwork, or even a decent quality vehicle, their disguise was thin and the transmigrants were naturally suspicious and reluctant to talk. But by the end of the day Monbiot has uncovered major problems in their rice production: infertile soils, long dry seasons, yearly floods, disease, inaccessible roads, a saturated market in Merauke and no export links to sell their surplus. In nearby Erom, conditions were even worse, and the transmigrants, who had not been poor at home in Flores, were living in rough houses, surrounded by mud, with no reliable supply of fresh water. And they were not allowed to return home. Nearby the town of Merauke was filled with the ‘fugitives of transmigration’ – two thirds of the people were non-Papuans. Monbiot writes, “I heard stories of similar troubles from the whole transmigration region: of sterile soils, pests,

¹² Monbiot p 4

¹³ p 9

¹⁴ p 10

¹⁵ p 16

¹⁶ p 28

flooding, disease and inescapable poverty. We need not have gone further than the town to see that transmigration to the north was failing.¹⁷

‘So why,’ Monbiot asks, ‘when it so clearly did the migrants harm, was the project carrying on?’ According to the government, it would help the ‘primitive’ people of Irian to make money, to learn from and compete with the Indonesian settlers and they would benefit from the infrastructure transmigration brought. To ascertain the impact of transmigration on the Papuans, they travel to Sorong in the far west of Irian Jaya, undertaking an expedition to the jungle to see the sago gardens. Monbiot emphasises the delicate balance of the natural environment, and the threat that land clearing, logging and the harvesting of wildlife present to both the environment and the indigenous people who depend on it for their livelihood. Standing in the sago gardens, Monbiot reflects on the fact that the lands, which appeared empty to the government, were already being utilised to the full. Every village needed all the land it had, as the population had grown to match the available resources. Monbiot explains that land was deemed to be owned not just by the living, but by future generations as well. However, as these land rights were not based on Indonesian law, the government did not recognise them. On this point Monbiot is quite insightful:

The land rights were being twice ignored: once when the site was marked out, again when the new settlers wandered off to supplement their living, and assumed that the private resources of the local people were free for all¹⁸.

Monbiot concludes that rather than bringing the benefits of development, transmigration was actually just isolating the people from their traditional sources of sustenance.

Monbiot’s investigations regarding transmigration take a back seat for most of what follows. His reckless attempt to walk from Wamena to Agats via the fifteen thousand foot Mt Trikora with almost no preparation, no food supplies, very little equipment and no local knowledge or contacts makes entertaining reading, but has nothing to do with transmigration. The endless complaints about the lack of suitable food quickly wear thin, as does his tendency to bestow animal nicknames on people he meets, such as The Goatman and the Weasel¹⁹. These cartoon-style nicknames seem to reflect Monbiot’s inability to connect on a close personal level with any of his Papuan travelling companions, and the reader is robbed of the opportunity to get to know any Papuans individually; only their collective culture is on show. The epic journey does eventually conclude with their arrival in Agats, home of the Asmat, but almost as soon as they arrive they are desperately seeking a way out. Monbiot does go on to discuss the disastrous impact of forced logging on the Asmat and applauds the attempts of a handful of Catholic missionaries to provide basic healthcare and protect the people from the worst impacts of inappropriate development.

¹⁷ p 38

¹⁸ p 54

¹⁹ Comparing people to animals is deeply offensive in Papuan and Indonesian culture, even if it is intended to be complimentary, for example, ‘strong as an ox’ or ‘fast as a lion’.

Monbiot's attempts to meet with the OPM rebels are continually frustrated. At Mindip Tanah they are watched constantly by the police and are unable to get to the border area. In Jayapura, they wait two weeks to be escorted to an OPM base near Arso, only to have the trip called off after a massacre took place there. Monbiot concludes his trip with one last reflective visit to the Baliem Valley. Two observations are worth noting. He concludes that:

It was clearly not development itself that was blighting the Irianese; but development that favoured one group – the Indonesians – at the great and deliberate expense of the other. The Irianese could cope, despite all that was stacked against them by the government, with development that was sensitive and gradual and designed to help them, not to destroy them²⁰.

Monbiot recommends that those Western countries delivering vast amounts of aid to Indonesia should start to place humanitarian conditions on their loans. Monbiot also reflects on the personal changes that have taken place in him as a result of his experiences. He no longer merely felt the 'righteous indignation of a middle-class journalist at home', but had become involved. "I couldn't go back and imagine I had seen some distant issue that was not my own concern... Something would have to be done," he writes²¹. The fact that Monbiot went on to become one of Britain's leading independent social commentators could be regarded as evidence that he was indeed a changed man.

Post-Suharto Literature

Irian Jaya: Under the Gun (2002)

Jim Elmslie's *Irian Jaya: Under the Gun*²² is a comprehensive, readable and contemporary account of the nationalist struggle of West Papuans. The book is also a metaphorical call to 'arms': an attempt to seize the window of opportunity created by the downfall of Suharto and subsequent independence of East Timor. The book's dedication to independence leader Chief Theys Hiyo Eluay, murdered shortly before its 2002 release, positions the work as part of the same struggle. In the Prologue, Elmslie lays his cards on the table, predicting that:

- 1) Significant reform and meaningful development can not occur until the military is reined in under civilian control
- 2) Without external support the suffering of the indigenous people will only increase, to the extent that conditions are 'ripe for genocide'

²⁰ p 236

²¹ p 245-6

²² Elmslie, Jim, *Irian Jaya Under the Gun: Indonesian Economic Development versus West Papuan Nationalism*, Crawford House Publishing, Adelaide, 2002.

3) A new refugee crisis is likely to eventuate²³

Elmslie correctly predicts that desperation will lead to asylum seekers arriving in Australia:

Perhaps flight is the only option they have to make their plight known. Australia and the world would then be forced to acknowledge that profound injustices are occurring in West Papua, that repression and terror are growing and that external pressure is required to avert genocide²⁴.

So the book contains a warning: we could have a bloodbath and a refugee crisis on our hands if the present situation is allowed to escalate.

Published in 2002, *Under the Gun* is broken up into four distinct sections. The first part focuses on the history of Irian Jaya and the emergence of West Papuan nationalism. Elmslie's version of West Papua's history is comprehensive and orthodox; however, two points stand out in Elmslie's version. Firstly, he views the Indonesianisation of West Papua as part of a historical long-term drift south by the Asian peoples, a process previously constrained by the lack of rice producing land on the New Guinea island, but now dramatically sped up by technology which renders the mineral, forest and marine riches of Papua commercially accessible for the first time. "Unfortunately for the West Papuans this means that, after millennia of isolation, they are suddenly being confronted by outsiders who want their ancient tribal lands for activities that displace them."²⁵ Elmslie concludes that while the relationship between West Papuan nationalism and economic development is complex it is 'economic development that is really killing the West Papuans'.

Secondly, Elmslie's factual account of the history of West Papuan nationalism and the operations of the OPM is a great resource for scholars. Particularly intriguing is Elmslie's analysis of the 1990 census information, which indicates that almost 44,000 West Papuan military-aged males are 'missing'²⁶. These men may be living in the bush, outside of Indonesian control, either actively or passively supporting the activities of the OPM. Elmslie offers not only the historical details of the resistance, (ie, the who, what, where and how), but also looks into the 'why', acknowledging the internal dilemma that absorbs so many West Papuans. "Inner conflict arising from how people feel and the objective realities in Irian Jaya seems to be present to some extent or other in all Irianese."²⁷ Elmslie makes this observation on the basis of ten visits to Irian Jaya and 'numerous discussions with Irianese from all walks of life'. He says:

On the one hand, there is a strong sense of Papuan identity – as Melanesians who deserve their own nation on racial, geographic, historical and cultural grounds.

²³ Elmslie, Prologue, p xxii

²⁴ Ibid.

²⁵ p 7.

²⁶ p 56

²⁷ p 23

On the other hand, there is the knowledge that the overwhelmingly powerful state is totally opposed to this concept...²⁸

And here's the crux of the dilemma:

The price of dissent is high, and the chances of achieving anything, particularly an independent West Papuan state, remote. Whatever the objective reality of the situation, people are burning with a sense of injustice²⁹.

The objective realities of this injustice and the economic and social marginalisation faced by West Papuans are demonstrated in Part Two of the book, which focuses on economic expansion and the associated Indonesian immigration to West Papua. This section contains detailed economic and demographic data, focussing on the impact of growth industries such as mining and logging. As mentioned previously, Elmslie's theory is that economic development is what is really killing the Papuans and the second part of his book is devoted to demonstrating this empirically. But even the driest economic figures have a human implication as stated in the Introduction:

A rude awakening lay in store for the West Papuans as they emerged from millennia of isolation to find a world where hunger for resources was so great anything would be justified in the name of development, including theft and murder³⁰.

The third part of the book focuses on recent events from 1995 to 1999 with an emphasis on political activism. It is more subjective, but it is also in some ways the strongest part of the book, being based on personal experiences and first-hand accounts. These include detailed descriptions of the release of the Australian Council for Overseas Aid (ACFOA) Report, *Trouble at Freeport*; a fact-finding trip to Timika and Tembagapura by Elmslie and others; the experiences of photojournalist Ben Bohane who spent a month in the jungle with the OPM at Geselema; and the 1996 Mapdenduma hostage crisis which culminated in the break-down of negotiations and an Indonesian military operation resulting in the deaths of at least eight Papuan civilians and two Indonesian hostages. Elmslie puts the reader in the thick of the conflict, and puts a human face on events.

Part Four examines the window of opportunity created by the collapse of the Indonesian economy, the downfall of Suharto, the rise to prominence of independence leader Chief Theys Eluay and the self-determination of East Timor. These events converged in the historic 1999 meeting between President Habibie and the Team of One Hundred (*Tim Seratus*) West Papuan delegates who unanimously and unequivocally demanded an independent state. Unwilling to discuss independence, Habibie shut down the dialogue immediately, creating an impasse that is yet to be broken. With the murder of Chief Theys Eluay, the movement's momentum has suffered a setback. But Elmslie does not declare the window closed. In fact he believes independence is 'the dream West Papuans

²⁸ p 23-4

²⁹ p 24

³⁰ p 8

will never give up.’ And this is the best thing about Elmslie’s book: it reveals the depth of feeling Papuans have about their desire for an independent state. ‘It is axiomatic that the West Papuans will continue their struggle for independence: from their point of view they have no choice.’ This is because ‘to pursue human rights and social justice while the military is so dominant in Indonesia is an exercise in futility.’³¹ According to Elmslie, West Papuans face two possible futures: independence or extinction. His conclusion: ‘The fight will go on.’³² And Elmslie is clearly part of that fight.

The United Nations and the Indonesian Takeover of West Papua, 1962 – 1969: The anatomy of betrayal³³.

John Saltford’s in depth study of the handover of the Dutch colony of West New Guinea to Indonesia in the 1960s is an indispensable resource for anyone who wants to truly understand the root causes of the current conflict and the role of the international community in laying the groundwork for that conflict. Saltford’s purpose in writing the book is not to assess the legitimacy of any West Papuan right to self-determination, because ‘that right had already been explicitly acknowledged by the Netherlands and Indonesia when they signed the New York Agreement.’³⁴ Rather, his analysis focuses on the implementation of the agreement. Saltford argues that the UN had an obligation to ‘protect the political rights and freedoms of the Papuans, and to ensure that self-determination took place freely in accordance with international practice.’³⁵ His conclusion is that the UN failed on both these points, and that they did so deliberately because the priority of the UN Secretariat was to ensure that the territory was integrated into Indonesia ‘with the minimum of controversy and disruption.’

Saltford’s book begins with two very useful resources: a list of key individuals and their role in the handover and a timeline chronology of events between 1945 and 1969. Naturally he begins by explaining the background to the 1962 New York agreement, but his study really starts with preparations for the United Nations Temporary Executive Authority (UNTEA), which administered West New Guinea from 1 October 1962 to 1 May 1963. From the beginning this administration was riddled with problems. Firstly, the New York Agreement gave the UN just six weeks to prepare for administering the territory, a task the like of which it had never carried out before. The Agreement also stipulated that the UN Security Force would incorporate all Indonesian forces already in the territory. The remainder were to be made up by Pakistani troops, which meant that almost the entire security force were Muslim, a fact which compromised their impartiality in the eyes of the Papuans. Recruitment of staff was another major issue. By

³¹ Elmslie, p 267

³² p271

³³ Saltford, John, *The United Nations and the Indonesian Takeover of West Papua, 1962 – 1969: The anatomy of betrayal*, RoutledgeCurzon, Oxon, 2003.

³⁴ p 180

³⁵ Ibid.

October 1, only 775 of Holland's 2,500 officials remained in the territory³⁶. UNTEA found it impossible to recruit adequate staff to the remote territory for such a short assignment. As a consequence, the administration lacked experience. At the same time, within weeks of UNTEA's arrival, Indonesia launched a campaign to shorten the already brief period of UN administration and to abandon plans for a future act of self-determination. By November, calculated rumours were circulating in West New Guinea, Jakarta and Holland that UNTEA would hand over the territory on January 1, 1963. By the end of 1962, West New Guinea was increasingly under Indonesian control.

The first three months of their administration had been taken up with Sukarno's campaign to remove them from power. They had operated in an atmosphere of constant pressure from Jakarta for further concessions, with little support from the UN in New York. It had become clear that the most they could achieve would be to finish their mission in WNG without an obvious breakdown in their authority³⁷.

During 1963, the main concern of UNTEA was the mounting tension between Papuan nationalists and the Indonesian military, particularly over the issue of the Papuan flag. This culminated in the revolt of the Papuan Volunteer Corps (PVK), in which a quarter of the Corps mutinied against their Indonesian officers³⁸. This resulted in the UNTEA Divisional Commander disarming the unit by stealth, so that it would no longer be a threat to the Indonesians. By March 1, the Indonesian influence on the administration was unmistakable: of the non-Papuan employees, 1200 were Indonesian, 200 Dutch and 80 from other countries³⁹. Saltford goes on to demonstrate the degree to which UNTEA and the Dutch had already given up on the expectation that any meaningful plebiscite would be held. When the territory was officially handed over to Indonesia on 1 May 1963, the need for future self-determination was not mentioned by any of the Dutch, Indonesian or UN representatives, except in a message from UN Secretary General U Thant that was read out at the proceedings. However, the official UN history declared the administration a success. U Thant's senior military adviser in the territory, Indar Jit Rikhye commented, 'in terms of success the WNG experience comes high in the order of merit on the list of UN achievements in the sphere of peacemaking.'⁴⁰ This interpretation was founded on the fact that the administration was able to facilitate a peaceful transfer without mass bloodshed. However, Saltford asserts that the UNTEA administration failed to carry out its official responsibilities, as stipulated in the New York Agreement.

It patently failed to defend the rights and freedoms of the Papuan people and did little to confront the systematic and ruthless campaign of intimidation carried out by the Indonesians throughout the entire period. Through UNTEA, the UN allowed itself to be party to a cynical betrayal of a people who had no one left to defend their interests except the UN⁴¹.

³⁶ p 24

³⁷ p 45

³⁸ p 61

³⁹ p 63

⁴⁰ p 72

⁴¹ Ibid.

Chapter Five of Saltford's book concentrates on the early years of the Indonesian administration, which consolidated Papuan resistance. After just eighteen months of Indonesian rule, UN officials reported that most Papuans who had promoted Indonesian integration were now actively campaigning for a plebiscite before 1969. The attitude of the UN seemed to be that 'while genuine Papuan self-determination was both impractical and undesirable, an appearance of self-determination was necessary in order that the issue could be legitimately concluded⁴²'. Saltford then outlines the attitudes of the Dutch, British and Australians in response to the geopolitical environment of the time, including Sukarno's confrontational policy over Malaysia, Australian concerns over the Territory of Papua New Guinea, and Indonesia's withdrawal from the UN in 1965. In Chapter Six, Saltford assesses the political, economic and security situation in West Irian. He argues that Indonesian development expenditure was way below levels in Eastern New Guinea. Up until 1968 Indonesia was allocating just \$4 million to West Irian, compared to the \$120 million being invested by Australia over the border. Many commentators at the time, for example, the Australian journalist Peter Hastings attributed Papuan dissatisfaction to the lack of economic development. However, Saltford believes that this position vastly underestimates the role of nationalism in inspiring resistance to Indonesian rule.

West Papuan villagers in 1968 did not need to be politically sophisticated or possess some developed sense of Melanesian identity to recognise that they had little in common, culturally or otherwise, with the 12,000 to 13,000 Indonesian officials and military who administered their land and violently suppressed any expression of dissent. Even in these early years of Indonesian rule many Papuans who had experienced the new administration would have begun to recognise that passive acceptance of the political situation condemned them to the status of second-class citizens with little or no significant role in their own country's future⁴³.

Into this potentially explosive environment came Fernando Ortiz Sanz, the Bolivian diplomat appointed as the United Nations Representative for West Irian (UNRWI). Although appointed on 1 April 1968, his arrival in West Irian was delayed until August 12 at the request of Jakarta, who wanted to quash on-going rebellions in Arfak before allowing the UN in. Indonesia also appointed Brigadier-General Sarwo Edhie to the position of West Irian military commander. Well known for his 'success' in the mass killing of alleged communists during the early Suharto years, his appointment 'can therefore be viewed as a clear demonstration by Jakarta of its determination to prevent any form of Papuan dissent'⁴⁴. The Indonesian Foreign Minister Malik even announced that Sarwo Edhie's task would be to 'ensure that West Irian gave a clear verdict in favour of permanently joining Indonesia.'⁴⁵

⁴² p 82

⁴³ p 97

⁴⁴ p 99

⁴⁵ p 100

The first issue faced by Ortiz Sanz was the inadequacy of accommodation and finances, which allowed him a total staff of just 16, a token presence compared to the 1000 UN officials that supervised the East Timorese referendum in 1999. Other than the staffing problem, Ortiz Sanz spent the final months of 1968 absorbed in just two issues, the political freedoms and human rights of the West Papuans and the methods that would be adopted to carry out the Act of Free Choice. Knowing the Indonesian preference for a consultative approach, and acknowledging the difficulties of carrying out elections in remote areas of the territory, Ortiz Sanz advocated a 'mixed method' for the Act combining 'one-man, one-vote' in the urban areas with collective consultations in the rural areas. Saltford questions whether it was appropriate for a UN official to endorse a method that contradicted the terms of the New York Agreement, which specifically stipulated that the Act should be carried out 'in accordance with international practice'. In any case, Ortiz Sanz proposal for a 'mixed method' was rejected; instead they would consult eight regional Assemblies, based on the existing 'Representative Councils', appointed by the Indonesian authorities. Additional members would also have to be selected. On March 18, Ortiz Sanz issued a press release stating that for Indonesia's consultative approach to be acceptable they would have to meet three conditions:

- 1) The consultative assemblies should have sufficiently large membership
- 2) They should represent all sectors of the population
- 3) The new members should be clearly elected by the people⁴⁶.

While rebellions raged in West Irian, a public feud emerged between Sudjarwo and Ortiz Sanz over the selection process for these additional members. On the 24 May Ortiz Sanz met with Sudjarwo to stress the importance of democratic, supervised elections to select the additional members, and to urge Jakarta to adopt concrete measures to safeguard the political rights and freedoms of the Papuans. In the finish, UN officials were not informed when the elections would take place, or were informed at the last minute, making it impossible to arrange air travel to the remote election sites. This meant the UN had only been able to observe about 30% of elections. U Thant urged Ortiz Sanz to request fresh elections in all the places where UN observers had not been present. Jakarta eventually realised 'that holding elections without any UN presence was viewed as (an) unacceptable departure from the terms of the Agreement', making it 'virtually impossible for U Thant to bestow UN legitimacy on the final result'⁴⁷. Indonesia therefore agreed to fresh elections taking place in 'a few places', but the final result was that the UN witnessed the election of only 195 out of 1,026 Assembly Members who would participate in the Act of Free Choice⁴⁸. UN officials were apparently distraught over the process, but none were prepared to put their careers on the line by speaking out⁴⁹. As for Ortiz Sanz, if the Act was not taking place according to the terms of the agreement, his role should have been to highlight that fact. However, correspondence contained in the book shows clearly that his priority was to help Jakarta minimise the impact of any international protest.

⁴⁶ p 128

⁴⁷ p 149

⁴⁸ p 150

⁴⁹ Ibid.

In describing the Act of Free Choice, Saltford demonstrates the huge discrepancy between Indonesian government accounts and those of observers and participants. While the government described only jubilant celebration at the decision to join Indonesia, journalists reported that of the 20 assembly speakers who spoke in favour of joining Indonesia, six were later killed by their angry constituents⁵⁰. The most obvious indication that all was not well was the obvious lack of dissent. After the Merauke and Wamena results were announced the Melbourne Herald editorialised that ‘even Hitler was satisfied with less than one hundred per cent in plebiscites.’⁵¹

At one point, Rolz-Bennett apparently confidentially urged Jakarta to record some negative votes, ‘to give the outcome the appearance of legitimacy’. But the myth created by Jakarta, of total Papuan loyalty to the Republic, was simply not sophisticated enough to accommodate expressions of Papuan dissent. Consequently no such opposition was permitted⁵².

Saltford concludes that UN failed to implement the New York Agreement. They failed to protect the rights and freedoms of the Papuans and they failed to see that the Act of Free Choice took place in accordance with international practice. They did so deliberately to fulfil the Cold War priority of Washington to ensure that the territory became a part of Indonesia with a minimum of controversy. The Papuans continue to suffer the consequences of this policy. At the time Saltford was writing, the Dutch government was undertaking a historical re-examination of the Act of Free Choice⁵³. Saltford concludes his book by urging the UN to do the same.

Denise Leith: The Politics of Power, Freeport in Suharto’s Indonesia⁵⁴

A reading of Denise Leith’s 2003 analysis of the role of the Freeport gold and copper mine in West Papua reveals early on the extent to which Freeport’s story is one of changing power relations in Indonesia, with the defining relationship of the book being that between the Suharto government and those with interests in the Freeport mine. Leith demonstrates how the changing power relations between the mine and the Indonesian government, the military, NGOs and the traditional owners of the land have been key in determining the changing culture in Freeport over the last thirty years.

It’s also a story of contrasts. This is established in the preface to the book, where Leith paints a picture of the physical and social landscape around the mine site:

⁵⁰ p 161

⁵¹ Ibid.

⁵² p 166.

⁵³ Prof. P.J. Drooglever's long awaited study, ‘Een Daad van Vrije Keuze’ (An Act of Free Choice) was released on 15 November 2005 at The Hague. It has since been published as *An Act of Free Choice: Decolonisation and the Right to Self-Determination in West Papua*, Oneworldpublications, Oxford, 2010.

⁵⁴ Leith, Denise, *The Politics of Power, Freeport in Suharto’s Indonesia*, University of Hawai’i Press, Honolulu, 2003.

The elegance of the company's Sheraton Hotel and the western dormitory-style town of Kuala Kencana with its gym, air-conditioned shopping center, swimming pool, schools, office blocks, and well-set-out garden suburbs and park lands contrasted starkly with Kwamki Lama. Separated by just a few kilometres of jungle, the village of Kwamki Lama was built by the company and the government to house Papuans moved from their traditional lands in the concession. It was a desolate place devoid of any redeeming feature and characterized by disintegrating concrete block houses, children with distended stomachs, and open drains⁵⁵.

Standing in the lowland jungles near Timika on a clear day, one could look up to the interior highlands to see the equatorial glacier sparkling in the late afternoon sun. Lowering one's gaze, however, left one focusing on a forest of dead trees and barren land buried beneath meters of ugly grey tailings. The juxtaposition of incredible natural beauty and rampant environmental destruction, of Western development and appalling poverty, assaulted the senses⁵⁶.

Leith introduces the book by laying out the basic facts needed to understand the Freeport situation. Firstly, she explains the scale of the operation and its importance to the Indonesian state: Freeport soon became Jakarta's largest taxpayer, the largest employer in West Papua and the source of more than 50% of West Papua's Gross Domestic Product (GDP)⁵⁷. Secondly, the fact that mining is a long-term and expensive investment resulted in a loss of capital mobility that put the power firmly into the Indonesian government's hands once a significant investment had been made. 'With this fundamental power shift away from the company, the president's political and financial demands on Freeport rose exponentially.'⁵⁸ This meant that over time, far from Suharto being a puppet of the company as many Indonesians thought, Freeport had actually become a powerful advocate for the President in the US. However, when Suharto's position crumbled and Indonesia became a more open society, it became evident that Freeport had badly overestimated Suharto's power and underestimated the challenges that would come from within civil society⁵⁹. As a consequence, 'Freeport's political and economic insurance policy with the regime began to unravel'⁶⁰ and attention shifted to Freeport's environmental, human rights and development record.

In Chapter Two, Leith examines the culture of business in Indonesia during the Suharto era, pointing out that under Suharto, Indonesian business culture had no concept of conflict of interest⁶¹. She explains the historical developments that allowed this culture to develop, from the state appropriation of Dutch assets, to the promotion of the Chinese in businesses during the Dutch era, the 1965 anti-Communist, anti-Chinese purge, and the

⁵⁵ Preface, xix

⁵⁶ Preface, xx

⁵⁷ p 3

⁵⁸ p 4

⁵⁹ p 6

⁶⁰ p 7

⁶¹ p 16

economic reforms of the 1970s and 1980s that favoured *pribumi* (indigene) owned and operated businesses, but did not encourage those businesses to become efficient, resulting in dependency on state patronage. During the Suharto period, Indonesia was seen as an attractive destination for foreign capital, offering political stability, economic growth, natural resources and a compliant, low-cost labour force. The nation became more dependent on foreign capital, which poured in from the members of the Intergovernmental Group on Indonesia (IGGI). The *pribumi* were usually business partners who did not have to outlay capital or expertise, but provided foreign investors with access to markets, resources, and the political connections that guaranteed access to ‘licenses, concessions and state-funded credit’⁶². It was an arrangement that benefited the involved elite in both countries and especially the Suharto children, but was of little benefit to most Indonesians.

Leith clearly lays part of the responsibility for Indonesian business corruption at the feet of the West. The World Bank, for example, later admitted that they knew thirty per cent or more of all development funds were being siphoned off, but according to Leith ‘a destructive, sycophantic relationship’ developed between World Bank staff and Indonesian government officials, to the extent that Jakarta would alter World Bank reports so much that they were hardly recognisable to the staff who had written them⁶³. While World Bank staff in Jakarta argued that many of its policies did help to lift Indonesians out of poverty, ‘yet the fact remains that the World Bank did much to promote Indonesian business to foreign investors without demanding accountability.’⁶⁴ Leith concludes:

The Suharto regime survived and the economy grew largely because the international community pumped foreign capital into a country where the labor force remained underprivileged, human rights violations were endemic, the rule of law was ignored, democracy was a sham, and the natural resources of the nation were squandered...The World Bank and other lending agencies must accept a proportion of the blame for this situation⁶⁵.

In Chapter Three, Leith looks more specifically at the business of mining in Indonesia, including the geographical and technical challenges of mineral extraction, the need for political stability, mining law stability and security of tenure and the attractiveness of the Indonesian contract of work (CoW) system. She also analyses the impact of the Busang or Bre-X fraud of the late nineties on the international mining industry’s attitude to investment in Indonesia. The relationship between Jakarta and Freeport more specifically is the subject of Chapter Four and this is where Leith reveals the details of the financial arrangement between Freeport and the Indonesian government. Leith convincingly highlights the extent to which Freeport board members had influential contacts in Washington and argues that the original contract, signed in 1967 - before Indonesia technically had sovereignty over Papua - was an attempt to secure foreign support for the

⁶² p 27

⁶³ p 34

⁶⁴ p 34

⁶⁵ p 34

new regime and its claim over Papua. This original contract contained no environmental restrictions, no development obligations and no negotiation with, or compensation to, the traditional owners. At this stage, the power lay firmly in the hands of the mining company.

By the mid-seventies however, the balance of power between Freeport and the President was shifting. With \$300 million invested in the mine, the company had lost its previous advantage of capital mobility, while Suharto was also more politically secure. He started making heavier demands on Freeport, for example, that they should forgo the last eighteen months of their tax-free period and give the Indonesian government an 8.9% equity share in the mine. By the late eighties, with the Ertsberg deposit virtually exhausted, Freeport announced the discovery of the Grasberg deposit, which dwarfed Ertsberg in every respect. Classified as ‘open at depth’, meaning it is a bottomless pit, Grasberg produced more ore in 1999 alone than Ertsberg did during its whole life⁶⁶. In 2003, Grasberg was expected to generate between \$40 to \$80 billion for Freeport over the subsequent forty-five years⁶⁷. Aside from being motivated by the money, Leith explains the deep emotional attachment the geologists, engineers and executives have to the mine, which they regard as the pinnacle of their career. As one Freeport-McMoRan CEO states in an address to company executives, “This is not a job to us; it’s a religion.”⁶⁸ However, it is the wealth generated by Freeport that has defined its dealings with the Indonesian elite.

Leith’s research relating to Freeport’s relationship with the Indonesian elite is detailed and revealing. By 1991, when Freeport signed its second contract, new foreign investment law stipulated that foreign companies had to divest 20% of their ownership to Indonesian nationals within twenty years. With the government already owning 10%, an Indonesian buyer therefore had to be found for the remaining 10%. This buyer, Bakrie Brothers, was selected by the government. Aburizal Bakrie was known to be a close personal friend of Suharto. Bakrie paid only \$40 million of the \$212 million purchase price, with the rest being jointly guaranteed by Freeport-McRoRan Inc and Freeport-McMoRan Copper and Gold Inc. A year later, before the next repayment was due, Bakrie Brothers sold 50% of their holding back to Freeport McRoRan for approximately \$210 million, meaning that Freeport-McRoRan paid Bakrie close to the original purchase price for half the number of shares. This deal gave Bakrie ownership of 5% of Freeport for virtually nothing, and a return of \$200 million on an investment of \$40 million⁶⁹. Whether Bakrie was acting on behalf of himself, the Indonesian Mining Minister or Suharto has never been discovered.

Another tactic employed by Freeport to secure the support of the Indonesian elite was to sell off non-mining or non-operating assets such as services, (eg, electricity, shipping, residential) to influential Indonesians connected to Suharto. Freeport offered guaranteed business, providing the Suharto regime with a risk-free vested interest in keeping

⁶⁶ p 64

⁶⁷ p 65

⁶⁸ p 66

⁶⁹ p 70

Freeport viable and providing it with political insurance. Journalist Peter Waldman calculated that this supposedly asset-raising exercise resulted in \$673 million in loan guarantees to three Indonesians with close ties to Suharto or his ministers between 1991 and 1997.⁷⁰ While these partnerships were politically advantageous at the time, they became a political liability when the regime ended. Freeport's economic importance to Jakarta was indisputable, through taxes, dividends, indirect benefits, employment and the provision of social and economic development projects, but there is also considerable evidence that Freeport funded political lobbying on behalf of Indonesia in the US, particularly through the US-Indonesia Society. Leith argues that until the fall of Suharto, Freeport was able to operate with relative impunity in West Papua because of its 'close, multifaceted, and mutually beneficial relationship with the government, the military and, in the later years, the Suharto elite'.⁷¹ The loss of this relationship was to prove a difficult challenge for Freeport. Leith admits that digging up information about the relationship between the New Order and Freeport was exceedingly difficult and that many pieces of the puzzle will never be recovered. She does however unearth enough evidence to clearly demonstrate the corrupt nature of the relationship.

In many ways the issue that has been most troublesome for Freeport has been the issue of development, discussed in Chapter Five. Leith outlines the historical and cultural differences between the lowland Kamoro and the highland Amungme people and the impact this has had on their access to development opportunities and their abilities to connect with NGO groups. She also points out the cultural differences between the indigenous people and Freeport in regards to how development is measured and managed. For example, Freeport measure quality of life only by statistics such as infant mortality and life expectancy, without considering the impact on kinship relationships, rituals and culture or recognising the extent to which social changes can be daunting to the indigenous people. Differences in communication and decision-making styles have also been sources of conflict and misunderstanding, as have differing cultural approaches to money and material goods. For example, in Melanesian culture the concept of equivalence or reciprocity requires riches to be shared so everyone is provided for equally. Therefore the company was expected to share its riches with the traditional owners if they were living alongside each other. These misconceptions were only exacerbated by Indonesian laws, which deemed that any land with valuable resources would automatically become *tanah negara* (national land). The original 1967 contract was signed without reference to the traditional owners who had no legal rights to redress this under Indonesian law. Freeport employees have indicated to Leith that if the company was not so restricted under Indonesian law it would have eagerly bought the land or thoroughly compensated the indigenous owners for it, releasing them somewhat from the burden of community development⁷².

In Chapter Six, Leith looks in detail at Freeport's development efforts in the areas of employment, economic and business development, health and education. In 1990, the

⁷⁰ p 75

⁷¹ p 84

⁷² p 113

company employed 3,500 mineworkers, only 20 of whom were West Papuan⁷³. Transmigrants provide a cheap, compliant labour force while Freeport says many local people lack numeracy, safety and hygiene skills and have therefore only obtained menial positions. However, Freeport is engaged in training and educational activities to help raise up the next generation of middle management. The company has also been supporting small businesses through the Business Incubator program and other programs aimed at improving agricultural production. In the area of health, Freeport has made a big impact, spending more on health in the mining area than the government did on the whole province⁷⁴. Their efforts include building health clinics, improving hygiene, garbage collection, HIV/AIDS education and a successful malaria control program, reducing the number of deaths due to malaria by 90%⁷⁵. In the area of education, Papuans feel that they are discriminated against in the Indonesian system, with reading primers in the Indonesian language describing rice paddies, trains and other things unfamiliar to Papuans. The education system is clearly designed to integrate all groups into the dominant culture. In a culture with low levels of literacy, those with only a basic education may see themselves as deserving a job, even though they lack other necessary skills. Naturally, this can breed resentment⁷⁶.

Leith also criticises the role of NGOs in creating conflict about development. She says that some NGOs have not given any credit to Freeport's development efforts because, without opposition, they don't have a cause. She believes that NGOs need to consider shifting from their advocacy role to actually becoming participants in the development process. Now that mining companies are addressing many of the environmental and social concerns of NGOs, perhaps NGOs should consider working with those companies they have criticised in the past, she suggests⁷⁷.

The other major issue confronting Freeport is its impact on the environment. Leith points out that information on the environment had previously been difficult to ascertain as both Freeport and the Indonesian government refused to make environmental assessments public, while independent assessments could not be carried out effectively when access to the site was denied. Leith analyses the impact of Indonesia's inadequate environmental laws during the Suharto years and the failure to provide adequate enforcement through the courts or other regulatory bodies. The pressure of foreign debt played a role in encouraging irresponsible exploitation of natural resources, and overall Leith summarises the Suharto government's support for the environment as purely rhetorical⁷⁸.

From the 1980s onwards, environmental NGOs became a major oppositional force in Indonesia. In response to attempts to control them, they became quite clandestine, while limits on their membership forced them to form close associations with, and rely on funding from international NGOs⁷⁹. Leith credits WALHI as being the most influential

⁷³ p 119

⁷⁴ p 124

⁷⁵ p 125

⁷⁶ p 128

⁷⁷ p 133

⁷⁸ p 159

⁷⁹ p 160

and best-known environmental NGO, claiming they have had some influence on Freeport. In 1990, when Bruce Marsh set up Freeport's environment department, he was ignored or harassed by management. Later he received more respect and a bigger budget, partly due to WALHI's lobbying efforts. By 1995, Freeport's environment department had an operating budget of \$17 million and a genuine commitment to protecting native flora and fauna⁸⁰. In 1997 and 1998, two biodiversity studies found numerous species of flora and fauna unknown to science. According to the World Wide Fund for Nature (WWF), the area around Freeport 'contains the most complete range of undisturbed habitats in Irian Jaya, probably in all of Indonesia and possibly in all of the Pacific Basin... its biodiversity is without equal in the whole of Indonesia'⁸¹.

The main challenges to the environment as a result of Freeport's presence are the disposal of tailings and overburden. By mid 1999, the company was disposing of more than 230,000 tpd of tailing annually, compared to 80,000 tpd being disposed into the Fly River at Ok Tedi mine in Papua New Guinea⁸². Due to the instability of the region (and because the extraction process does not involve chemicals), Freeport does not have a tailings dam. Instead, any tailings go into the Aghawagon River at 3000 metres above sea level, then eventually join the slow moving lowland Ajkwa River, where most of the tailings are deposited. Over time, this waste has led to siltation and flooding of the lowland areas. Although Freeport believes the tailings are non-toxic, they have destroyed the physical landscape and affected the ability of local people to sustain themselves through fishing, hunting and gardening, forcing them to relocate.

The other major problem generated by Freeport's mining activities is the problem of overburden, which is the 'rock that is not processed but must be moved aside during the extraction process'⁸³. At current production rates, the Grasberg mine will produce over four billion tonnes of overburden during its life, which will be dumped in the surrounding valleys and lakes. At the time Leith was writing, almost all the overburden being produced was acid-generating and copper-leaching, with the result that the drainage and seepage from the overburden was high in copper, acid and associated metals. Leith suspected there might have been some ambivalence to managing this issue because copper leached at dump sites could potentially be recovered by the company at a later date. The other main risk from the overburden is the risk of slippage and landslides, such as the event at Lake Wanagon in May 2000 when 400 tonnes of waste rock slipped into the lake resulting in a fifty foot tidal wave of water, copper, aluminium, iron sludge and waste rock that killed four people and many pigs. Leith also believes that Freeport has an inadequate understanding of how the groundwater system works. While Lake Wanagon is known to be disappearing, a series of beautiful pink, red and orange lakes in the highlands have also disappeared since Grasberg commenced. Nobody really knows how the surface and groundwater are connected, except to note that changes on the surface seem to have significant ramifications underground. Therefore Leith argues that Freeport

⁸⁰ p 164

⁸¹ p 165

⁸² p 166

⁸³ p 171

cannot fully understand the current or future impact its overburden sites are having on the alpine region.

Concerns about Freeport's relationship with the environment came to public attention in 1995, resulting in the cancellation of the company's insurance policy with the US Overseas Private Investment Corporation (OPIC). It was the first time in its twenty-five year history that the federal agency had ever cancelled an insurance policy. In an attempt to clear its name, Freeport then commissioned two separate and supposedly independent environmental audits; however the reports relied on data supplied by Freeport and did not collect new samples, which compromised their integrity. Leith concludes, 'Until the company allows a genuinely independent environmental audit of its operations – one where it does not pay the auditors, where it has no control over the final report, where free access is given and where independent samples are taken and analysed – the company will be damned.'⁸⁴

In Chapter Eight Leith analyses Freeport's human rights record in the context of the Indonesian nation and the repression that resulted from the need to hold together diverse cultural groups. Leith clearly implicates the West in human rights abuses under Suharto, particularly after the Dili massacre of 1992, because grants and low-interest loans continued to be provided unconditionally even after human rights abuses were widely documented. In 1995, abuses taking place within the Freeport concession were publicised in the international media after the release of the ACFOA report *Trouble at Freeport*. This report implicated the military and Freeport security in human rights abuses, including the intimidation and torture of thirteen people, the disappearance of five and the deaths of three. Freeport denied any responsibility for the abuses, arguing that the actions of the TNI were beyond its control and that Freeport goods and property used in the abuses were not its responsibility. In response to pressure from the international community, the Indonesian human rights commission KomNas HAM was directed to investigate the allegations of abuses in August and September of 1995. Leith details the inadequacies of these investigations and the subsequent military trial, which resulted in four low-ranking soldiers being dismissed from duty and given short sentences of one to four years. Leith argues convincingly that Freeport cannot absolve itself of responsibility for these abuses because while it maintains a close relationship with the military it is implicitly involved in any action taken by the military to protect the mine, including human rights violations.

While the abuses documented in the ACFOA report are the most widely known, violations of human rights also occur through transmigration and the relocation of indigenous peoples away from their land and resource base. She cites the Kamoro baseline study, which noted that, 'the extent to which the various Kamoro communities have been relocated or moved from their original land appears to be central to their current social and economic situation.'⁸⁵ In other words, the villages least affected by relocation and removal of their traditional lands and resources have higher levels of social cohesion, education and income. She writes that many Amungme and Kamoro

⁸⁴ p 184

⁸⁵ p 212

believe they have become victims of cultural genocide. ‘Exacerbating any loss of identity and culture from forced removals has been the imposition of foreign and uncomfortable Western and Indonesian culture and values.’⁸⁶ In concluding, Leith states that human rights abuses continue to occur at the time of writing, just as they did under Suharto:

Human rights abuses continue in Indonesia for a number of reasons: the continuing corruption within the government and the reluctance of the political elite to deal with such issues; the culture of impunity within the military; state concerns over the disintegration of the Republic and its ramifications; and the international silence over human rights violations, which continue to be justified under the rubric of “national sovereignty.”⁸⁷

She believes that Freeport’s continuing relationship with the Indonesian military makes it vulnerable to ongoing accusations of human rights abuses, however much the company denies responsibility. This has proven to be true. Today, Freeport’s security relationship with the Indonesian military and the police is under the spotlight after a spate of violent incidents in the lead-up to the 2009 Indonesian elections. Twelve people were injured and three killed, including Australian Freeport employee Drew Grant, in a series of attacks on Freeport vehicles. As these events show, Freeport is very much involved; it cannot claim to be an innocent bystander.

Chapter Nine provides an analysis of the relationship between Freeport and TNI, examining TNI mythology regarding their role in nation building. Leith explains that because the military believes passionately in its mission to keep the archipelago united, any reform is seen as risking the unity of the republic and the military’s own disintegration. The OPM resistance in Papua gives the military the political reason it needs to be in Papua and Freeport provides it with the financial opportunity. However, many Papuans see the military occupation of Papua as a modern form of colonisation.

Having all the hallmarks of third world colonization of a fourth world nation, Indonesian control has been acceptable to Jakarta’s allies in the West, which see disintegration of the archipelago as leading to unacceptable instability in the region.⁸⁸

The close relationship between TNI and Freeport has implicated Freeport in human rights abuses committed by the military. In response, Freeport has at various times attempted to distance itself from the military. Since 1998, Freeport has tried to encourage the military to take on a more positive civic role in the community, and while TNI rhetoric has reflected this, it hasn’t been carried out in practice. While the military remains dependent on Freeport largesse, it has found ways to exert power in the relationship and Freeport has found it impossible to disassociate from them. Leith argues that this leaves Freeport legally and morally responsible for TNI’s illegal activities, especially because Freeport’s

⁸⁶ p 214

⁸⁷ p 217

⁸⁸ p 225

presence has led to the area becoming the most militarised in the entire Indonesian Republic.

In regards to West Papua's aspirations for independence, the mine's political and economic importance serves to reinforce the province's value to Jakarta. While increasing its presence in Jakarta, Freeport has also been financially supporting Papua's non-violent independence movement. Leith believes it would be clearly advantageous to Freeport if West Papua became independent. They would no longer be held hostage to the Indonesian military, and would presumably also be free of the OPM threat. Freeport would also be a powerful player in the newly independent state. This assessment may be overly simplistic, as other law and order, administration or development issues may emerge in a new state.

In concluding, Leith once again holds accountable the international community, investors of foreign capital and international lending agencies for accepting and being complicit in the corrupt culture that flourished under Suharto. Freeport overestimated the President's power and their own ability to resist pressure for reform from within civil society. Believing its position to be secure, Freeport failed to address the environmental and social challenges that resulted from its activities. That complacency made it vulnerable to NGO activism, particularly in the areas of development, the environment and human rights.

The future of Freeport is inextricably linked to the future of West Papua and fraught with difficulties; the current policies of the Indonesian government and the military only serve to further destabilise an already volatile situation⁸⁹.

Leith believes that while Freeport knew how to protect itself under Suharto, the new political climate has left it struggling.

And although the company has excelled at the job of mining, its political blunders have left it with few friends within the archipelago and little political power. The future is as uncertain for Freeport as it is for the West Papuan people⁹⁰.

While Leith's book doesn't make any predictions about the future, it shows in great detail the complexity of Freeport's problems – the difficulties of development, the challenge of their relationship with the military, the massive scale of the environmental problems, the uncertainty of the political climate and their uneasy relationship with their NGO critics. The 2009 spate of murders in the Freeport area in the lead-up to the Indonesian elections show that many of these tensions remain unresolved. While aspects of the company's past operations and financial dealings remain shrouded in secrecy, the book reveals details of the company's business dealings with the Suharto administration and the military. The direct input of past and present Freeport employees gives balance and

⁸⁹ p 259

⁹⁰ p 260

credibility to the work. It's a thorough and compelling piece of research and a valuable resource for academics, students, journalists and NGO activists.

West Papua and Indonesia since Suharto: Independence, Autonomy or Chaos?⁹¹

Peter King's book looks at the situation in West Papua since the fall of Suharto, an event that triggered the re-emergence of civil society in Papua and throughout Indonesia and reshaped the independence movement from a guerrilla struggle to a broader civilian movement based on peaceful resistance. King states in his prologue that Papuans do have a right to self-determination, a right based on their cultural, racial and historical distinctiveness as well as their unjust treatment by the Netherlands, the United States, the United Nations and successive Indonesian governments. This right was denied to them due to the geopolitical environment of the Cold War, the arbitrary creation of colonial borders and the political construction of the unitary state of Indonesia. King acknowledges the problems of misgovernment in other parts of Melanesia and recognises that West Papua would need strong international support if it were to become an independent state, but believes that this would be in the long-term interests of ongoing reform in Indonesia.

King begins his book with an examination of the causes and expressions of Papuan nationalism, from its Korero cargo cult roots in Biak, to the emergence of the OPM in the 1960s. While Papua may have an important place in the Indonesian national psyche, the reality on the ground is that many Indonesians see Papuans as stupid and backwards while Papuans have a tendency to demonise Indonesians. It's also clear that many Papuans agree with the assessment of John Otto Ondawame that West Papua is being colonised. "By my observation," King writes, "the number of Papuans who actually regard themselves as Indonesians is extremely small, and, reciprocally, so is the number of non-Papuans within the province who regard the Papuans as fellow Indonesians."⁹² While Papuan nationalist feeling was repressed and persecuted during the Suharto years, its voice re-emerged post 1998 via two nationalist leaders, Theys Eluay and Tom Beanal. Eluay had been a New Order bureaucrat and Indonesian supporter who had participated in the Act of Free Choice and had even supported transmigration. Tom Beanal is a traditional chief of the Amungme people, and now a commissioner for PT Freeport. He had previously led the 'Team of One Hundred' to Jakarta in February 1999, where they had unanimously demanded independence from President Habibie. Under this new leadership, two political assemblies were held in the year 2000. The first was the Mubes Papua 2000 (*Musyawahar Besar* – Grand Consultation) held in February, which renounced the Act of Free Choice and elected the 24 members of the Papua Council Presidium. The Presidium consisted of representatives of the nine pillars of the new civilian movement: Religion, Custom, Professionals, Students, Women, Youth, Former Political Prisoners, Historical Players, and Political Dialogue Groups. King notes the

⁹¹ King, Peter, *West Papua and Indonesia since Suharto – Independence, Autonomy or Chaos?* University of New South Wales Press, Sydney, 2004

⁹² p 36

striking absence of the OPM from this list and raises the issue of the organization's relevance to the new independence movement.

The Second Papuan People's Congress (Kongres Rakyat Papua II) was held from May 29 to June 4 and declared that Papua had been independent since the first meeting of the Dutch-sponsored New Guinea Council on December 1, 1961, at which the Papuan flag, national anthem and name were declared. At the Congress, Theys Eluay emerged as the sole chairman of the Presidium and was hailed as 'President of Papua', a move tolerated by Beanal to preserve the unity of the movement. But after the Congress a number of issues remained unresolved, for example: Was there a legitimate role for Satgas Papua, the Presidium's militia force? What would happen to the Indonesian migrants in Papua? How could Papuans, divided along tribal and regional lines, reconcile internal conflicts among Papuans? Should the council make a sudden push for independence via a referendum or focus on a long-term strategy of negotiating an acceptable autonomy package that could serve as a 'bridge to independence'?

By December, these questions were largely theoretical. Gus Dur became largely powerless. In August 2001, Vice-President Megawati Sukarnoputri took over from Gus Dur, leading to a build up of troops in Papua, and an end to a policy of tolerance towards flag-raising. Attempts by the police to remove Morning Star flags resulted in a 'bloody showdown' in Wamena, resulting in the deaths of eleven Papuans and nineteen Indonesian settlers⁹³. Before the December 1 independence anniversary, Theys Eluay and four other Presidium leaders were thrown in gaol, while Tom Beanal walked free. Defiant, he claimed the Amungme people would close the Freeport mine if he was arrested, but Eluay suggested that Beanal must have done a deal with the police, or was being protected by Freeport funds⁹⁴. With the leadership of the Papua Council Presidium either in gaol or badly divided, the OPM withdrew its support. It remained to be seen what roles the OPM and the Papuan Council Presidium would play in Papua's future.

In Chapter 3, 'Autonomy, Federalism or the Unthinkable for Papua?' King explores three possible political futures for Papua and identifies three distinct attitudes of elite Indonesians. Firstly, there are a small number of 'softliners' who are willing to consider an alternative future for Indonesia, such as Federalism, or even independence for disaffected provinces. Wimar Witoelar, for example, asserts that 'Human dignity and liberty are far more important than any arrangement of statehood.'⁹⁵ The armed forces, however, have consistently promoted the view that autonomy of any kind would exacerbate regional and ethnic conflict. For these 'hardliners', who include Golkar Party and PDI nationalists 'the unitary 1945 constitution is an almost spiritual given, which the state and the army must defend and uphold to the death.'⁹⁶ They view any demand for independence as treason and assume that any defection will lead to national disintegration. The third view, King labels as the 'soft hardliners'. This group favours Indonesian unity, but not at any price. They advocate reform, restructuring and

⁹³ p 60

⁹⁴ p 61

⁹⁵ p 70

⁹⁶ p 71

democratisation, better deals on tax and resources for the provinces, and sincere acknowledgement of the national symbols of discontented provincial peoples in order to win back those who were marginalised under the New Order.

It was during the Governorship of Jap Salosa that the prospect of Special Autonomy for Papua began to be taken seriously. A team of Papuan intellectuals, under the leadership of UNCEN rector Frans Wospakrik, drafted a Special Autonomy Bill, despite opposition from those who wanted full independence only. Papuan academic Agus Sumule and others insisted on popular consultation and the result, after fourteen drafts, was considered to be an impressive document. King outlines provisions made in the Bill for protection of human rights and Papuan customary rights, a bicameral legislature, a Papuan provincial flag and anthem, local political parties, *adat* (traditional) courts, limits on in-migration, a resolution to the difference of opinion over the history of Papua's integration into Indonesia and a future referendum if special autonomy could not be implemented effectively. A special committee set up by the DPR known as *Pansus (Panitia Khusus)* was established to develop a special autonomy law, using the Papuan Bill as a guide. The final Bill passed into law was significantly revised, but it did attempt to accommodate all the principles of the original Bill except for the referendum. In the end, the final Bill endorsed:

- the name change to Papua,
- the symbols, anthem and flag but only on the grounds of cultural significance
- the Governor must be a native Papuan
- an Upper House of ethnic Papuans divided equally between traditional, women's and church representatives
- the right to form political parties but with no concession to the onerous legal requirements which make this impossible in Papua in practice
- Reallocation of resource revenues, including 80% of forestry, fishing and mining revenue to be returned to Papua along with 70% of oil and gas revenue
- A Human Rights Commission and Human Rights Court
- A Commission for Truth and Reconciliation

In practice however, many of the regulations required to make Special Autonomy function were not implemented. However the final blow to Special Autonomy came when the President 'dropped a bombshell' with her *Inpres* (Presidential Instruction) No 1 of January 2003, 'which appeared to tear up just about all understandings, compromises and supposed certainties surrounding special autonomy altogether.'⁹⁷ The President had revived Law No 45 of 1999, dividing Papua into three provinces named West Irian Jaya (capital Manokwari), Central Irian Jaya (capital Timika) and Irian Jaya (capital Jayapura). This not only revived the hated name of Irian Jaya, but ignored the principles of consultation legislated in the Special Autonomy Bill. The Papuans in the National Parliament unanimously saw the move as a 'divide and rule tactic' and wide elements of the public made their opposition known through demonstrations.

⁹⁷ p 91

‘The TNI in Business Politics and Repression’ throughout Indonesia is the subject of Chapter Four, and the role of the TNI in Papua specifically of Chapter Five. King argues that real reform of the military has yet to occur, and that the leading generals retain their influence in politics and society and ‘remain essentially beyond the reach of justice in answering for the abuses of the past.’⁹⁸ King examines the place of the army in Indonesian national mythology and explains the emergence of the doctrine of dual function (*dwifungsi*) in which the military plays an active role in the affairs of government. He advocates the transfer of all *yayasan* (military controlled foundations which oversee military businesses) and their subsidiaries to state ownership in order that their funding becomes transparent. He argues that any reform must involve winding back the massive military presence in Papua in order to reduce the opportunities for ‘extortion, intimidation and illegal business activity and resource plunder.’ King identifies military impunity as ‘the biggest single problem for both military and political reform in Indonesia’⁹⁹, but acknowledges that military repression does in some senses, produce results for Indonesia: ‘Without the army, Indonesia would never have consolidated its long-term rule in Papua or introduced 800,000 settlers there.’¹⁰⁰

Focussing on the role of the TNI in Papua specifically, Chapter Five identifies five goals of the TNI in Papua:

- 1) Keep Papua in Indonesia
- 2) Maximise or maintain the TNI presence in Papua
- 3) Exploit the dual function to keep ultimate control over the police, parliament, bureaucracy and civil society
- 4) Maintain and expand business opportunities; and
- 5) Uphold police/military impunity in Papua¹⁰¹

These priorities have expressed themselves through various military activities, including supporting transmigration, encouraging the activities of nationalist *Satgas Merah Putih* and *Laskar Jihad* militias and creating an ‘overwhelming’ Indonesian security presence in Papua. This consisted of around 12,000 TNI troops - five times the average per capita level of troops deployment in Indonesia. After analysing the role of the military in business and in the death of Theys Eluay King argues that:

All in all, from Sukarno to Suharto and Habibie to Megawati, the army has arguably done more than any other institution to damage the long-term prospects for a prosperous and united *Indonesia Raya*.¹⁰²

King argues that the military must be moved towards ‘business divestment, budgetary transparency, withdrawal from politics and economic parasitism, acceptance of civilian supremacy’ and finally an end to the ‘violent repression of legitimate dissent’¹⁰³.

⁹⁸ p 96

⁹⁹ p 110

¹⁰⁰ p 111.

¹⁰¹ p 133

¹⁰² p 135

¹⁰³ p 136

In Chapter Six King discusses the relationship between Australian and Indonesia in the wake of the 1998 policy shift that emerged when the Australian Prime Minister, John Howard, wrote to President Habibie and raised the possibility of a referendum in East Timor. At this time, the perceptions of the Australian people and the Australian government came together, a shocking development to all those who had advocated a policy of appeasement towards Jakarta. King uses the term, the 'Indonesia Lobby' or the 'Jakarta Push' to describe a group of conservative academics, journalists and bureaucrats who controlled Australian policy towards Indonesia during the Suharto period. King argues persuasively that the so-called pro-Indonesia Lobby were really only pro- those Indonesians who benefited from Suharto's regime. Their policies did not benefit the broad mass of people (particularly the Papuans, Timorese and Acehnese) whose real leadership has come from within civil society. King rightly demonstrates that there is more than one way to be pro or anti-Indonesian, depending on which particular Indonesians you are talking about.

The foundational doctrines of the Indonesia Lobby are identified as being:

- 1) Indonesia is more important to Australia than Australia is to Indonesia
- 2) Australia must give great priority to the relationship
- 3) Australia's interest is to expand and intensify economic, diplomatic and military relations
- 4) Indonesian governments should not be lectured on human rights, military misbehaviour, anti democratic behaviour or anything else

While these doctrines were briefly subservient to the collective will of the Australian people during the Australian-led intervention in East Timor, it soon became clear that similar principles would not be applied in Papua.

West Papua posed almost exactly the same issues as Timor all over again – an act of historical injustice in the transfer of sovereignty; a generation of repression by ABRI/TNI and Indonesian police; a burning desire for self-determination and independence; a strong Australian historical and geopolitical interest – and Australian complicity in the original injustice¹⁰⁴.

According to King, the fundamental foreign policy problem of Papua will not go away. He says the Papuans are deeply alienated from Indonesia, and are determined to internationalise their cause, to the degree that they are in danger of bringing down the wrath of the Indonesian government. He points out that Jakarta has been increasingly paranoid about Australia's intentions and that appeasing their concerns has been the main policy emanating from Canberra since 1999. King believes that Australia's foreign policy interests depend vitally on real reform, particularly military reform, occurring in Indonesia. For this to happen, you would need a genuinely democratised electoral and party system. Australian policy should therefore centre around engaging Indonesian civil society. He argues that Australia should stand up for the protection and preservation of the Papuan people, beginning with an Australian consulate in Jayapura as a powerful

¹⁰⁴ p 151

symbol of concern. He also advocates that the Australian government should pursue long-term interests in Indonesia.

The most important of these interests are peaceful self-determination for Papua... and serious political and military reform in Jakarta, without which a really fruitful long-term relationship between Australia and Indonesia is almost certainly impossible¹⁰⁵.

King's book ends with an assessment of the Papuan solidarity movement, which has gained sympathy and support in PNG, Vanuatu, New Zealand, the UK, the US, Australia and around the world. However, it is a movement that lacks an authoritative leader in exile and is not yet impressive by the standards of East Timorese solidarity. King calls on the international community to support the Papuan push to resume peaceful dialogue with Jakarta and to revisit the Act of Free Choice. He calls on Indonesia to establish 'a path towards serious dialogue with the Papuans about their wounded nationalism' and on the world to 'put Cold War quick fixes behind it and apply itself to the Papuan injustice.'¹⁰⁶

Reluctant Indonesians: Australia, Indonesia and the future of West Papua

Clinton Fernandes wrote and published *Reluctant Indonesians: Australia, Indonesia and the future of West Papua*¹⁰⁷ in response to the arrival of 43 West Papuan asylum seekers in Australia in February 2006. The granting of temporary protection visas to 42 of the 43 refugees led to major tensions in the Australia-Indonesia relationship, culminating in the temporary withdrawal of the Indonesian Ambassador to Australia. With the independence of East Timor in 1999 still very recent history, public interest was growing and the book was an opportunity to capitalise on that interest. It was published under the imprint Scribe Short Books, pitched as 'concise perspectives on important developments in society, culture and politics'. It is indeed concise, its 132 pages making it a fast and fairly easy read. It is clearly written with the intention of being both informative and accessible to those with little prior knowledge of the subject, while also responding to the arguments of the foreign policy elite, as outlined below.

In his introduction, Fernandes clearly sets the tone for book. He says the book is 'about West Papua's bid for independence and the resulting challenge for Australian foreign policy.'¹⁰⁸ He claims, in Chapter 2 that 'the Australia-Indonesia relationship has its own priestly caste, with mantras to ward off an evil influence that has emerged recently,¹⁰⁹ that is, the arrival of the refugees. He points out that an April 2006 Newspann 'found that

¹⁰⁵ p 170

¹⁰⁶ p 189

¹⁰⁷ Fernandes, Clinton, *Reluctant Indonesians: Australia, Indonesia and the future of West Papua*, Scribe Short Books, Melbourne, 2006.

¹⁰⁸ Fernandes p 4.

¹⁰⁹ p 5

more than 75 per cent of Australians supported the right of West Papuans to self-determination, even if it meant independence from Indonesia.¹¹⁰ He concludes that ‘the threat of a democratic challenge to foreign policy has unnerved some Australian policymakers, who are used to treating external affairs as their sole preserve.’

Fernandes identifies three mantras of the foreign policy elite and it is worth mentioning these mantras as the rest of the book aims to refute them.

Mantra # 1 ‘Promote the national interest’. Fernandes questions whether the national interest, so often defined as military security and economic development, should be the central purpose of Australian foreign policy. He also states that the foreign policy establishment have failed to explain why a closer relationship with the Indonesian military is in Australia’s national interest or why the occupation of East Timor and West Papua was also (supposedly) in the national interest.

Mantra # 2 ‘Stop meddling in Indonesia’s affairs.’ Fernandes shares the historical narrative to show how at the end of World War Two, when the Dutch were trying to regain control of Indonesia, Australian meddling helped to give birth to the Indonesian republic. The Australian Waterside Workers’ Federation refused to load and repair Dutch ships, crippling the Dutch war effort. The dispute was eventually referred to the UN, and Indonesia’s foreign minister, Dr Subandrio, later described Australia as the midwife of the Indonesian Republic¹¹¹. However, Fernandes in describing past ‘meddling’ by Australia, surprisingly does not address the issue of state sovereignty or draw on more recent justifications for intervention in the affairs of a sovereign state, such as the ‘responsibility to protect’ doctrine which emerged in response to the Rwanda genocide. Fernandes is simply hoping that ample evidence of past meddling will result in this mantra sounding a little hollow.

Mantra # 3 Prevent disintegration, fragmentation, instability

Fernandes argues that those who issue dire warnings about ‘the disintegration of Indonesia’, and ‘the arc of instability’ fail to explain why an independent West Papua will lead to a fragmented Indonesia’ or why this would not be in Australia’s interests. He argues that the independence of East Timor has not been a threat to Australia, and has in fact led to a stronger relationship between the two countries, although he does not elaborate on this point¹¹².

In Chapter 2, ‘Meddling to Deadly Effect’ Fernandes outlines the role of Australia and the US in influencing the political course of Indonesia, including supporting armed rebellions on the islands of Sumatra and Sulawesi in an attempt to break up Indonesia in the mid to late 1950s. This period was followed by a policy turn-around in the 1960s in response to the growing influence of the Indonesian Communist Party (*Partai Komunis Indonesia* or PKI), which was destroyed in a ‘cataclysmic act of terror and mass murder’

¹¹⁰ p 5–6.

¹¹¹ p 17-19

¹¹² For further information about the Australian – East Timorese relationship after independence, see Cleary, Paul, ‘Shakedown: Australia’s Grab for Timor Oil’, Allen & Unwin, 2007

carried out by the Indonesian military and right-wing Islamic organizations, with the support of Australia and the US, as detailed in the book. These policies, which condoned murder and terrorism, have left us with the legacy of a state which uses military violence to stifle dissent. This outcome cannot be in the 'national interest'. Finally, Fernandes criticises the imposition of 'a debt-recovery program that makes the Indonesian people pay for a debt they did not incur'. His argument is that Australian foreign policy towards Indonesia has always been interventionist and those who support West Papuans' right to self-determination are no more 'meddlers' than the Australian government itself.

This overview of the historical Australia-Indonesia relationship is helpful because the current debates about West Papua are always viewed through the prism of the bilateral relationship. The view of the so-called foreign policy elite, or the 'Jakarta Lobby' such as Rod McGibbon at The Lowy Institute, is that Australia's relationship with Indonesia should not be dominated by issues like West Papua, whereas the view of the so called West Papua constituency is that West Papua should not be dominated by Indonesia, for the sake of the bilateral relationship.

In Chapter Three, Fernandes turns his attention to the history of West Papua, from colonisation to the New York Agreement and the resultant 1969 Act of Free Choice. There is nothing new in this chapter but it is essential background information because contemporary West Papuan nationalism still rides on the back of the historic injustice of the 1969 'Act of No Choice'¹¹³. Chapter 4 then exposes the influence of the Indonesian government and military in West Papua, including changes in the economy, population, religious composition, land-ownership and social structures as the province was 'Indonesianised.' A major factor in these changes has been the ever-expanding exploitation of natural resources, such as the Freeport gold and copper mine, and the growing forestry industry: developments that are summarised succinctly in Chapter 5. The Chapter on 'West Papua after Suharto' is cursory, but it touches on three recent developments: the introduction of Laskar Jihad into the Papuan political landscape, the instigation and subsequent failure of Special Autonomy, and the division of Papua into two separate provinces in January 2003.

Fernandes book is unique in the pro-West Papuan literature because it does not focus on human rights abuses, does not detail military excesses or violent conflict, and does not promote or vilify the activities of the OPM. Instead it keeps its promise to focus on the foreign policy implications of an independent West Papua and offers policy alternatives in Chapter Seven, 'A Way Forward'. Here, Fernandes argues that policymakers must understand the significance of *merdeka* to West Papuans. Meaning more than just political independence, *merdeka* has become part of West Papuan liberation theology, signifying a 'moral crusade for peace and justice on earth'. In the words of Brigham Golden:

¹¹³ Fernandes, p 61

Merdeka is a far more profound vision of worldly emancipation: from injustice, violence, subjugation, destitution, racial discrimination – even from an unfortunate shame that many seem to feel regarding their own ‘primitive’ past.¹¹⁴

Merdeka also implies new systems of governance, based on indigenous modes of authority. This conceptualisation of *merdeka*, and the depth of feeling it evokes in ethnic West Papuans, is often overlooked by government policymakers in Indonesia and abroad. “If the Indonesian government regards *merdeka* solely as a separatist threat to be crushed, it will exacerbate the problem and provoke the very separatism it seeks so desperately to avoid,” he concludes.

Fernandes also argues against Australian cooperation with the Indonesian military, who have been proven to be the agents of repression and murder of fellow Indonesians. He points out that West Papua has a higher ratio of soldiers to civilians than the US-led occupation of Iraq and argues that a culture of impunity for army abuses in West Papua and East Timor has emboldened the army further, leading to attacks such as The Timika Ambush of 2002. Fernandes strongly recommends the Australian government openly declare that it will have no military ties with Indonesia until the armed forces are brought firmly under civilian control, politically and financially¹¹⁵. He refutes the notion of the ‘war on terror’ as justification for military links, which he sees as an opportunity for the Indonesian military to expand its power and find new relevance. He advocates counter-terrorism measures involving police cooperation and intelligence gathering, while targeting the social causes of terrorism. “None of these strategies need involve Kopassus or, indeed the Indonesian military.”¹¹⁶ Finally, Fernandes labels terms like ‘instability’ and ‘fragmentation’ as ‘scarewords’ and does not believe that the break-up of Indonesia would lead to ‘floods of refugees’¹¹⁷. Rather, those who flee West Papua today do so because of the repression they face from the military.

Fernandes book is highly relevant to the current debates because it addresses the arguments expounded by those who believe that the West Papua issue should not be a priority of Australian foreign policy, it is up-to-date and readily available, being published by a mainstream independent publisher. It is academically sound, but easy to read, making it relevant to both those with a passing interest and those conducting more rigorous research. However, its brevity positions it as a timely and relevant introduction to the conflict, rather than an exhaustive authority.

¹¹⁴ p 110

¹¹⁵ p 124

¹¹⁶ p 130

¹¹⁷ p132

Monographic Debates

Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control¹¹⁸

This paper was prepared by students of the Allard K Lowenstein International Human Rights Clinic at Yale Law School for the Indonesia Human Rights Network. The paper considers whether genocide has taken place in West Papua, as defined by the 1948 Genocide Convention.¹¹⁹ Article II of the Genocide Convention defines it as:

Any of the following acts, committed with intent to destroy in whole or in part, a national, ethnical, racial or religious group, as such:

- a) Killing members of the group;
- b) Causing serious bodily or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the group;
- e) Forcibly transferring children of the group to another group.¹²⁰

Based on this definition the paper sets out to consider:

- 1) whether the West Papuans constitute a group under the Convention definition of genocide; 2) whether the acts perpetrated against the West Papuans are among those described by this definition; and 3) whether the acts were carried out with intent to destroy the West Papuans as a group.¹²¹

In their introduction, the authors acknowledge the difficulties of determining the intent of perpetrators of crimes of genocide, stating that ‘because few perpetrators leave behind a clear record of intent, this element usually must be inferred from the acts’.¹²² The authors also acknowledge the weightiness of the genocide term and recognise the importance of not weakening the definition in a way that could reduce the stigma associated with it. They then argue that, even without the intent to destroy the West Papuans as a group, many of the acts committed against West Papuans constitute crimes against humanity and warrant international action on these grounds.

The first section of the paper outlines the ‘history of human rights abuses in West Papua’. As background, the authors provide a brief summary of West Papuan political history prior to the colonial era, and then under Dutch colonial rule. This is followed by a discussion of ‘Indonesia’s Seizure of Power and the Act of Free Choice’, including the

¹¹⁸ Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control,’ Allard K. Lowenstein International Human Rights Clinic, Yale Law School, April 2004.

¹¹⁹ *Convention on the Prevention and Punishment of the Crime of Genocide*, Opened for signature 11 December 1948, entered into force 12 January 1951

¹²⁰ *Convention on the Prevention and Punishment of the Crime of Genocide*, above n 110.

¹²¹ p2

¹²² p 4

emergence of the armed struggle between the Indonesian military and the OPM.¹²³ What follows are the details of the horrific human rights abuses that took place in the 1970s during a period of active West Papuan resistance to Indonesian rule. These include brutal military operations in which villagers were shot and raped, including the cutting out of a live foetus from a murdered pregnant woman.¹²⁴ The report describes the 1970 massacre and mass drowning on Biak,¹²⁵ the 1972 murder of Marthin Luther Waren, an OPM leader,¹²⁶ the introduction of cysticercosis to the Ekari people and the subsequent untreated epidemic,¹²⁷ and the strafing and bombing of highland villages in 1977 and 1978¹²⁸, resulting in many deaths and the destruction of food gardens, livestock, homes and churches.¹²⁹ Eliezer Bonay, a former governor of West Papua, later estimated the death toll from these events to be 3000.¹³⁰ Extrajudicial killings of individuals by the Indonesian military are also highlighted in the report.

The paper's history of human rights abuses in West Papua continues with the exploitation of Papua's land, resources and labour. This section highlights the inequitable employment of Papuans in the Freeport mine and the relocation of the highland Amungme people to coastal areas, resulting in a malarial epidemic that killed 216 children.¹³¹

The Amungme leaders sent numerous unsuccessful petitions to the Indonesian government, asking for government services; access to schools and jobs; land rights recognized by law that had been denied to the Papuans, and the negotiation of a new contract between Freeport, the Indonesian government and the Papuans. These petitions were uniformly unsuccessful, suggesting an Indonesian policy of deliberate indifference toward the West Papuan people.¹³²

The report details several instances of forced labour, the most well-known being the case of the Asmat peoples being forced to cut down their own forests, even though the scheme threatened their sago supplies. In all these cases, the exploitation of Papuan land brought about conditions of life that threatened the survival of the local Papuan people.

At the same time, the military launched a new wave of attacks under the title Operation Clean Sweep in which soldiers raped, assaulted and killed the wives and family of suspected OPM members and destroyed their villages¹³³. This operation aimed to intimidate those who may have supported the OPM and also cleared large areas near the

¹²³ This commentary draws heavily on the work of Robin Osbourne in *Indonesia's Secret War* and also the Tapol report *West Papua: The Obliteration of a People*.

¹²⁴ p19

¹²⁵ p20

¹²⁶ p 21

¹²⁷ p 21

¹²⁸ p 22

¹²⁹ p 23

¹³⁰ p 24

¹³¹ p 26

¹³² p 27

¹³³ p 29

border for settlement by transmigrants, loyal to Indonesia¹³⁴. This objective was expressed in the army slogan, ‘Let the rats run into the jungle so that the chickens can breed in the coop’.¹³⁵ The period was characterised by political arrests, killings and disappearances of Papuans suspected of being OPM supporters.

Indonesian officials commonly subjected political prisoners to torture, including electric shocks, beating, pistol-whipping, deprivation of toilet facilities, and water torture, in which the prisoner was placed in a bunker nearly filled with water.¹³⁶

The most well-known political murder of this time was the case of anthropologist and musician Arnold Ap, who was killed in April 1984. Despite the public outrage at Ap’s death, extrajudicial killings continued throughout the 1980s.

From 1984, an additional source of human rights violations resulted from large-scale transmigration.¹³⁷ By the end of that year, the government had appropriated 700,000 hectares of Papuan land and set up twenty four transmigration sites. This was supported by the World Bank with \$800 million in loans. Dispossessed Papuans were dispersed among the transmigration sites, with one Papuan family to every nine non-Papuan families, in order to encourage Papuans to assimilate into the dominant culture.¹³⁸

Television programs and magazines addressed a Javanese audience, while propaganda posters sponsored by the “Project for the Guidance of Alien Societies” urged the Papuans to relinquish their inefficient and primitive ways for the superior lifestyle of the Indonesians.¹³⁹

By the mid 1980s West Papuans were at high risk of malnutrition and disease, due to the loss of their land and disruption of their lifestyles, with high rates of yaws, measles, whooping cough and sexually transmitted diseases. In the late 1990s, rates of HIV infection rose dramatically, with forty per cent of Indonesia’s AIDS and HIV cases in Papua, an area that is home to only one per cent of Indonesia’s population.¹⁴⁰ Several studies have suggested that government sponsored AIDS interventions discriminate systematically against ethnic Papuans, as do child-health clinics.¹⁴¹

The refugee crisis of 1984 is seen by the authors as a direct response to military reprisals and dislocation resulting from transmigration and resource exploitation. By June of that year 10,000 refugees, or one per cent of West Papua’s indigenous population, were living in makeshift camps within PNG. By late 1987, the United Nations High Commission for

¹³⁴ p 29

¹³⁵ p 29

¹³⁶ p 30

¹³⁷ p 32

¹³⁸ p 33

¹³⁹ p 34

¹⁴⁰ p 34 - 35

¹⁴¹ p 35

Refugees (UNHCR) reported that only 1500 of the refugees had returned to West Papua.¹⁴²

The report goes on to document the protests of the indigenous population against foreign resource extraction, particularly against the Freeport mine. The report includes details of torture and disappearances inflicted by the Indonesian military on members of the Kwalik family for being suspected supporters of Kelly Kwalik's OPM. Other crimes against humanity that occurred in the mid 1990s near the Freeport mine included the brutal murder and humiliation of Naranebalan Anggaibak during a peaceful protest on Christmas Day 1994¹⁴³, the stabbing of Piet Tebay after an Easter mass in April 1995,¹⁴⁴ and the shooting murder of eleven people near Hoesa on May 31, 1995.¹⁴⁵ These spates of violence culminated in the kidnapping of a group of overseas researchers in late 1995. The ensuing hostage crisis led to increased military activity in the area, including shootings, torture, rape and destruction of goods and property.¹⁴⁶

Finally the report examines human rights abuses committed under President Habibie after the fall of Suharto in May 1998. While Suharto's demise initially led to new hope that the military violence would diminish, a series of flag-raising events in early July were greeted by an Indonesian military crackdown. On July 6, police and military opened fire on a group raising the flag in Biak. Soldiers then forced the people to lie on the ground while soldiers marched over them.

Eight people were killed immediately, three were disappeared, and thirty-seven injured. Later, women's mutilated bodies washed up on the coast of Biak. Allegedly, 'women were taken out to sea on Indonesian navy ships, where they were raped, sexually mutilated and thrown overboard'.¹⁴⁷

Severe reprisals against flag-raising demonstrations continued for the next two years, in many different locations. Overall, between 1998 and 2000, there were eighty documented cases of summary execution and five hundred cases of arbitrary detention and torture of West Papuans by the Indonesian government or military in West Papua.¹⁴⁸ Finally, the report notes the kidnap, torture and assassination of pro-independence leader Theys Eluay in November 2001, and the ambushing on August 31, 2002 of foreign schoolteachers employed by Freeport, an event widely believed to have been engineered by the Indonesian army. The authors suggest that the pattern of violence, unrest and human rights abuses continued at the time of writing. The next section of the paper addresses whether this pattern of oppression constitutes genocide as defined in the Genocide Convention.

¹⁴² p 37

¹⁴³ p 40

¹⁴⁴ p 41

¹⁴⁵ p 41

¹⁴⁶ p 42

¹⁴⁷ p 45

¹⁴⁸ p 47

In order for this summary to be meaningful, it is necessary to be familiar with the definition of genocide found in the Genocide Convention, and quoted at the beginning of this review. In introducing the concept of genocide, the authors make several interesting points. Of the five listed genocidal acts, three are based on the result of the action: ‘Killing members of the group’, ‘causing serious bodily or mental harm to members of the group’, or ‘forcibly transferring children of the group to another group.’ The other two acts are not defined by the result but by a specific intent to destroy the group: ‘deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part’ and ‘imposing measures intended to prevent births within the group.’ They also observe that genocide can be committed by acts or by omissions,- for example, military officers who fail to intervene when subordinates are violating the Convention can be held responsible.

The paper then addresses the group element of the crime of genocide. The report finds that West Papuans do fit the requirement to be identified as a ‘national, ethnical, racial or religious group’. They argue that the 1948 Convention and the writings of its instigator, Raphael Lemkin, refer to national groups not only as groups identified with an established nation state, ‘but also to national minorities with shared, distinct historical and cultural links, which may encompass racial, ethnic and religious groups’.¹⁴⁹ In the case of West Papua, ‘the common struggle against Indonesian rule has forged a strong sense of national unity, exposed through such actions as raising and defending the West Papuan flag despite violent Indonesian military crackdowns.’¹⁵⁰ West Papuans do not form a single ethnic group due to their ‘myriad of languages’ and ‘manifest diverse culture’¹⁵¹ but they clearly do constitute a racial group. The objective test for a racial group is that they can be distinguished from others by ‘physical traits frequently identified with geographic areas, irrespective of linguistic, cultural, national or religious factors.’¹⁵² Indigenous Papuans belong to the Melanesian race and are therefore distinct from Indonesians of Javanese or Malay descent. However, the authors fail to acknowledge racial similarities with other ethnic groups in Eastern Indonesia.. The subjective test for a racial group considers the attitude of the perpetrators to the victim group. There is ample evidence that the Indonesian government and military have considered the West Papuans to be a primitive and barbaric race and therefore see them as racially distinct from other Indonesians. The paper also asserts that while West Papuans have been persecuted on the basis of their Christian faith, it has not been the basis for Indonesian policy towards West Papuans.¹⁵³ Finally, the report argues that, ‘a claim of genocide does not require that a group specifically meets one of the four criteria set forth in the Convention. Rather it is sufficient to prove that the group fits within the corners delineated by these criteria.’¹⁵⁴ While this approach may enable genocide to be applied to a group who does not specifically meet one of the four categories, it seems

¹⁴⁹ p 55

¹⁵⁰ p 55

¹⁵¹ p 56

¹⁵² p 57

¹⁵³ The Human Rights Watch report ‘Violence and Political Impasse in Papua’, 2001 report indicates gross police anti-Christian prejudice. For example, while beating a student a Brimob officer said, ‘Your god Jesus is dead.’ See p 18

¹⁵⁴ p 58

unnecessary to advocate this approach with West Papuans, who clearly do fit the requirements of a national and racial group. If anything, the four corners approach seems to weaken the Yale case, implying they are not quite convinced by their own argument.

The paper goes on to examine whether or not the Indonesian government has committed acts that fall within the categories of the Genocide Convention. They find that they have certainly killed thousands of West Papuans and have ‘caused serious bodily harm to members of the group.’ Many examples of massacres and individual extrajudicial killings have already been cited. Likewise, the many instances of torture, disappearances and detention ‘constitute unequivocal acts of serious bodily and/or mental harm’. These acts have included beatings, water torture, electric shocks, kidnapping, disappearances, violence against women and rape, sometimes accompanied by murder and/or mutilation.

The third category of act that may apply to Indonesia’s governing of West Papua is ‘deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part’. This category ‘should be construed as the methods of destruction by which the perpetrator does not immediately kill the members of the group, but which, ultimately seek their physical destruction,’¹⁵⁵ as defined by the International Criminal Tribunal for Rwanda (ICTR). This category depends on the intent rather than the result. Examples of acts which fit the definition include resource exploitation and associated relocation of West Papuans, environmental damage to land Papuans depend on for their livelihood, failure to provide adequate health care to Papuans and deliberate discrimination against Papuans in the area of reproductive health care and HIV/AIDS prevention programs, destruction of property and crops, forced labour and the Indonesian transmigration program, which have all contributed to the physical and cultural destruction of the indigenous West Papuan population. While the intent of these actions is difficult to prove, the Rome Statute, which formed the International Criminal Court, declares that intent can be deemed to be present if the actor ‘meant to cause that consequence or is aware that it will occur in the ordinary course of events.’¹⁵⁶ The authors also argue that acts motivated by economic goals, combined with indifference towards the existence of a group, should not be excluded if they result in the destruction of that group in whole or in part. The decimation of the Ache Indians of Paraguay is held up as an example of a recognised genocide in which the state’s goals were primarily economic.¹⁵⁷

The obvious connection between development goals and genocidal intent reveals itself in the attitude of the Kopassus Lieutenant Commander... who flatly admitted that the military’s job was to clear the highlands of West Papuans in order to make room for investors.¹⁵⁸

The Convention’s requirement that all these acts be committed with the intent to destroy a group is what distinguishes genocide from other crimes against international law. ‘Whereas the act element is what makes the genocide a crime in the first place, the intent

¹⁵⁵ p 64

¹⁵⁶ p 66

¹⁵⁷ p 66

¹⁵⁸ p 67

element is what makes the crime genocide,' the report states.¹⁵⁹ According to the ICTR, it is possible to infer genocidal intent 'from the general context of the perpetration of other culpable acts systematically directed against that same group, whether these acts were committed by the same offender or by others.'¹⁶⁰ This means intent may be inferred by a pattern of action that targets members of one group but excludes others. Therefore, while relevant acts on their own may not appear to be genocidal, 'the pattern of activity undertaken by the Indonesian government, when considered in aggregation, begins to emerge as the sort of conduct that the Convention was designed to proscribe.'¹⁶¹

Indeed, throughout the past forty years, the Indonesian government has shown a callous disregard for - and, at times, an intentional and specific malevolence toward - the basic human rights and dignity of the people of West Papua.¹⁶²

The authors conclude that according to contemporary understanding of the Genocide Convention, the pattern of acts and omissions, 'supports the conclusion that the Indonesian government has acted with the necessary intent to find that it has perpetrated genocide against the people of West Papua.'¹⁶³ Then, to confuse the issue, the paper asks whether this intent is sufficient if the acts were committed with a non-genocidal motive, that is, if the genocide is a means, rather than the end, for example to achieve an economic goal.¹⁶⁴ However, this interpretation leads to an extremely narrow definition of genocide and a significant weakening of the Convention to exclude acts committed with other political, territorial or economic goals. Having argued convincingly that intent can be inferred from the Indonesian government's actions and inactions, the goal of economic exploitation should not be considered a legal loophole for committing acts of genocide.

Genocide in West Papua? The role of the Indonesian state apparatus and a current needs assessment of the Papuan people¹⁶⁵

On August 18, 2005 the West Papua Project at the Centre for Peace and Conflict Studies, University of Sydney, released the report, 'Genocide in West Papua?'¹⁶⁶, which was prepared in conjunction with the human rights agency ELSHAM, in Jayapura. The launch of the report in Canberra generated extensive media coverage via ABC Radio¹⁶⁷, ABC online¹⁶⁸ and SBS World News¹⁶⁹, *The Sydney Morning Herald*¹⁷⁰ and *The Jakarta*

¹⁵⁹ p 70

¹⁶⁰ p 70

¹⁶¹ p 71

¹⁶² p 71

¹⁶³ p72

¹⁶⁴ p 73

¹⁶⁵ Wing, John and King, Peter, *Genocide in West Papua?*, The West Papua Project, the Centre for Peace and Conflict Studies, University of Sydney and ELSHAM, Jayapura, August 2005.

¹⁶⁶ Some commentators fail to notice the all-important question mark in the title when responding to this report.

¹⁶⁷ S. Hawley, 'Indonesian military accused of calculated violence in Papua', *The World Today*, August 18, 2005, Transcript online at <http://www.abc.net.au/worldtoday/content/2005/s1440745.htm>

¹⁶⁸ T. Palmer, 'Indonesia rejects Papua abuses report', *ABC News*, Friday August 19, <http://www.abc.net.au/news/stories/2005/08/19/1442029.htm>

*Post*¹⁷¹. The report outlines a number of concerns, which ‘if not acted upon, may pose serious threats to the survival of the indigenous people of the Indonesian province of Papua.’ Based on field research conducted in Papua from 2003 to 2005, the report aims to highlight the ‘culture of impunity’ that exists among the Indonesian armed forces in Papua. It concludes that ‘the Indonesian armed forces (TNI) in Papua are the main source of suffering and instability in the province.’¹⁷²

The report identifies military involvement in a number of activities that result in conflict. For example, the military often acts as a paid protector of Malaysian, Korean and Chinese companies involved in illegal logging in Papua. This section of the report draws on a three-year investigation by the Environmental Investigation Agency (EIA), UK and Telapak (Indonesia), which found that the Indonesian military, police and government officials were running a massive illegal logging operation. The reports states that the military are also involved in infrastructure and construction works, which are carried out as cheaply as possible to maximise profits. These contracts are often obtained corruptly, in a system that thrives on collusion between local government officials, companies and active military officers. The report also condemns the military’s self-perpetuating efforts at destabilisation, their involvement in training and arming local militias, and their association with illegal prostitution, which is contributing to the rapid spread of HIV/AIDS and threatening traditional social structures.

Section two of the report compares structural discrimination in West Papua to the system of apartheid in South Africa. This accusation is based mainly on restrictions on freedom of movement in the province, on denigration of West Papuans by the military, and on the exclusion of Papuans from economic activity. However, the information in this section is rather vague, and the report fails to identify discrimination of a systemic and institutionalised nature that would constitute a convincing parallel to South African apartheid. Instead, the word ‘apartheid’ is used emotively to condemn the worst manifestations of the racism that so undoubtedly exists in West Papua. Section three of the report emphasises potential new triggers of conflict, especially the overwhelming build up of troops in West Papua. Other potential sources of conflict include the failure of Special Autonomy, the splitting of Papua into separate provinces and the continued lack of justice over past human rights violations. These issues all remain unresolved at the present time.

The section of the report most relevant to the issue of the genocide is Chapter Four regarding the demographic transition currently taking place in Papua. Utilising the work of demographer Michael Rumbiak, formerly from Cenderawasih University, the report illustrates that ethnic swamping is leading to ‘impoverishment and marginalisation of Papuans’. This demographic shift has been largely brought about by inappropriate government sponsored migration, development and family planning programs. This

¹⁶⁹ G. Hills, ‘Papua report outlines Genocide’, SBS 6.30pm TV World News Transcripts, August 18, 2005.

¹⁷⁰ T. Allard, ‘Indonesia accused of Papua atrocities’, *The Sydney Morning Herald*, August 19, 2005, p 9.

¹⁷¹ I. Susanti, ‘RI condemns report by Aussie researchers on genocide in Papua’, *The Jakarta Post*, August 19, 2005, p 11

¹⁷² Wing and King, p 2.

inequality has been exacerbated by an inadequate government response to serious health issues like HIV/AIDS, chronic malaria, and alcoholism. The report advocates ‘for local regulations to control the flow of migrants. Currently...migration is mainly spontaneous, and completely unplanned and unregulated.’¹⁷³ While government action and inaction has created this threatening situation for the Papuans, the issue of ‘intent’ is central to the concept of genocide, as defined in the United Nations Genocide Convention¹⁷⁴. This section of the report would be stronger if it addressed the issue of whether or not the demographic shift is being intentionally brought about by the Indonesian government.

Also relevant to the genocide claims are the human rights abuses that were perpetrated by the military during the time the report was being prepared. These include the shooting deaths of Reverend Elisa Tabuni and his son Weties Tabuni, the killing of primary teacher Kius Wenda and the execution of OPM leader Yustinus Murib, the burning of homes, schools and churches, the looting of livestock, the raping of women and children and the suppression of peaceful demonstrations of nationalism, such as flag raisings. This section of the report is enhanced by a large number of disturbing photographs, identifying the victims of Indonesian army attacks. These photos ensure that the atrocities described in the report cannot be brushed over as faceless statistics. They are real people and they are suffering now. A similar degree of empathy is evoked by the interview transcripts included as Appendices; it is through these personal stories that we come to understand the depth of Papuan feeling for their homeland and their overwhelming desire for a resolution to their conflict.

There is no doubt that ‘The Genocide Report’ helped to foster public sympathy for the Papuan cause. Bob Brown, leader of the Greens, moved in the Senate that the claims of genocide contained in the report should be investigated by the Australian government.¹⁷⁵ Although the motion failed to pass, it received widespread media coverage at the time¹⁷⁶. Just six months later, in January 2006, forty-three asylum seekers arrived on the Australian coast, also claiming that genocide was taking place in West Papua. The convergence of these events generated an increased awareness of human rights abuses in West Papua among the Australian public.

Pitfalls of Papua: Understanding the Conflict and its Place in Australia-Indonesia Relations

¹⁷³ p 17

¹⁷⁴ *Convention on the Prevention and Punishment of the Crime of Genocide*, Opened for signature 11 December 1948, entered into force 12 January 1951, published in Andreopoulos, George, J., *Genocide: Conceptual and Historical Dimensions*, University of Pennsylvania Press, Philadelphia, 1994, 229 – 233.

¹⁷⁵ B. Brown, ‘Labor backs coalition on West Papua’, The Greens Media Release, September 5, 2005. Available online at <http://bob-brown.greensmps.org.au/content/media-release/labor-backs-coalition-west-papua>

¹⁷⁶ R. McGibbon, p 91

Rodd McGibbon's 2006 paper *Pitfalls of Papua*¹⁷⁷ was written for the Lowy Institute for International Policy, in response to Australia's granting of temporary protection visas to 42 Papuan asylum seekers in April 2006. This crisis brought the West Papua debate into the Australian public consciousness, a situation that could take the Australian government 'down a dangerous path of responding to domestic pressures'!¹⁷⁸ In McGibbon's analysis, the Australian public cannot be trusted to grasp the complexity of the issues involved and he intends to set them straight.

This study examines the utopian thinking, dangerous demands and misguided analysis that have emerged in recent public debates regarding Papua and sets the recent tensions over Papua in their proper historical setting¹⁷⁹.

Moreover the 'West Papua constituency' – as he calls those who advocate on behalf of the West Papuans - have 'generated unrealistic expectations among Papuans regarding international support' because of their flawed understanding of the situation. McGibbon accuses them of exaggerating Australia's foreign policy influence, failing to understand contemporary Indonesian politics and promoting a one-sided account of the conflict. While McGibbon acknowledges the Indonesian government's responsibility for human rights abuses in Papua, those abuses are viewed primarily as an impediment to the bilateral relationship with Australia, rather than a serious threat to the Papuans.

In identifying the risks to the bilateral relationship, McGibbon states that Papua is a sensitive issue in Indonesia, and that there is a widespread view among Indonesians that Australia supports Papuan self-determination. He recognises that the security situation in the province is volatile and may deteriorate. He also predicts that populist pressures could continue to threaten the bilateral relationship and lead to a nationalist backlash in Indonesia. He believes that there are opportunities for a domestically-driven solution from within Indonesia, based on the international community's long-standing acceptance of Indonesia's sovereignty over Papua. He gives no indication of how long the international community should wait for a domestic solution to appear. McGibbon advocates special autonomy as the best option for West Papua and places great faith in Indonesia's fledgling democracy to bring about meaningful reform. While he recognises that Papuans feel like 'second class citizens in their own land',¹⁸⁰ he attributes this to a lack of economic development, rather than the exclusion of ethnic Papuans from the decisions that affect them. Australia's response should therefore be to boost aid for Papuan development, foster democratic institution building, boost bilateral cooperation and demonstrate its unwavering support for Indonesian sovereignty over West Papua.

In assessing the origins of the conflict, McGibbon identifies two sources: the means by which Papua was integrated into Indonesia and the nature of Indonesian rule, particularly

¹⁷⁷ McGibbon, Rod, *Pitfalls of Papua, Understanding the Conflict and its Place in Australia-Indonesia Relations*, Lowy Institute for International Policy, Longueville Media, 2006.

¹⁷⁸ Executive summary, p ix

¹⁷⁹ Ibid, p vii

¹⁸⁰ p xii

under Suharto. While recognising the role played by the United States in promoting Indonesia's claims to Papua, McGibbon seems to blame Dutch colonial policy for planting the seeds of the conflict by fostering a Papuan political elite.

The fast-tracking of Papuan political development during the height of the dispute had thrust Papuan leaders into the maelstrom of international politics. But no sooner had they been propelled into the centre of this deepening crisis than they were being excluded from negotiations which became monopolised by the key states party to the dispute. The result of these developments was a deep sense of betrayal and resentment among Papuan leaders and their growing attachment to the goal of self-determination¹⁸¹.

McGibbon implies in his work that ethnic Papuan identity and nationalism was a Dutch construct: 'The vast majority of the native population identified primarily with immediate face-to-face contact of family, clan and tribe.'¹⁸² However, as Saltford points out, West Papuan villagers did not need to hold a well-developed sense of national identity to recognise that the culture, religion and social structures of their foreign colonisers were vastly different to their own¹⁸³.

In relation to the Act of Free Choice, McGibbon states that all relevant parties recognised that the New York Agreement 'had essentially transferred full sovereignty to Indonesia.'¹⁸⁴ He comments that the New York Agreement made no specific reference to a plebiscite or referendum, but then conveniently overlooks that the 'ascertainment' of the will of the people was supposed to be carried out according to acceptable standards of 'international practice'. He acknowledges that the Act of Free Choice was 'politically engineered to ensure a unanimous result in favour of Indonesia', but is opposed to reviewing the Act on the grounds that it occurred with 'international participation and acquiescence'¹⁸⁵, a fact which is supposed to bestow legitimacy on it.

McGibbon's chapter on 'Rebellion, resistance and political opposition' outlines the shift that has taken place in the independence movement since the fall of Suharto. Like King, McGibbon notes the transformation of leadership from the armed, factionalised struggle of the OPM to the more unified peaceful resistance that emerged in 2000 with the Mubes and the Congress. However McGibbon attributes what he sees as the decline of the Papua Council Presidium to an inability 'to develop a larger agenda over which it could advocate the rights of indigenous communities.'

In the absence of a concrete programmatic agenda, the PDP lacked the means to address Papuan grievances, courting political decline. It was essentially gambling

¹⁸¹ p 10

¹⁸² p 11

¹⁸³ Saltford, p 97

¹⁸⁴ p 9

¹⁸⁵ p 13

its whole political legitimacy on the demand for independence, a demand that was growing increasingly distant¹⁸⁶.

McGibbon's discussion of 'Special autonomy and its opponents' in chapter three reveals the political and economic interests working against the implementation of its Special Autonomy Law. He also exposes the divide-and-rule strategy behind the partitioning of Papua into separate provinces and the problems this has created for the implementation of special autonomy. Since the election of Susilo Bambang Yudhoyono, McGibbon sees better prospects for addressing the conflict through special autonomy. Just one month into his Presidency, Yudhoyono's government issued the regulation establishing the long-awaited MRP. While McGibbon is an avid supporter of special autonomy, he recognises that other reforms are also necessary at both the local and national levels:

Reform of the security sector and the judicial system, a long term challenge, are crucial to breaking the culture of impunity that continues to plague civil-military relations and which is at the root of human rights abuses¹⁸⁷.

McGibbon also sees improved local governance, improved welfare and development as helpful ways of addressing the conflict. The way Papuans have embraced local democracy by participating in local elections reflects the desire of local communities 'to ensure their representatives, and not outsiders, are making decisions over the allocation of resources and provision of services.'¹⁸⁸ McGibbon suggests that by promoting civic participation, the government can in future rely on voluntary modes of incorporation into the state rather than the coercive measures of the past. However, on the issue of accountability and reconciliation, the Papuans are unlikely to see any improvement under Yudhoyono. He has not shown any willingness to call the military to account for past abuses, nor does he see any need to 'straighten' the history of Papua's incorporation into Indonesia. The other impediment to reconciliation is that the decline of the PDP has led to the re-emergence of radical activism, as displayed in the Abepura riots of March 2006. This kind of unorganised rebellion is likely to lead to a renewal of military reprisals.

From Chapter Five onwards, McGibbon changes his stance from looking at the conflict 'from the inside out', to 'examining Papua as a foreign policy issue'¹⁸⁹. He starts with a discussion of the Australia-Indonesia relationship, focussing on public criticisms of a policy of appeasement towards Indonesia, which began with Australia's silence over the mass killings of the New Order regime. Over the annexation of East Timor, and the later Dili massacre, McGibbon seems to support Richard Woolcott's view that Australia's quiet acceptance was justified on the grounds that it could not have influenced events. 'In reality these events had put Australian officials in an invidious position, caught between fierce public reaction and the fact that its diplomacy could have little immediate

¹⁸⁶ p 38

¹⁸⁷ p 54

¹⁸⁸ p 65

¹⁸⁹ p 75

impact on events on the ground.¹⁹⁰ This is a morally repugnant argument that justifies passive acceptance of any injustice that cannot be immediately rectified.

While contemporary relations have fluctuated in response to cataclysmic events, such as the Bali bombings, the Indian Ocean Tsunami and the Yogyakarta earthquake, the Australian government has, according to McGibbon, failed to convince the Australian public of the importance of the relationship. In keeping quiet on the Papua question, the government has also allowed the public debate in Australia to be dominated by the ‘West Papua constituency’.

...the influence of the constituency is disproportionate to the small base of activists and academics that subscribe to the cause. This is because their views of the Papua conflict have been able to shape the mainstream public debate¹⁹¹.

McGibbon attributes their success to a lack of knowledge about Papua in the media, a conclusion that is rather insulting to both the media and the West Papua constituency. He also rather ungenerously attributes their involvement as ‘ideologically driven by opposition to the Indonesian state’, rather than by their compassion and concern for the Papuan people and their suffering. In his attempts to refute claims of genocide, McGibbon questions the claim that 100,000 – 150,000 people have died in the conflict.

These are remarkably high figures, particularly considering they approach the total number of deaths during the East Timor conflict. And yet while East Timor’s formidable resistance movement sparked sustained international attention, the low-level conflict that has plagued Papua has attracted little coverage in comparison, indicating doubts that these two conflicts have unfolded on a similar scale.

In a momentary lapse of logic, McGibbon is essentially arguing that the failure of the world to react is evidence that such a large number of deaths could not have occurred. (The victims of the Rwanda genocide could no doubt benefit from this theory.) He fails to consider that the number of deaths may be the same while the time scale over which they occurred is vastly different. It is precisely the ‘slow-motion’ nature of the Papuan genocide that fails to attract media and international attention.

McGibbon closes his attack on the West Papua constituency by identifying seven myths that have dominated the debate.

- Myth 1: Indonesia has engaged in genocide in Papua, making it a moral imperative for Australia to intervene

McGibbon counters the argument that ‘Australia has a moral imperative to intervene in the Papua conflict’ on the basis that Australia (and other international actors) is not ‘in a position to impose its will over domestic developments in Indonesia’ and that ‘any

¹⁹⁰ p 78

¹⁹¹ p 90

attempt to intervene would arouse nationalist passions in Jakarta, making it all the more difficult to resolve the Papuan conflict.’ While he does not believe that genocide has taken place, he offers no real evidence to support this. He also misrepresents the views of the ‘West Papua constituency’, who have generally argued that there is a moral imperative under the Genocide Convention to *investigate* whether or not genocide has taken place¹⁹².

- Myth 2: Australian policy is dominated by a Jakarta lobby which is intent on appeasing Indonesia

McGibbon argues that maintaining good relations with Indonesia ‘advances Australia’s interests’ and that a ‘stable, democratic Indonesia is of fundamental importance to Australian security interests.’ However, thus far, keeping Papua Indonesian has not had a stabilising influence on the nation, nor do continuing human rights abuses foster the maintenance of good relations.

- Myth 3: Papua parallels the East Timor situation

McGibbon argues that there are more differences than similarities between East Timor and Papua, based on the fact that East Timor’s annexation was condemned by the international community, while Papua’s incorporation was accepted. He also argues that Papua is more important to Indonesian economically and symbolically than East Timor ever was. Whatever the differences, the similarities are still compelling: that the Papuan and the East Timorese were both unjustly incorporated into the Republic, oppressed by the state and held in Indonesia by force, despite a passionate desire for independence.

- Myth 4: Indonesia is a Javanese empire where democracy is a façade

‘The image of Indonesia as a Javanese empire... obscures the multiethnic basis of the state,’ McGibbon writes. This misconception is partially based on the idea that transmigration ‘deliberately flooded Papua with Javanese peasants.’ McGibbon points out that 62% of the migrants to Papua have not been Javanese and that transmigration has been discontinued. He also states that critics fail to acknowledge that far reaching changes that have resulted from democratisation.

- Myth 5 Indonesia has latent expansionist tendencies

While McGibbon does not clarify which elements of the West Papua constituency are propagating this myth, there have been general fears in Australia of Indonesian expansionism based on past experiences of Sukarno’s confrontation campaign, the annexing of East Timor and Indonesia’s overpopulation problem. ‘This fear of a strong

¹⁹² See Peter King, ‘Lowying the Boom on West Papua: Self-determination Unthinkable for Australia’s Leading Foreign Policy Think Tank’, available online at <http://www.arts.usyd.edu.au/centres/cpacs/research/wpp.shtml>

expansionist Jakarta in fact misses the real risk for Australia which is that a weak Indonesia becomes the source of regional instability,¹⁹³ McGibbon argues.

- Myth 6: Recent evidence exposes Indonesia's manipulation of the Act of Free Choice and the international community's complicity.

It is hard to see which part of this statement is supposed to be myth, given that it is a factually true statement, backed by research, such as the work of Saltford discussed above. He writes 'The Act of Free Choice was not a conspiracy between the actors that has been exposed by the recent release of secret papers, but an open act of Realpolitik that was accepted by the main international actors at the time.¹⁹⁴ This decision was based on 'compelling Cold War considerations'. McGibbon does not consider the injustice that was committed against the Papuans as any reason to review the Act of Free Choice or the New York Agreement.

- Myth 7: As Melanesian Christians, Papuans are essentially different from Indonesians. On the basis of these religious and ethnic differences, Papua's incorporation into Indonesian should be challenged.

Here McGibbon draws on the work of Edward Aspinall who argues that Australians would presumably be 'repelled by suggestions that different ethnic or religious groups cannot coexist in Australia. Yet it is apparently inherently absurd to imagine that Melanesian and Southeast Asians can coexist in Indonesia.¹⁹⁵ At first this seems reasonable, however a more accurate comparison would be to ask whether the culture and practices of indigenous Australians can thrive and prosper in an environment of pervasive European domination in Australia and that question produces an entirely different response.

In the final part of his chapter on the 'West Papua constituency', McGibbon outlines all the consequences of any Australian support for Papuan self-determination: Australia's security outlook would be undermined, diplomatic relations and goals would be damaged, cooperation over non-traditional security threats would be threatened, economic relations would be severed and Australia would be unable to contribute to resolving the conflict. Instead he advocates that the Australian government should build confidence through diplomacy, promote democracy and special autonomy, win the foreign-policy debate and provide long-term assistance to Jakarta. These steps would 'help neutralise the Papua issue as a potential flashpoint in relations.¹⁹⁶ He also identifies addressing humanitarian concerns as 'an important factor in winning the public debate over Papua.¹⁹⁷ From this foreign policy perspective, McGibbon prioritises the strategic gains to be made from humanitarian efforts over the actual humanitarian outcomes of those efforts.

¹⁹³ p 105.

¹⁹⁴ p 105

¹⁹⁵ p 107

¹⁹⁶ p 115

¹⁹⁷ p 119

A positive result of the Lowy Institute paper is that it has stimulated debate in Australia, and will inevitably spawn further discussions about West Papua and the Australia – Indonesia relationship. It also explains the policy approach of successive Australian governments, when they have acted in ways that appear to be contrary to the will of the Australian public.

Papua Road Map: Negotiating the Past, Improving the Present and Securing the Future

The Indonesian Institute of Sciences (LIPI) published the report *Papua Road Map*¹⁹⁸ in 2008 after completing three years of research into the conflict in Papua from 2004 to 2006. The report starts with an acknowledgement that the causes of the conflict are largely the result of earlier regimes and that past policies of the government have been *ad hoc* in nature and have ‘failed to show any appreciation of the wishes of the Papuan people.’ The purpose of the *Papua Road Map* is to create a plan for the future that addresses the four major aspects of the conflict, as outlined below. While perhaps overly optimistic that ‘the Papua problem can be resolved with justice, peace and dignity’ the report is fairly realistic about the nature and extent of Papua’s grievances with the Indonesian state.

The report begins with an outline of the mapping process undertaken by the LIPI team, which involved identifying firstly the participants in the conflict and their interests, and secondly, the source of the conflict ‘with all its historical, cultural, political and social-economic dimensions.’ The report identifies two extremes of opinion: the Indonesian nationalists and the Papuan nationalists. The Indonesian nationalists consist of the Department of the Interior, the State Intelligence Agency (BIN), the Papua Desk at the office of the Coordinator of Political, Legal and Security Affairs, factions in Parliament (the DPR) the Indonesian Armed Forces (TNI), the Indonesian Police and other state organs. The Papuan Nationalists consist of the OPM, the Papua Council Presidium, and a number of other bodies overseas. In a grey area in between the two extremes are various NGOs, the Papuan Customary Council (DAP) the churches and other religious institutions and various political parties. In addition to these groups are NGOs, individuals, academics and parliamentarians who actively express their concerns over human rights and who are pushing for a review of the Act of Free Choice.

As for the sources of the conflict, the LIPI team identifies four main problems:

First, marginalisation of, and discrimination against, the indigenous Papuan people as a result of economic development, cultural policies and mass migration into Papua from 1970 to the present day. In response to this problem, affirmative policies such as recognition (*rekognisi*) should be devised. The second problem is

¹⁹⁸ Widjojo, Muridan S., et al, *Papua Road Map: Negotiating the Past, Improving the Present and Securing the Future*, Indonesian Institute of Sciences (LIPI), Jakarta, 2008. A longer version of this report is also available in Indonesian.

the failure of development; this requires a new paradigm, *Papuan development*. The third issue is the contradiction between Papua and Jakarta regarding their respective views of the history of integration and the construction of a Papuan political identity. The LIPI team believes it is necessary to consider the possibility of dialogue on this question. The fourth question is the prolonged experience of the history of political violence in Papua, perpetrated primarily by state actors against Indonesian citizens in Papua. On this matter, reconciliation and human rights courts along with revelation of the truth are the possible choices in order to create a sense of justice in the Papuan community.

The LIPI report aims to break the vicious circle of conflict ‘and lead to an Indonesia-with-Papua-inside entering upon a new, constructive and progressive phase’. The four agendas of recognition, development, dialogue and reconciliation are then outlined in more detail.

On the subject of recognition, the LIPI team recommend that the Indonesian state openly accommodate the cultural symbols and other cultural expressions of the Papuans and ‘treat them as part of the richness of Indonesian culture.’ This would allow elements of Papuan identity to penetrate into Indonesian society, as well as elements of Indonesian-ness to penetrate into Papuan society. This would enable the Papuans to feel that they have their own place in the diversified home of Indonesia. The report acknowledges that any expression of Papuan culture has been suspected of being a symbol of resistance in the past, a perception bitterly reinforced by the murder of Arnold Ap. In addition, the massive demographic shift that has taken place in Papua as a result of migration has led to the exclusion of Papuans from commerce and the service industries and contributed ‘to a collective sense among Papuans that their existence as masters in the land of Papua is seriously threatened.’ Above all, their need for recognition is inspired by their history of exclusion from the events that decided their future: the decolonisation process, the New York Agreement, the Act of Free Choice, the administration of the New Order period.

While advocating a policy of positive discrimination to increase Papuanisation of the bureaucracy, the LIPI team warn against the dangers of transferring jobs without regard for competence:

Incompetence in the bureaucracy has resulted in a decline in the quality of services to the public, less supervision of the administration and a greater level of corruption. The irony is that recognition for Papuans has only benefited the Papuan elite while bringing nothing beneficial at all for Papuans in at the lower levels of society.

The LIPI report does not make any recommendations about how to overcome the problems associated with positive discrimination, but they do advocate a level of education that will enable Papuans to exercise control over their resources and to compete in business.

In addressing the failure of development, the report advocates development that improves the participatory abilities of the Papuans. Up until today, the report states, economic development has consisted of the exploitation of natural resources, ignoring the rights and wishes of the Papuans towards their lands. There has been no preparation to encourage the Papuans to participate in and enjoy the benefits of the development. Instead, projects have favoured Indonesian workers from outside Papua, increasing the disparity between Papuans and non-Papuans. So far, the funds being paid out under OTSUS (special autonomy) have also failed to benefit the vast majority of Papuans. This is because funds have not been allocated to the dual priorities of health and education, which in Papua are both below national standards. In both cases, planning has not taken account of the geographical conditions or the cultural values of the Papuan people. The lack of transparency in budgets is also very problematic.

The third area of conflict is over divergent accounts of the history of Papua's integration into Indonesia. For Papuan nationalists, the Papuans were excluded from the process of integration while the Act of Free Choice took place 'under duress and trickery'. For the Indonesian nationalists, Papua automatically became part of the Republic of Indonesia when independence was declared in 1945 because the area was part of the Dutch East Indies. According to the 1945 constitution, racial and cultural differences are irrelevant because Indonesia was created as a supra-ethnic nation-state. However to Papuans, their Papuan-ness is largely defined by racial differences 'between Melanesians and Malays, between Christians and Muslims, between physical characteristics such as fuzzy hair with 'black' skin and brown skin.' The report advocates dialogue as the solution to these differences of understanding, but also appreciates the negative connotations of the word. The government frequently equates calls for 'dialogue' with demands for freedom, while the phrase 'international dialogue' is perceived as even more threatening. Instead, dialogue must be 'restored to its true meaning':

It must be understood as being the framework for reaching agreement on issues and problems, followed by negotiations and finally reaching compromise.... Dialogue is the strategic peaceful approach aimed at ending such a chronic political stalemate and cycle of violence as the Papuan conflict.

The team also advocate the involvement of a third party mediator, as occurred in the Aceh dialogue. 'Paranoia about the involvement of foreigners because of so-called 'nationalism' should be discarded.' Rather, a third party can help to ensure that both sides are honest and remain committed to the process.

On the subject of reconciliation for past injustices, the LIPI team identify the culture of impunity as a major barrier to reconciliation. However, for various reasons, they do not see legal action against the perpetrators as a realistic option. They therefore advocate a process of revealing the truth that pays attention to the experiences and testimony of the victim and restores their dignity. This approach includes investigating the facts, providing access to secret documents from the past, removing the perpetrators from public office, publishing the names of victims and perpetrators, providing reparations, therapy and memorials for the victims and issuing statements of determination that such

events will never happen again. However, so far there have been no indications that the current Indonesian government would consider this kind of approach for Papua.

The LIPI report closes by explaining perceptions of Indonesia in Papua:

As things stand at present, Indonesia is identified with the arrival of migrants from outside Papua and the marginalisation of the indigenous population of Papua. Both in the interior and urban areas, Indonesia is not associated with the provision of public services such as decent health facilities and education, but much more in the form of military posts, military operations and acts of violence against the civilian population... Subjectively speaking, it is perceived as the opposition of Papuan identity, in other words, everything that oppresses and is harmful to the interests and identity of the Papuan people.

The report also suggests that by repressing the symbols of Papuan opposition, such as flying the Morning Star flag, Indonesian governments have made those symbols even more sacred to those who identify with them. 'Those symbols cannot be killed by physically repressing those who own them,' the report argues. Instead, authorities should focus on improving the social realities that would reduce the potency of those symbols. The reports optimistic conclusion is that 'Indonesian identity can exist as something that concretely brings prosperity, guarantees justice and a sense of peace and optimism, as well as providing within it a comfortable space for the Papuan identity.' It's a noble goal, but one that won't be achieved unless the four agendas are implemented with resolute determination and goodwill on both sides.

Conclusion

The dramatic increase in literature about West Papua since the fall of Suharto is evidence of growing international concern over the conflict in West Papua. As the voices of those who seek a resolution to the conflict have grown louder, there has been an increasing recognition that new strategies will be required to produce lasting change. While there are vastly different views over whether West Papua's future should lie within Indonesia or not, there is a growing consensus that the cyclic pattern of dissent and repression must not be allowed to continue. While special autonomy could improve the relationship between Jakarta and West Papua if implemented properly, it cannot provide the solution to all West Papua's problems. Until there is meaningful dialogue over West Papua's incorporation into Indonesia and real accountability for past injustices, any reconciliation will only be skin deep.

While there are now many informative books and reports available about West Papua, there are still some topics that are yet to be comprehensively examined. For example, there is no wide-ranging study available of the impact of HIV/AIDS in West Papua. A detailed account of the illegal logging industry and its environmental impacts is another obvious gap in the literature. Given the vast impact of inappropriate development in West Papua, a study suggesting sustainable development alternatives would also be an invaluable resource. Many West Papuans also grapple with how to preserve their

indigenous culture, while still participating in and contributing to the wider society around them – further discussion of these themes needs to occur. There is particularly a need for more scholarly research emanating from within Papua and Indonesia so that solutions that work within a Papuan/Indonesian context can be found. However, the importance of international discussion and analysis should not be underestimated: because the source of the conflict originates from the actions of the international community, it is also up to the international community to help resolve it.