
KNOWING AND UNDERSTANDING HOW THE
WEST PAPUANS WERE ROBBED OF
THEIR RIGHT TO INDEPENDENCE

WEST PAPUA AT THE CROSSROADS

A conference on the prospects for peace
and conflict resolution in West Papua

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CHAPTER 1: SUMMARY

When the Indonesian nation was born on 17 August 1945, President Sukarno harboured ambitions to expand his territory by annexing the territory of West Papua. These ambitions were thinly disguised in 1946 during dialogues with representatives of the Kingdom of Netherlands in London about the extent of Indonesian sovereignty. The Dutch representatives did not agree with the Indonesian proposals; and the Indonesians responded to their colonial masters by way of physical revolution in 1947 and again in 1948. These military and diplomatic efforts eventually forced the Dutch to a round table conference on 27 December 1949, where the colonial power admitted Indonesian sovereignty included West Java, Central Java, East Java, Sumatra, Kalimantan, Sulawesi, the Moluccas (Amboyn) and the islands in the Sunda Straights. But not West Papua.

The Indonesians continued to push for control of West Papua, and eventually, angered by Dutch recalcitrance, requested military support from the Soviet Union. They used this support to invade West Papua on 19 December in 1961¹. The involvement of the Soviet Union concerned the Americans who did not want another conflict in the Pacific, especially with the Russians, so soon after the ravages inflicted on humanity, property, and the environment during World War Two. To negotiate a peaceful solution to the problem, President John F. Kennedy arranged for the Dutch and the Indonesians to meet in New York on 12 May and 15 August in 1962. The meeting in May determined that:

1. The Dutch must relinquish their authority in West Papua.
2. The Dutch government must transfer sovereignty of West Papua to the United Nations Temporary Executive Authority (UNTEA) on 1 October 1962.
3. The United Nations Temporary Executive Authority (UNTEA) must transfer sovereignty of West Papua to Indonesia on 1 May 1963 (seven months later).
4. The Indonesian government will administer West Papua for six years.
5. The Indonesian government will organise an Act of Free Choice for the people of West Papua in 1969 in concordance with international standards.

¹ Genadi Melkov and Alexej Drugov "Volkskran" Netherlands 10-13 February 1999. Melkov was the Special Commander of the Russian Army based in Jakarta in 1962, and Drugov was an official interpreter for the Russian Army. In 1962 there were three thousand Soviet military personnel based in Jakarta who carried Indonesian identity cards. The invasion of West Papua involved twelve Russian ships (ADRI 1-12) two Russian submarines, and thirty Toppelov aeroplanes.

At the meeting in August in 1962, the Dutch and the Indonesians, concerned with "the interests and welfare of the people of the territory of West New Guinea (West Irian)" ratified twenty-nine United Nations General Assembly articles which were later (on 21 September 1962) made into resolutions by the UN General Assembly (UN Res. 1752; XV11). The West Papuans were particularly concerned by thirteen articles:

1. Article I, by which the United Nations General Assembly admitted the legality of the New York Agreement.
2. Article II, by which the United Nations General Assembly agreed to transfer the sovereignty of West Papua to Indonesia.
3. Articles III-VIII, by which the United Nations Temporary Executive Authority (UNTEA) was made the administrative power in West Papua.
4. Articles IX-XI, which outlined the first phase of UNTEA's administration.
5. Articles XII-XIII, which outlined the second phase of UNTEA's administration.
6. Articles XIV-XXI, by which the United Nations General Assembly permitted Indonesia to organise government in West Papua, and to organise a referendum based on Indonesian law and regulations, including laws created in the interim.
7. Articles XXII-XXIII, by which UNTEA determined the rights of the inhabitants of West Papua.
8. Article XXIV, by which the United Nations General Assembly determined that Indonesia and The Netherlands re-imburse the United Nations for costs it incurred in West Papua.
9. Article XXV, by which the United Nations General Assembly promised to implement the agreements reached on 12 May and 15 August 1962 in New York.
10. Article XXVI, by which United Nations and Indonesian personnel were granted broad privileges and immunity in West Papua.
11. Article XXVII, by which the Agreement was ratified in accordance with the constitutional procedures of the Dutch and the Indonesians.
12. Article XXVIII, by which the Agreement would be implemented immediately.
13. Article XXIX, by which the legalities were drawn up in English, and responsibility for translations into Dutch and Indonesian given to the Contracting Parties.

The New York Agreement was designed to solve the conflict between the Netherlands and Indonesia; and to provide Indonesia with an opportunity to become a neo-colonial power in West Papua. The West Papuan people were not consulted. The Agreement did not address their needs or their aspirations for independence.

Pursuant to the New York Agreement, the Kingdom of Netherlands transferred West Papuan sovereign territory to the UNTEA on 1 October 1962; and on 1 May 1963 UNTEA transferred West Papuan sovereign territory to the Indonesian military government. The 1st of May has become an important date for indigenous West Papuans (whose rights to control their own land were usurped) and for Indonesians (who increased the size of their Republic by twenty per cent).

On 1 May 1963, the day Indonesia was given West Papua, the Indonesian government issued three Presidential Instructions (INPRES):

1. West Papua was closed to the international community.
2. West Papua became an active Indonesian military zone (*DOM/Daerah Operasi Militer*).
3. An Anti-Subversive Regulations Papua (Regulation No.11/PNPS/1963) based on an old Dutch regulation was activated for West Papua.

Why did the Indonesian government close West Papua? Why did West Papuan territory becoming an active military zone? Why did West Papuans need to be controlled with anti-subversion regulations? It was an evil of the Indonesian military to close the territory, then terrorize, rape, torture, imprison, kidnap, and kill West Papuan people. Indonesia maintained the Presidential Instructions were necessary because rebellious West Papuans were undermining the sovereignty of the Indonesian Republic. They used ingenious diplomacy to justify their evil behaviour in West Papua. They also used election regulations adopted in 1966 after the coup in Indonesia (*Peraturan Pemerintah Tahun 1966*) and political party regulations (*PAKET 1-5*) that were drawn up in 1985. With these legalities they were able to deceive the Indonesian people, and at the same time, hoodwink the international community into supporting Indonesian sovereignty over West Papua and the integration of West Papua into Indonesia.

Thus, by way of the New York Agreement in 1962, the Presidential Instructions of 1 May 1963, the Indonesian government regulations of 1966, and the *PAKET 'reforms'* (1-5) of 1985, the West Papuans have been continuously robbed of their human rights, the political sovereignty of their territory, of control over their economies and their natural environment.

Question: Can West Papua refute, and then effect the cancellation of, the New York Agreement of 1962, the Presidential Instructions (INPRES) of 1963, the Indonesian regulations of 1966, the *PAKET 5 'reforms'* of 1985, all of which resourced the Indonesian neo-colonial occupation? And if West Papua can do this, then how? And when?

CHAPTER 2: THE BRIEF HISTORY OF THE POLITICAL INTEGRATION OF WEST PAPUA INTO THE REPUBLIC OF INDONESIA

In 1946 in London, when the League of Nations was addressing the problem of independence for the Dutch colony of Indonesia, delegates from Indonesia advised representatives of the Kingdom of the Netherlands to admit West Papuan territory to the Republic of Indonesia. Three years later, at the round table conference in The Hague in Holland on 27 December 1949, the Indonesian delegates gave the same advice, although at this time the Dutch did not agree, because:

1. West Papuans were Melanesian, not Indonesian.
2. The West Papuans had a right to their freedom and independence².
3. The Kingdom of the Netherlands had committed to a program leading to independence for the West Papuans at the South Pacific Forum in Canberra, Australia, in 1947³.

The reluctance of the Dutch to include West Papua in the Republic of Indonesia angered the Indonesians, who then invited the Russian military to support their claim. The invitation flared tension between the Americans (who were supporting the Dutch) and the Russians. To ameliorate this dangerous geo-political situation, the Americans offered what has come to be known as the 'Ellsworth Bunker concept' to which the Indonesians and the Dutch agreed on 12 May 1962. The Ellsworth Bunker concept offered four proposals:

1. Government of West Papua to be transferred to Indonesia.
2. For the period Indonesia controlled West Papua, the West Papuan people must be given opportunities to enforce their right to self-determination based on democratic principles.
3. The Dutch to transfer administration of West Papua to Indonesia within two years.
4. To avoid direct confrontation between the Dutch and the Indonesians, sovereignty of West Papuan territory to be transferred from the Netherlands to a United Nations Temporary Executive Authority (UNTEA) immediately.

To push the Dutch to agree to the concept, so on 31 July 1962, Soebandrio⁴ the Indonesian Foreign Minister, in direct negotiations with American President, John F. Kennedy, claimed that a

² Undang-undang Dasar, Pedoman Penghayatan dan Pengamalan Pancasila, Ketetapan MPR No.11/MPR/1978, Halaman 1 (Indonesian Constitution, Comprehensive Guide to the Implementation of Pancasila Principles, Committee of the Provisional People's Consultative Council, No.11/MPR/1978:p1).

³ Zulkifli Hamid "Politik di Melanesia" Pustaka Jaya, 1996:2.

⁴ Naskah Perstudjuan Indonesia-Nederland, mengenai Penjerahan Irian-Barat kepada Republik Indonesia, Departemen Luar Negeri Direktorat Penerangan, 1962, hal 7.

war with the Dutch would involve all elements of the Indonesian national power, which, in turn, would profit the cause of communism. The Indonesian threat was successful, and the Americans pressed the Kingdom of the Netherlands to agree to a peaceful solution by way of:

1. Accepting the New York Agreement on 15 August 1962.
2. Transferring the administration of West Papua on 1 May 1963 to Indonesia.

CHAPTER 3: NEW YORK AGREEMENT-CREATING AN OPPORTUNITY FOR INDONESIAN IMPERIALISM OVER WEST PAPUA

A. An opening for evil politics

The New York Agreement created an opportunity, and became a resource, for Indonesian political opportunism in West Papua, because:

1. Article 1 of the Agreement ratified a draft resolution of the UN General Assembly which bound the Dutch and the Indonesians to the New York Agreement.
2. Article 2 of the Agreement transferred the governing of West Papua from the Netherlands to the United Nations Temporary Executive Authority (UNTEA) and then to Indonesia.
3. Articles 14-21 of the Agreement permitted the Indonesian government to organise the administration in West Papua, and then to organise a self-determination referendum for West Papuans in accordance with Indonesian laws and regulations.

B. The controversial points

The content of Articles 1-29 are controversial, but Articles 14-21 are of special concern. By these articles, the United Nations permitted the Indonesians to organise the government of West Papua; and to organise the self-determination program, including an "Act of Free Choice" according to Indonesian law and regulations. Thus, the United Nations provided Indonesia with a mandate to

arrange West Papua according to its own interests. The United Nations therefore behaved irresponsibly, and failed to uphold its duty as an international institute to guarantee and protect the rights of all nations, including the Melanesian nation of West Papua.

The New York Agreement became the base for the Indonesian government to implement a neo-colonial regime in West Papua, which to the present day has violated West Papuan human rights and continues to destroy their natural environment.

**CHAPTER 4: INDONESIAN PRESIDENT'S INSTRUCTIONS OF 1 MAY 1963:
A DECISIVE FACTOR IN THE FIRST STAGE OF INDONESIAN
GOVERNMENT IN WEST PAPA.**

After the United Nations transferred sovereignty of West Papuan territory to Indonesia on 1 May 1963, the regime enforced its neo-colonial policies and practices with impunity.

A. West Papua closed to International Community.

Before West Papua was incorporated into the Unitary Republic of Indonesia in 1969, the Indonesian regime commenced its evil by closing West Papua to the international community.

B. West Papua made a Military-Operative Zone (DOM).

Indonesia organised West Papua as a military zone and applied a military administration that permitted the robbing, torture, rape, kidnap, exile, imprisonment and killing of West Papuans. The people became afraid and submitted to Indonesian control.

C. The Application of Anti-Subversion Regulations in West Papua.

Anti-subversion regulations No.11/PNPS/1963 were enforced and became an effective tool for suppressing criticism of the regime's practices in the years leading up to the "Act of Free Choice".

CHAPTER 5: INDONESIAN GOVERNMENT REGULATIONS OF 1966 - TOOLS TO DENY WEST PAPUA'S RIGHT TO SELF-DETERMINATION.

President Soekarno appointed Major General Soeharto (code-named Mandala Operational Commander) as Commander of the annexation of West Papua on 19 December 1961. However the General's thinking and actions were severely compromised:

1. Soeharto had to respect the command of his President, even though, because of his employment by the CIA in America (he had been recommended by his daughter's husband's father, Professor Sumitro) he understood his role in America's plan to influence future events in Indonesia (that is, to oust President Sukarno).
2. Indonesia was indebted to the Communists by way of Russia's commitment to the annexation of West Papua (\$26 million dollars cash, military hardware, 3,000 defence personnel, twelve ships (ADRI 1-12) six nuclear-powered submarines, and thirty Toppelov aeroplanes). However many Indonesian Muslims thought that the alliance with Russia was not compatible with their national interests.

After the military coup in 1965 by which President Soekarno was deposed, General Soeharto assumed the position of Indonesian President, and in 1966 issued new government regulations to guide general elections in Indonesia. By these new regulations:

1. The principles of democracy inherent to an Act of Free Choice were subverted.
2. An Act of 'No' Choice based on Indonesian laws and regulations took place.

A. The West Papuan 'Representative' Council.

Because of new government regulations (PP 1966) the Indonesian military was able to appoint 1,026 West Papuans of various backgrounds, namely four hundred traditional leaders, three hundred regional representatives, two hundred and sixty-six representatives of political and social organisations, sixty Christian church and Islamic representative (see Table 1).

TABLE 1. WEST PAPUAN REPRESENTATIVE COUNCIL

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

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

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 (0.10%) people from Jayawijaya highland regency; 175 people represented 156,000 (0.11%) people 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).

TABLE 2. ASSEMBLY/POPULATION/REPRESENTATION

No.	Consultative Assembly	Population in 1969	No. appointed representatives	% OF POPULATION
1	Merauke	141.373	175	0.12%
2	Pegunungan Jayawijaya	165.000	175	0.10%
3	Paniai/Nabire	156.000	175	0.11%
4	Fak-Fak	38.917	75	0.19%
5	Sorong	86.840	110	0.12%
6	Manokwari	53.290	75	0.14%
7	Teluk Cenderawasih	93.230	131	0.14%
8	Jayapura	81.246	110	0.13%
	Total	816,896	1,026	1.05%

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

The system of 'voting' during the Suharto period in Indonesia - and accepted by the United Nations for the Act of Free Choice referendum in West Papua - was called *musjuwarah*. This entailed several representatives in each Assembly standing up to be asked questions by the representative of the Government of the Republic of Indonesia, and in so answering proclaim the Republic of

Indonesia, its constitution, its flag, and its government; one country extending from Sabang to Merauke. Then a government official then 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 (see Table 3).

TABLE 3. NO. OF INDONESIAN-APPOINTED ASSEMBLY MEMBERS & NO. WHO 'SPOKE FOR' INTEGRATION				NO. INVITED TO 'STAND UP'
No.	Consultative Assembly	No. appointed representatives	No. who 'spoke'	
1	Merauke	175	20	155
2	Pegunungan Jayawijaya	175	18	157
3	Paniai/Nabire	175	28	147
4	Fak-Fak	75	17	58
5	Sorong	110	16	94
6	Manokwari	75	26	49
7	Teluk Cenderawasih	131	24	107
8	Jayapura	110	26	84
Total		1,026	175	851

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

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

B: Time factor to support an evil plan

For East Timor's historic referendum in 1999, the Tripartite Agreement signed on 5 May 1999 in New York between Indonesia, Portugal, and the United Nations, stipulated that the ballot would take place on one day, 30 August 1999. This partially foiled Indonesia's plan to subvert and

manipulate the process. Compare this with the referendum process in West Papua in 1969 which took place over a period of nineteen days (see Table 4).

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
Total		19 days

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

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. (see Table 5).

TABLE 5. DISCREPANCIES BETWEEN TWO REPORTS PRESENTED TO UNITED NATIONS

Consultative Assembly	No. of Assembly Present Ortiz Sanz/Indon. Gov.	Speakers for Integregation Ortiz Sanz/Indon. Gov.
Merauke	174/175	20/20
Jayawijaya	175/175	17/18
Paniai/Nabire	174/174	28/28
Fak-Fak	175/75	17/17
Sorong	110/110	16/16
Manokwari	75/75	26/26
Cenderawasih	130/130	24/24
Jayapura	109/109	27/26
Total	1122/1023	175/175

NO. WHO SIMPLY 'STOOD UP'

154/155

158/157

146/146

158/58

94/94

49/49

106/106

82/83

947/848

Figures tabulated from United Nations General Assembly Official Records, Annexes, 24th 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).

CHAPTER 6: PAKET 5-INDONESIAN POLITICAL PARTY REGULATIONS OF 1985. A TOOL TO AVOID ANOTHER REFERENDUM IN WEST PAPUA

PAKET 5 are political party regulations legislated in 1985 (UU.Parpol) that were based on government regulations of 1966. PAKET 5 consists of:

- 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 Development Friendship 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 Indonesia Republic the referendum system was not known, and therefore not valid.
- PAKET 5: Regulation No. 8/1985 arranged social organisations.

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

PAKET 1 permitted Indonesia to capitalise on the results of the Act of Free Choice and also to prevent another referendum by calling a general election in Indonesia.

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.

PAKET 3 created three official political parties, enabling Indonesia to claim that any organisations 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 organisations in West Papua which might develop into grass roots political organisations.

By the 'reforms' of 1985 the Indonesian government was able to annul the political rights of West Papuans, whether they be human rights, democratic rights, or pertaining to the environment.

CHAPTER 7: WEST PAPUAN CLAIMS

By the application of international law and regulations, and Indonesian national law and regulations, problems between Indonesia and the Kingdom of the Netherlands were solved. However the solutions created enormous problems for West Papuans that remain to the present day. Indonesians then manipulated and applied international law, and created more of their own regulations, in order to secure a neo-colonial military presence in West Papua. Since then a lot of West Papuan people have been incarcerated in Indonesian prisons, a lot have been exiled (especially to the island of Java) and kidnapped and tortured. Approximately 400,000 West Papuans have been killed. Rape (of civilians' and guerillas' wives and daughters) is common; gardens, homes, churches, and village clinics are randomly destroyed, and West Papuans have been robbed of their property and wealth⁵.

Indonesian government projects have destroyed West Papua's natural environment. For example, illicit logging in Jayapura, Yapen Waropen, and Merauke regencies has destroyed one hundred thousand hectares of jungle which is used for plywood. Thousands of hectares of natural sago has been destroyed in Sorong and Jayapura regencies; the ecology has been destroyed around the Freeport mine in Timika regency; agricultural cycles are continually interrupted if not destroyed.

The Indonesian government's national program, based on Indonesian revolutionary history, should not have been applied to West Papua. This program, based on *Pancasila*, is not appropriate for West Papuans. However because it has been forced on West Papuans for so long, the people have become one dimensional in their thinking. What is the meaning of monodimensional? I will explain it by referring to a psychological concept called 'reifikasi', or brain-washing, which causes people to become unimaginative, causes them to accept certain attitudes and applications with little or no critical analysis. For example, people with 'reifikasi' in Indonesia think that:

1. A good President can only come from Java;
2. A good President has to have a military background;
3. A defence force with a double function (*dwifungsi*) protects all aspects of society.
4. A big Indonesian Army will annihilate resistance in East Timor, Aceh, and West Papua.
5. It is impossible for East Timor, Aceh and West Papua to achieve independence.

But does a good Indonesian President have to come from Java? Until now the Indonesian nation has been damaged by two Presidents who both come from Java. Ir. Soekarno claimed he was

⁵ Tindakan Tidak Manusiawi Atas Warga di IRJA Agar Dihentikan, Suara Pembaharuan, 1 Juni 1998:8 (Stop Action of Human Rights for Irianese, Voice of Reform, 1 Juni 1998:8).

guided by a democratic ideology, and Soeharto led according to Pancasila principles. The third President, Professor Dr. Ing BJ Habibie, who did actually implement some democratic measures, is, in fact, from Sulawesi.

Does a good President have to have a military background? Ir. Soekarno, Professor Habibie, Dr Abdurahman Wahid, and Megawati Sukarnoputri all have civilian backgrounds.

Does the Indonesian military protect all aspects of Indonesian territory? *Dwifungsi* ABRI (the dual function of the Army) is meant to ensure the nation is protected and develops; and is an institutionalised component of the Indonesian political system. However ABRI has destroyed Indonesia, and continues to do so.

Has the Indonesian army stopped resistance in East Timor, Aceh, and West Papua? Up until the present day the Army has not solved the Indonesian nation's problems in East Timor, Aceh, and West Papua. In fact, the Army is the problem.

Will East Timor, Aceh, and West Papua become independent? East Timor is now independent, and West Papua and Aceh will follow in due course.

Because of the condition of REIFIKASI, many Indonesian people, including West Papuans, and especially West Papuan intellectuals, lawyers, and political activists, are dead. Many West Papuans now are not autonomous thinkers, and haven't been creative in formulating a national development.

CHAPTER 8: SOLVING WEST PAPUA'S POLITICAL SITUATION PEACEFULLY

For thirty-seven years, West Papuans have opposed the Indonesian colonial regime, and have tried to find methods to solve their political problems. So far we have not found any solutions. Is this because the Indonesian security and defence is very strong? Or because the international community simply lets the West Papuans continue to suffer? Or is it because we struggle valiantly, but have not been focussed enough to mount a consistent and effective campaign for all aspects of the struggle?

I believe some important parts of the struggle deserve special consideration. If we consider the links between cause and effect it can be seen that the root causes of the West Papua issue are political problems:

1. New York Agreement, 15 August 1962 (see Chapter 3).
2. INPRES (Indonesian Presidential Instructions) 1 May 1963 (see Chapter 4).
3. The Indonesian government regulations of 1966 (see Chapter 5).
4. PAKET 5 political party regulations of 1985 (see Chapter 6).

Some international human rights organizations, including some in Indonesia, have voiced concerns about human rights and the environment, but haven't yet solved any problems. This is because they are investigating the effects, not the root causes, of the problem. Who was responsible for creating the causes? Why did they create the causes? How were democratically-inspired strategies subverted? What has been the effect of the subversion?

SOLVING THE PROBLEM STRATEGICALLY, STEP BY STEP

A. Discussions, Seminars and Conferences

West Papuans must have more discussions, seminars, and conferences with the Indonesian government, the Indonesian people through non-government organisations, the international community, the Dutch government, the American government, and the United Nations. By discussion, seminars and conferences, a dialogue will be opened to help create peaceful solutions.

B. Approaches

West Papuan people must initiate and establish good relationships with:

1. Indonesian nationals so that they are able to understand the political rights of the West Papuans, and learn how these rights have been denied. Indonesians will thus learn how the Indonesian government system affects their rights as well.
2. Members of the international community - NGOs, governments departments and national parliaments, churches and Islamic institutions - who can help to train a team of West Papuan diplomats and arrange diplomacy tours to Europe, America, Africa, Asia and the South Pacific.
3. Communities from the South Pacific - Australia and New Zealand, Papua New Guinea, Fiji, the Solomons, Vanuatu, Samoa, Tonga, Cook Islands, Willis, Futuna, Tuvalu, Kiribati, and Nauru. These island-nations of the Pacific are important because West Papua is a Melanesian nation and can learn from, and probably rely on the support of, their Melanesian, Micronesian and Polynesian brothers and sisters. In 1947 at the South Pacific Forum in Canberra, in which West Papua participated, the independence quests of the Pacific nations were recognised and supported⁶. With the exception of West Papua and New Caledonia, all the Melanesian, Micronesian and Polynesian nations are independent.
4. Indigenous land rights movements. Papua's indigenous cultures are the fundamental resource of the West Papuan identity that is the root of the independence struggle. Therefore strong and enduring links should be made, and resources shared, with indigenous movements. Alliances with them is entry to a sophisticated network of international lobbyists.

C. Lobbying

Having successfully established these approaches, West Papuans must then advance their independence by lobbying the Indonesian government, the Indonesian people, the international community, and the South Pacific nations.

⁶ M. FERRY KARETH, SH. "Perjalanan Integrasi Wilayah Irian Barat Kedalam Negara Kasatuan Republik Indonesia' Suatu Tinjauan dari Aspek Yuridis, Makalah, Bandung 27-29 April 1999.

D. Networking

West Papua must establish a strong network with nations, organizations, and individuals that have been lobbied. Human rights and environmental information can be shared, providing West Papuans can be helped to set up effective technology to gather and collate data.

E. Advocacy Commissions

(i) National Independence Advocacy Commission

A national advocacy commission would be comprised of members from NGOS from West Papua, NGOs from Indonesia, plus some NGOs from West Papua, the Protestant church, the Catholic Church, the Baptist, Pentecostal Church, Seventh Day Adventists, Islamic organisations, and intellectuals. The Commission will research and investigate human rights violations, and environmental degradation so that the link between the cause of West Papua's problems and the effects are clearly defined and widely discussed; and aired in the appropriate Indonesian government, parliament, executive and judicial institutions.

(ii) International Advocacy Commission

An international advocacy commission with a minimum of ten people from ten countries to:

- * Research and investigate the background and content of the New York Agreement (1962) and the way it was applied and implemented.
- * Substantiate that it was the New York Agreement in 1969 which was the basis for the Indonesia's invasion and occupation of West Papua.
- * Submit a well researched argument to UN Secretary-General, Kofi Anan, for the review of legal decisions, No. 2504, 19 November 1969, that were made by General Assembly.
- * Invoke international law, backed by Indonesian data, to cancel United Nations General Assembly No, 2504, 19 November 1969.
- * Advise the United Nations to put West Papua back on its agenda, in order that it can process and respond to West Papua's independence claims.

* Respond to developments which occur in order to deliver to the West Papuan people their inalienable rights to dignity, freedom and independence.

CHAPTER 9: CONCLUSIONS

The annexation and implementation of neo-colonialism in West Papua was supported by the USSR, America, and the United Nations.

The New York Agreement of 15 August 1962, was an effective tool for solving the conflict between Indonesian and the Netherlands, but was a fundamental resource for the implementation of a neo-colonial military regime in West Papua which exists until the present day.

The Indonesian President's Instructions (INPRES) of 1 May 1963 effected an evil political occupation of West Papua.

The Indonesian government regulations of 1966 effected the nullification of West Papuan political rights. Of the 1,026 West Papuan 'representatives' appointed by the Indonesian military government for the 1969 self-determination vote, only 175 (fifteen per cent) signed the integration statement; the remaining 851 (eighty-six per cent) abstained.

PAKET 5 political party regulations of 1985 were created by the Indonesian military regime in order to avoid holding another referendum in West Papua.

The Indonesian occupation of West Papua has undermined the principles of democracy, overseen serious human rights violations, and destroyed the natural.

Peaceful solutions to the problem of West Papuan political rights must prioritise the truth, justice, and eternal peace.

CHAPTER 10: PROPOSALS

1. To the Indonesian Government.

The Government of Indonesia, nobly and respectfully return to West Papuans their territory of which they were illegally robbed on 19 December 1961 and on 1 May 1963.

The Government of Indonesia, nobly and respectfully return to West Papuans their political rights of which they were robbed in 1969.

The Government of Indonesia should avoid further humiliation of his nation, and re-establish the dignity of the people in the eyes of the international community, by returning to West Papuans their way of life, their property rights, their wealth, and their right to independence.

The Hon. Megawati Sukarnoputri. You are President of Indonesia, and also President of PDI-P (Partai Demokrasi Indonesia Perjuangan/Indonesian Democratic Party of Struggle). You are also the daughter of the first president, Ir. Soeharto. You clearly understand how the histories of Indonesia and West Papua were manipulated by your father, and the suffering in West Papua this manipulation has caused. You have a moral responsibility to solve the problem. This is a good time for you and your family and your country to concern yourselves with the fate of Melanesia West Papua. By doing so, you will earn the respect of all nations in the world, and future generations of Indonesians will grow in peace, love and justice.

2. To the Government of the Kingdom of the Netherlands

It is difficult for the Dutch government to dialogue with the Indonesia government about the political rights of the West Papuans, because of their former position as a colonial power in Indonesia. However, the Dutch could use their unique status in Indonesia to lobby (directly and indirectly) for dialogue between Indonesia, America, and the United Nations about the New York Agreement of 1962.

3. To the United States of America

Given that West Papuan land, sweat, tears and blood were sacrificed to the success of the United States and its allies in the Pacific campaign during World War Two; and that Indonesia's decision to invade and annex West Papua was influenced and supported by pragmatic American foreign policy of the late fifties and sixties, the United States of America must assume some responsibility for the deaths of at least four hundred thousand West Papuans who have died at the hands of Indonesian military.

Indonesia is still heavily influenced by America, so the United States is in a unique position to influence the course of the future for West Papua. America could be creating initiatives to help West Papuans re-gain the political integrity that was stolen from them. I believe that in the Americas - the home of many peoples, many NGOs, congressional members, those in the White House-there are those who have good hearts, and who want to help the West Papuans re-gain their political integrity and their human rights, a pursuit by which the Indonesians will also re-stock their sense of national dignity.

4. To the United Nations

In his wisdom, the General Secretary of the United Nations should instigate a review of the New York Agreement of 15 August 1962, and the Act of 'No' Choice of 1969, and cancel the United Nations General Assembly Res. No. 2,504 of 19 November 1969. By these measures West Papua would be put back on the UN agenda so that solutions can be devised based on justice and in accordance with international law.

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