

**SOLVING THE POLITICAL PROBLEM OF  
WEST PAPUA BY PEACEFUL MEANS**

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This paper is dedicated to  
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Analia-Yakomina Foundation in  
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## CHAPTER 1:- INTRODUCTION

On 1 October 1962, the Netherlands Government transferred the administration of the territory of West Papua to the United Nations. Six months later, on 1 May 1963, the administration of the territory was then transferred to the Republic of Indonesia. At the time the Indonesian government claimed it wanted to free Netherlands New Guinea from Dutch colonization, and promised to develop West Papua in all aspects. However, the fundamental rights of the indigenous West Papuans—their human rights, their civil rights, their political rights, their economic rights, and their environmental rights—have been severely compromised since 1962-63. For instance, the Indonesian military has caused the death or disappearance of more than 400,000 West Papuans since 1962-63. An innumerable number of West Papuan women have been raped, and thousands of political activists kidnapped and imprisoned in other parts of Indonesia. In short, the West Papuans have, for forty-two years, been victims of a genocidal terrorist regime that has consciously abrogated its responsibility to develop West Papua, and continues to maintain that the root of its failure is a social rather than a politico-legal issue.

Less than a year after the Indonesian occupation on 1 May 1963, West Papuans established the OPM (Free Papua Organization) to defend their rights, and to counter the effects of Indonesia's neo-colonial policies and practices. The organization has political, diplomatic, and intelligence wings, and a military wing called the West Papua National Liberation Army.

This paper sets out to establish whether

- The long-standing conflict between the Indonesian authority and the indigenous people of West Papua has roots in the 'social' arena, as the Indonesian government maintains, or in the politico-legal domain as West Papuans have always asserted.

The paper concludes with

- Strategies that need to be recognised and promoted by the key actors of this long-standing conflict in the Asia-Pacific region.
- Strategies to combat the human rights abuses and genocidal policies and practices perpetrated by the Indonesian government on the indigenous Melanesians of West Papua.

In writing this paper, I am assuming that

- The Indonesian people and the international community cannot afford to let the conflict between Indonesia and West Papua continue.
- That it becomes possible for two countries to devise a peaceful political solution to a long-standing conflict,<sup>1</sup> when there is a commitment to recognize and understand the roots of the conflict.
- That the government of a nation is motivated by its peoples need for justice and peace, and will therefore endeavour at all times to comply with basic human rights principles.
- That the internal harmony of a country can only be maintained if government legislation and practice derives from good intentions and a desire for justice and peace.<sup>2</sup>
- A government will be respected by its people when it faces problems and derives solutions through peaceful means and a commitment to achieve just and harmonious outcomes.

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<sup>1</sup> Yesaya 43: 4, Alkitab, Lembaga Alkitab Indonesia, Ciluar Bogor, 1974, Halaman 793.

<sup>2</sup> See Alinia ke empat, Pembukaan UUD 1945.

## Hypothesis

- If the government of the Unitary Republic of Indonesia respects the value of truth, justice, human rights and dignity, it will choose peaceful means to solve its problems in West Papua.
- The conflict between Indonesia and West Papua can be solved if the international community promotes processes to deal with (rather than ignore) the conflict.

## CHAPTER II:- KNOWING AND UNDERSTANDING THE ROOTS OF THE PROBLEM

The Indonesian government manipulated historical facts to achieve control of Netherlands New Guinea, particularly with regard to the historical relationship between the peoples of West New Guinea and the Sultanates of Tidore and Ternate, the extent of the Majapahit Empire, and Dutch colonialism in West Papua.

### 1. The tiny sultanates of Tidore and Ternate.

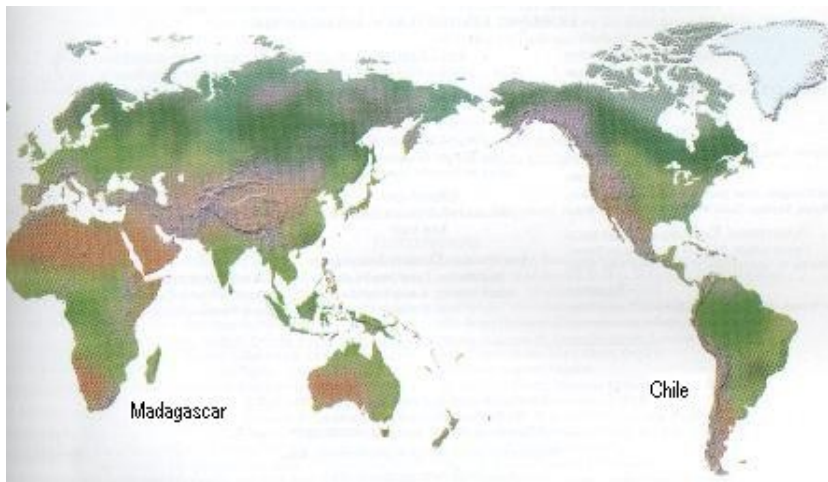
When the Dutch trading company (VOC) tried to expand its region of influence to North Maluku and West Papua, the Sultan of Tidore claimed rights along the north coast of West Papua. An agreement was reached in 1714, when the Sultan issued the VOC with trading rights in West Papua. In 1945, during discussion about the border of an independent Indonesia, Mohammad Yamin included Papua because of the ancient hongi relationships between islands off the north and west coasts of West Papua and the tiny sultanates of Tidore and Ternate. The lawyer supplemented this argument with the geological premise that Papua was part of Maluku before the seas rose at the end of the last ice age.<sup>3</sup>



<sup>3</sup> Risalah Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia (BPUPKI), Panitia Persiapan Kemerdekaan Indonesia (PPKI), 28-22 Agustus 1945, Sekretariat Negara Republik Indonesia, Jakarta, 1995, halaman 50– 51.

## 2. The Majapahit Empire

The Indonesian government also promoted sovereign rights over West Papua through a claim that West Papua was part of the Majapahit Empire. Majapahit was a Hindu regency based in East Java between 1292 and 1478. In 1950's and 1960's, Javanese politicians claimed the empire, which was always more concerned with commercial enterprise than territorial aggrandizement, extended from Madagascar Island (now Republic of Malagasy) off the east coast of South Africa, to Pass Islands off the west coast of Chile in South America.



### 3. The Dutch East Indies

In 1872, representatives of the Royal Kingdom of the Netherlands and the Sultanate of Tidore agreed to transfer the Sultan's claim over West Papua to the Netherlands.

During World War 2, when the Dutch East Indies was occupied by the Japanese, the Indonesian academic lawyer, Professor Mohammad Yamin, argued that West Papua should be included in the Indonesian Republic being negotiated with the Japanese.<sup>4</sup>

On 22 March 1963, during a speech from his palace, the first president of Indonesia said that the people of 'Irian Barat' originally came from Indonesia.<sup>5</sup> He repeated, and also confounded Professor Yamin's Majapahit theory by claiming that "Irian Barat was together with Indonesian red and white flag six thousand years ago".<sup>6</sup>

#### **The occupation of West Papua**

On 15 November 1946, a year after Sukarno proclaimed the independent republic of Indonesia, a delegation of Dutch officials met members of the independence movement in Linggarjati, in the regency of Kuningan West Java. The meeting was to discuss the Indonesians' demand for Dutch recognition of the Republic of Indonesia which Sukarno had proclaimed on 17 August 1945 and the consequent transfer of all Dutch-Indies territory, including Dutch Nieuw Guinea. The Dutch authority rejected both demands, but agreed to meet again in Jakarta on 25 March 1947 to sign the Linggarjati Agreement. Article 1 stipulated that the "Royal Kingdom of Netherlands government recognized the de facto reality of the Indonesian State to consist of Java, Madura and Sumatera". Article 2 stipulated that "the Dutch government and the young Indonesian government should work together to build a dignified state, based on the principle of democracy, in the form of a federation (RIS)".

Privately, however, the Indonesian political elite decided that Article 1 and 2 of the Linggarjati Agreement contravened the contents of BPUPKI (the national investigation in preparation for the independence of Indonesia) and the recommendations made by PPKI (the committee preparing for the independence of Indonesia). These had decided that "the territory of Indonesia is Sumatera, Malaya (*now called Malaysia*), Borneo (*now called Kalimantan*), Java, Celebes (*now called Sulawesi*), Sunda Kecil, Malukas and Neiuw Guinea (*now called West Papua*).<sup>7</sup>

When the Dutch authority blocked the Indonesian government's ambition to annex the neighbours of Sumatera, Java and Madura, Indonesia declared war on the Dutch. The Security Council of the United Nations passed a resolution urging the Dutch and the Indonesians to desist from confrontation, and the United Nations

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<sup>4</sup> Risalah Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia (BPUPKI), Panitia Persiapan Kemerdekaan Indonesia (PPKI), 28-22 Agustus 1945, Sekretariat Negara Republik Indonesia, Jakarta, 1995, halaman 51.

<sup>5</sup> Departemen Penerangan RI, buatlah irian barat satu zamrud yang indah, 1964, halaman 266.

<sup>6</sup> Departemen Penerangan RI, buatlah irian barat satu zamrud yang indah, 1964, halaman 265.

<sup>7</sup> Risalah Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia (BPUPKI), Panitia Persiapan Kemerdekaan Indonesia (PPKI), 28-22 Agustus 1945, Sekretariat Negara Republik Indonesia, Jakarta, 1995, halaman 48.



Commission for Indonesia set up the Commission of Three States (*Komisi Tiga Negara*) to broker talks. The three states, Australia (nominated by Indonesia), Belgium (nominated by the Dutch) and the United States of America (nominated by Australia and Belgium) brought about the Renville Agreement.

The Renville Agreement was signed on the Dutch warship *Renville* on 14 January 1948. Like its predecessor, the Linggarjati Agreement, it concluded that “dignity would be maintained by using democratic principles to develop a federation and a constitution”. Indonesia considered the Renville Agreement a disaster, and a few months later declared war on the Dutch again. International pressure eventually brought both parties to a round table conference in Den-Haag on 27 December 1949, where the Dutch recognised Indonesian aspirations for a republic from Sumatra to Ambon. Both parties agreed to negotiate the status of Nederlands New Guinea over the next twelve months.<sup>8</sup>

By 27 December 1950, no agreement had been reached over West Papua. Rather, the Dutch had mobilized a huge military force to protect their colony, and had declared it a ‘non self governing territory’ for eleven years. Part of this project was the establishment of the Nieuw Guinea Peoples Representative Assembly (*Nieuw Guinea Volksraad*) on 1 December 1960. The *Volksraad* was a partly-elected council with eighty percent indigenous membership which declared that

- The nation of West Papua extended from 1° 19' north to 10° 45' south, and from 128° 45' to 141° 48' west, and was therefore 1200km from west to east (Sorong to Jayapura) and 736km from north to south (Jayapura to Merauke). The Pacific Ocean marked the north of the nation, the Arafura Sea and South Maluku the south. The eastern border was Papua New Guinea, and the Pacific Ocean and North Maluku marked the western border.

The *Volksraad* also proclaimed the new nation’s national flag was the Morning Star flag, with the national anthem ‘Hai tanah ku Papua’ (Papua is my homeland), the national emblem the crown pigeon, and ‘One people, one soul’ the national poem.

When the Dutch government declared West Papua a non self-governing territory in 1959, President Sukarno called a conference in Jogjakarta to announce that he would use military means to annex West New Guinea. A few months later, he appointed Dr. Soebandrio, former Minister of Foreign Affairs and Director of Indonesian National Intelligence, to lead a sponsor-seeking delegation to Moscow and China. The delegation successfully procured 15 ADRI warships and 30 Tupolev aeroplanes to support the 3,000 Russian troops (carrying Indonesian identity cards) already in Jakarta for a military confrontation with the Dutch.<sup>9</sup> Communist involvement heightened American and Australian fears about the security of the South East Asia Treaty Organisation (SEATO) in the Philippines and the ANZUS alliance in the Pacific. Consequently, both countries pressured the Dutch to transfer its administration of West Papua to the United Nations on 1 October 1962, and six months later (on 1 May 1963) to the Indonesian Unitary Republic.

#### **ILLEGAL LAWS—THE NEW YORK AGREEMENT 1962, INDONESIAN REGULATIONS 1966, AND PAKET 5 (1985)**

<sup>8</sup> Pasal 2 Piagam Penyerahan Kedaulatan, Konferensi Meja Bundar 1949.

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<sup>9</sup> Aleksej Drugov & Genadi Melkov, *Volkskran* (newspaper), Netherlands, 10-13 February 1999. Genadi Melkov was Commander of Russian Army in Jakarta in 1962, and Drugov was his interpreter.

## 1. The New York Agreement.

The New York Agreement, devised by the US and Australian ambassadors to the United Nations, was a strategy designed to resolve the long-standing dispute between the Republic of Indonesia and the Royal Kingdom of the Netherlands over West Papua. It was, therefore, a bi-lateral treaty, but in being tied to a United Nations resolution (by way of Article 1), the New York Agreement stamped the Indonesian occupation of West Papua legitimate in terms of international law. Melanesian West Papuans claim the agreement is illegal, because they were not consulted when the agreement was conceived and drafted, they were not present when it was signed by the Indonesians and the Dutch on 15 August 1962, and they were not consulted or present when it was ratified at the United Nations five weeks later on 21 September 1962.

The New York Agreement was the opportunity Indonesia created for itself to colonize West Papua, but West Papuans consider it was an opening for evil politics. Article XX provided for a legal mechanism (an 'act of self-determination') for Papuans to 'choose to remain or sever ties with Indonesia', but other articles severely compromised this reference to a people's inalienable right to self-determination. Article V11 stipulated that Indonesian armed forces already in West Papua (before the agreement was signed) be employed by the United Nations while the administration was being transferred to the Indonesians between 21 September 1962 and 1 May 1963. Article XIV stipulated that after the transfer of administrative responsibility on 1 May 1963, Indonesia could enact new laws and regulations, and on the first day of the Indonesian administration, Suharto issued three Presidential Decrees. The first decree closed West Papua to the international community, the second classified West Papua an operational military zone (*Daerah operasi militer*), and the third decree (No. 11/PNPS/1963) re-activated an old Dutch subversion law. The decrees gave Indonesia complete control over West Papuans, and the international community, and rendered Article XX11—about freedom of speech, movement and assembly—superfluous. United Nations experts, designated by Article XV1 to remain in West Papua for the period 1963-69 to help prepare for the 'referendum' found themselves neutered when Indonesian pulled out of the United Nations in 1965.

## 2. Indonesian Regulations 1966

On 19 December 1961, President Sukarno appointed Major-General Suharto to lead 'Operation Mandala' and implement the Three Commands of the People (to overthrow the puppet government in Dutch New Guinea, to raise the red and white flag, and to implement the Indonesian authority in West Papua). Sukarno considered Suharto an Indonesian nationalist and an effective military tactician, but did not know he had been recruited by American intelligence agents. (Suharto's complicity had been brought about by his daughter's father-in-law, Professor Sumitro who had been exiled to Malaysia by Sukarno). The CIA used and supported Suharto's coup against his president, ostensibly to save Indonesia from being taken over by the Communist Party (PKI). It is now estimated that the purge in 1965-66, which was managed by Brigadier-General Sarwo Edhie (President Susilo Bambang Yudhoyono's father-in-law) wiped out more than a million Indonesian civilians. During the process, Major-General Soeharto became the second President of Indonesia, and Sukarno was put under house arrest where he remained until he died on 1 July 1971.

Suharto's government, the New Order, issued regulations in 1966 (*Peraturan Pemerintah tahun 1966*) for the guidance of general elections to the Representative Assembly and the Upper House (which appoint the president and the vice-president). Anyone desiring to participate in an election were required to state their loyalty to the government, to the Indonesian Constitution (of 1945), and to Pancasila, the five basic principles of the Indonesian Republic—namely belief in God Almighty, a just and civilized humanity, the unity of

Indonesia, democracy guided by the wisdom of representative deliberation, and social justice for all Indonesians. Since the first elections in Indonesia were not until 1971, *Peraturan Pemerintah Tahun 1966* were more than likely designed for the Act of Free Choice referendum in West Papua, which the American-orientated Suharto, unlike his predecessor, committed to proceed with.

### 3. PAKET 5 political regulations (1985)

In 1985, Paket 5 (*UU Parpol*), a series of political regulations, based on the government regulations of 1966, and purported to be 'parliamentary reforms' were enacted.

PAKET 1: Regulation No. 1/1985 enforced a general election in Indonesia..

PAKET 2: Regulation No. 2/1985 created a People's Consultative Council, a Legislative Assembly, and Provincial Assemblies.

PAKET 3: Regulation No. 3/1985 arranged two political parties, namely the United Development Party (PPP) and the Indonesian Democracy Party (PDI); and a party for technocrats and civil servants (GOLKAR).

PAKET 4: Regulation No. 5/1985 legislated that in the United States of the Indonesia Republic the referendum system was not known, and therefore not valid.

PAKET 5: Regulation No. 8/1985 arranged social organizations.

The implications of PAKET 5 for West Papua are as follows:

PAKET 1 was used by Suharto's New Order to block Papuans' political rights, and at the same time enabled Indonesia to capitalise on the United Nations legitimation of the results of the Act of Free Choice. Paket 1 effectively prevented another referendum in West Papua (which many people were calling for) by announcing a general election in Indonesia—in which West Papuans (as Indonesians) would be required to vote.

PAKET 2 created a People's Consultative Council, an Indonesian Legislative Assembly, and Provincial Assemblies, so that the Indonesian government appeared to be representative. In fact, the Indonesian military-government pre-determined appointments to these bodies, effectively blocking any West Papuan aspirations for independence and self-determination.

PAKET 3 created three official political parties, enabling Indonesia to claim that any organizations created by West Papuans were subversive.

PAKET 4 legislated for Indonesia's protection against any claims that the 1969 'referendum' in West Papua was fraudulent; and against any attempts by West Papuans to agitate for another.

PAKET 5 limited the creation of any social organizations in West Papua.

## **Implementing the 'Act of free choice'**

### 1. West Papuan Representative Council

Because of the government regulations OF 1966, the Indonesian military was able to appoint 1,026 West Papuans to participate in the Act of Free Choice. Those chosen included four hundred traditional leaders, three hundred regional representatives, two hundred and sixty-six representatives of political and social organizations, sixty Christian church and Islamic representative (see Table 1).

**Table 1. West Papua Representative Council**

Constituent Type	Number of Members
Traditional leaders	400
Regional representatives	300
Political/social organizations	266
Christian church and Islamic	60
<b>Total</b>	<b>1,026</b>

*Publication: PEPERA di Irian Barat, Departemen Penerangan RI, 1969.*

## 2.. Assembling the Population to Vote

In 1969 the population of West Papua was 816,896 people. The Indonesian government created counterfeit democratic conditions by appointing representatives from the eight regencies to 'vote'. 175 people represented 141,373 people (0.12%) from Merauke regency; 175 people represented 165,000 people (0.10%) from Jayawijaya regency; 175 people represented 156,000 people (0.11%) from Paniai/Nabire regency; 75 people represented 38,917 people (0.19%) from Fak-Fak regency; 110 people represented 86,840 people (0.12%) from Sorong regency; 75 represented 53,290 (0.14%) from Manokwari regency; 131 represented 93,230 (0.14%) from Teluk Cenderawasih regency; 110 represented 81,246 (0.13%) from Jayapura regency.

**Table 2. Representation in the Consultative Assembly**

Consultative Assembly	Population in 1969	No. appointed representatives	Percentage of population
Merauke	141.373	175	0.12
Pegunungan Jayawijaya	165.000	175	0.10
Paniai/Nabire	156.000	175	0.11
Fak-fak	38,917	75	0.19
Sorong	86.840	110	0.12
Manokwari	53.290	75	0.14
Teluk Cenderawasih	93.230	131	0.14
Jayapura	81.246	110	0.13
<b>Total</b>	<b>816,896</b>	<b>1,026</b>	<b>1.07%</b>

Publication: PEPERA di Irian Barat, Departemen Penerangan RI., 1969.

### 3. The manner of 'voting' in the Consultative Assembly.

The system of 'voting' during the Suharto period in Indonesia—and accepted by the United Nations for the Act of Free Choice referendum—was called *musjuwarah*. This entailed several representatives in each Assembly standing up to be asked questions by the Indonesian government representative, and in so answering, proclaim the Republic of Indonesia from Sabang to Merauke, its constitution, its flag, and its government. Then a government official told the other Assembly members to stand up if they agreed. Of the 175 representatives in the Merauke Assembly, only twenty spoke in favour of integration; of the 175 representatives in the Jayawijaya Highland Assembly, only eighteen spoke; of the 175 representatives in the Paniai/Nabire Assembly, twenty-eight spoke; of the 75 representatives in the Fak-Fak Assembly, seventeen spoke; of the 110 representatives in the Sorong Assembly, sixteen spoke; of the 75 representatives in the Manikwari Assembly, twenty-six spoke; of the 131 representatives in the Teluk Cenderawasih Assembly, twenty-four spoke; and of the 110 representatives in the Jayapura Assembly, twenty-six spoke.

<b>Table 3. Number of Assembly who 'spoke' for integration</b>			<b>No. who 'stood' to agree</b>
<b>Consultative Assembly</b>	<b>No. appointed representatives</b>	<b>No. who 'spoke'</b>	
Merauke	175	20	155
Pegunungan Jayawijaya	175	18	157
Paniai/Nabire	175	28	147
Fak-Fak	75	17	58
Sorong	110	16	94
Manokwari	75	26	49
Teluk Cenderawasih	131	24	107
Jayapura	110	26	84
<b>Total</b>	<b>1,026</b>	<b>175</b>	<b>851</b>

Publication: PEPERA di Irian Barat, Departemen Penerangan RI., 1969.

From Table 3, it is apparent that of the 1,026 Assembly members, only 175 (15% of the population) 'spoke for' integration, and 800 (a clear majority of 86%) merely stood up when they were told to by a government official.

### 4. The 'time factor' in the 'Act of free choice'

The Tripartite Agreement signed by Indonesia, Portugal, and the United Nations on 5 May 1999 in New York, stipulate that the ballot would take place on one day, 30 August 1999. This normal internationally-recognized democratic practice helped to foil the Indonesian plans to subvert and manipulate the process. It needs to be compare with the referendum process in West Papua in 1969 which took place over a period of nineteen days.

**Table 4. Realisation of the ‘Act of free choice’**

No.	Consultative Assembly	Voting Day
1	Merauke	14 Juli 1969
2	Pegunungan Jayawijaya	16 Juli 1969
3	Paniai/Nabire	19 Juli 1969
4	Fak-Fak	23 Juli 1969
5	Sorong	26 Juli 1969
6	Manokwari	29 Juli 1969
7	Teluk Cenderawasih	31 Juli 1969
8	Jayapura	2 Agustus 1969
<b>Total</b>		<b>19 days</b>

Publication: PEPERA di Irian Barat, Departemen Penerangan RI., 1969.

#### 5. Discrepancies between reports presented to the United Nations.

There are several discrepancies between the reports presented to the United Nations General Assembly by the Secretary-General's Representative (Mr Ortiz Sanz) and the Indonesian Government concerning the actual numbers who 'voted' in the Act of Free Choice.

**Table 5. Discrepancies between reports presented to the United Nations**

Consultative Assembly	No. of Assembly Present Ortiz Sanz / Indonesian gov.	No. of speakers for Integration Ortiz Sanz / Indon. Gov.	No. who 'stood up'
Merauke	<b>174 / 175</b>	20 / 20	Ortiz Sanz/Indon gov. <b>154 / 155</b>
Jayawijaya	175 / 175	<b>17 / 18</b>	<b>158 / 157</b>
Paniai/Nabire	174 / 174	28 / 28	
Fak-Fak	<b>175 / 75</b>	17 / 17	146 / 146
Sorong	110 / 110	16 / 16	<b>158 / 58</b>
Manokwari	75 / 75	26 / 26	
Cenderawasih	130 / 130	24 / 24	94 / 94
Jayapura	109 / 109	<b>27 / 26</b>	49 / 49
<b>Total</b>	<b>1022 / 1023</b>	175 / 175	

Figures tabulated from United Nations General Assembly Official Records, Annexes, 24<sup>th</sup> Session, 1969: DOCUMENT A/7723 ANNEX I (Report by the Representative of the Secretary-General in West Irian) and ANNEX II (Report of the Indonesian Government) to the Secretary-General concerning the conduct and results of the act of free choice in West Irian.

106 / 106  
**82 / 83**

**Total 947 / 848**

### CHAPTER III: CORRECTING THE INDONESIAN HISTORY-STORIES

#### West Papua's historical relations with the Sultanate of Tidore

In 1660, the Sultan of Tidore publicly announced to the Dutch East Indies Company (VOC) that West Papua territory was under his control.<sup>10</sup> Four centuries later, President Sukarno, in his quest to colonize Netherlands

<sup>10</sup> Lagerberg Kees, *West Irian and Jakarta Imperialism*, London, Hurst, 1979:16.

New Guinea, repeated the Sultan’s historical claim. President Sukarno ignored the fact that in 1679, the Dutch governor of Banda Island, Mr Keyts, suggested that the Sultan’s claims should not be taken seriously. Sukarno also ignored public statements by Captain Thomas Forrest in 1775, and the governor of Ternate in 1778, that the Sultan of Tidore had no power in West Papua and no claim over the territory.<sup>11</sup> Sukarno also ignored the writings of Dr. FC. Kamma, a Dutch priest and anthropologist who worked in West Papua in 1940’s, who said that Kurabesi, the hero of Biak and Numfoor marine-warriors, married the Sultan of Tidore’s daughter, and that such a marriage could only have resulted from a successful invasion by Kurabesi of the Sultan’s territory. (Some Biak-Numfoor people, like my mother, still have land in Tunuwo in Ternate-Tidore).

**West Papua was never a part of the Majapahit Empire**

The Hindu Majapahit Empire existed between 1292 and 1478. Its centre was in East Java, and it included two thirds of Java Island, a small part of South Borneo, a small part of South Celebes, Bali, the Lesser Sundas , and Central Moluccas. The Majapahit Empire was founded on a bold string of treacheries, and was always more concerned with commerce than with territorial aggrandizement. Despite claims made in all Indonesian documents, including current school curriculum texts, the Majapahit Empire did not include Madagascar in West Africa, nor the Pas archipelago off the coast of Chili.

There is also no evidence of the Majapahit Empire conquering any area of New Guinea. If Indonesia can claim sovereignty over West Papua because of a so-called history in the Majapahit Empire, why didn’t Indonesia also lay claim over the rest of the former Majapahit Empire—which, according to them ranged from Madagascar Island to the Pas Archipelago.

**West Papua not automatically part of the Indonesian Republic**

Indonesia has consistently claimed that West Papua, as part of the Dutch East Indies, was automatically a part of the Indonesian Republic. The argument, by extension, means that Indonesia should also have claimed the Dutch colonies of Surinam (in South America), Barbados (in Central America), Guinea Bissau (in Africa) and parts of South Africa as well.

In addition, ‘Indonesians’ under the Dutch authority were slaves for 350 years, and were prepared to engage in violent warfare to advance their independence aspirations. The people of Nederlands New Guinea, however, were not colonized by Dutch traders and the military, but by the Dutch Protestant church with its social welfare and education practices. Besides other obvious differences between the Asiatic Indonesians and the Melanesian West Papuans (which are well documented) the differences created by Indonesia’s military and commercial colonization and West Papua’s colonization by Christian nuns and priests are important and should be recognized.

**Table 6: Difference between Dutch Indonesia and Dutch West Papua.**

INDONESIA	WEST PAPUA
The name of the territory of Indonesia under Dutch control was Dutch Hindie or Netherlands Indiche.	The name of the territory of West Papua under Dutch control was Netherlands Nieuw Guinea.
The central administration of Dutch Hindie was in Batavia (now called Jakarta).	The central administration of Netherlands Nieuw Guinea was in Hollandia (now called Jayapura).

<sup>11</sup> Ibid.

Indonesians were enslaved for 350 years. <sup>12</sup>	West Papuans were controlled by the Dutch for 64 years (1898 and 1962) and were then prepared for independence.
Declaration of Batavia in 1910 attended by Indonesians	No Papuans attended the Declaration of Batavia in 1910.
Indonesian Youth Oath, in 1908 and 1928, attended by Indonesian youth only.	No Papuans attended the Youth Oath in 1908 and in 1928.
BPUPKI (the national body of Investigation for the independence of Indonesia) and PPKI (the national committee for the preparation of independence) were all Indonesians.	No Papuans attended conference prepared by BPUPKI and PPKI prior to Indonesia's independence
The proclamation of an independent Indonesia on 17 August 1945 was only attended by Indonesians,	No Papuans took part in the proclamation on 17 August 1945.
Negotiations in London in 1946 were between Indonesians and the Dutch.	No Papuans were invited to join the Indonesian delegation to London in 1946.
The Indonesian delegation to the Round Table Conference in The Hague on 27 December 1949 was of Indonesians.	No Papuans were invited to join the Indonesian delegation to the Round Table Conference in The Hague in 1949.

### **Does the occupation of West Papua constitute a war crime against humanity?**

The Indonesian military-government military invaded West Papua using its own military power in addition to 3000 Russian military, Russian arms and war machinery (15 land-warships, ADRI I to XV, 30 military Tupolev aeroplanes, and 6 nuclear powered submarines). The West Papuan people believes this invasion of their country, in addition to the violent abuse of their political and human rights since 1963, constitutes reason enough for the Indonesian government to face the International Criminal Tribunal at the Hague.

### **CHAPTER IV:- PEACEFUL SOLUTION OF THE POLITICAL CONFLICT**

The political conflict in West Papua can be resolved peacefully when those involved in the transfer of West Papua to the Indonesian Republic (that is, the United Nations, the United States of America, the Dutch and Indonesian governments) take responsibility for solving the problem in terms of:

- Insisting on the withdrawal of the Indonesian military from West Papua
- Facilitating talks between Indonesia and West Papua under the auspices of a third party

<sup>12</sup> Departemen Penerangan RI, buatlah irian barat satu zamrud yang indah, 1964, halaman 66.



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