

Prof. Amien Rais: RI Don't Underestimate the ULMWP Referendum

<https://www.youtube.com/watch?v=fdkCdifCtDw>

English translation by Louise Byrne and Peter Woods, slightly edited for clarity

The proclamation of the universal system and order (Sunnatullah) says that every power or ruling regime that does not care about justice, will inevitably collapse. When that happens is not a human affair. Humans are only trying, the final result is in the hands of Allah S.W.T. The Almighty.

Ladies and gentlemen, we now enter Chapter 13, namely the future of West Papua and Papua. The Republic of Indonesia officially acquired West Guinea (now West Papua Province and Papua Province) after the Pepera (Determination of People's Opinion) or Act of Free Choice for the people on 2 August 1969, based on the New York Agreement between Indonesia and the Netherlands in accordance with one of the resolutions of the 1962 UN General Assembly. That resolution contained a provision that the UN authorities temporarily take over the affairs of West New Guinea from Dutch rule. It was determined that the Government of Indonesia should carry out the Act of Free Choice to find out whether the West Guinean people joined Indonesia or joined the Netherlands. The result was that all of the 1025 Papuans in West Guinea, which were appointed by the Indonesian government, chose by acclamation to join Indonesia. At the suggestion of one of the Papuan fighters Frans Kasiepo, the Indonesian Papua region was named Irian (Ikut Republic Indonesia Anti Nederland). Then Pak Harto agreed to rename West Irian as Irian Jaya. Later, various Papuan leaders called the Act of Free Choice a mockery, or the Act of 'no' Choice, because it was done unilaterally and the 1025 people had no right to represent the total Melanesian population of 800,000 inhabitants. However, Indonesia is adamant that what was colonised by the Dutch was an integral part of the Dutch East Indies, so such protests were not considered legitimate. Moreover, the UN General Assembly ratified the Act of Free Choice through Resolution 2504. In 2004 the Indonesian government divided Papua Province into West Papua and Papua.

It is better if we try to understand and pay attention to why our people in these two provinces continue to be in turmoil. Occasionally it doesn't play off, but it is getting more and more turbulent. People say a wise leader must be good at listening, not only good at speaking. Also of course willing to make improvements if it is believed that there are weaknesses or mistakes in the policies or politics. Don't be like Luhut when he says, "Yes, if Papuans are not there, it's not a Papuan place". Talking like this makes the Papuan people even more angry. We consider the following points.

First, there is a growing opinion among the Papuan people that the transfer of power from the Netherlands to Indonesia through the 1969 Act of Free Choice must be canceled. The UN Decree fifty-one years ago has validated the results of the Pepera, but continues to be challenged by figures including Benny Wenda, chairman of the ULMWP (United Liberation Movement for West Papua). He has to some extent received reasonably wide international support for the United Nations to review the results of the 1969 Act. For example, the President of Senegal, Abdoulaye Wade, stated at a conference in Dakar, the capital of Senegal, on 23 August 2019, that "West Papua is now an issue for all black Africans." The Ugandan Parliament has also expressed full support for West Papua's independence. That Benny Wenda was made an honorary citizen of the City of Oxford shows British sympathy for the ULMWP's actions.

Jacob Rumbiak, secretary of ULMWP, is also very active in traveling to large campuses abroad selling the idea of the importance of re-running the 1969 Act of Free Choice. ULMWP's efforts are very persistent to penetrate the UN such that the issue of West Papua is included in the schedule of the UN General Assembly so that there is a referendum as there was in East Timor in 1999 which gave birth to Timor Leste. We should not underestimate the international ULMWP movement. It's good to have an umbrella before it rains.

Second, it is starting to imprint in the minds of many circles that there have been human rights violations since Papua and West Papua joined Indonesia. There are indeed excesses as serious as the loss of the lives of innocent people in Papua because they express the desire for independence by raising the Morning Star flag. Meanwhile, many international NGOs spread hoaxes, as if what happened in Papua and West Papua was a form of genocide.

Third, there has been economic injustice for the Papuan people. In West Papua, for example, British Petroleum has been extracting natural gas from the Tangguh Gas Field day and night since 2002. The Megawati government sold the gas to China in a long-term contract. The disadvantage is that the gas selling price was only US\$2.4—US\$3.35 per mmbtu, which is valid for 20 years, regardless of an increase in international gas prices. In fact, the selling price of gas usually changes up or down according to fluctuations in world oil prices, and at one time reached US 12 per mmbtu. After being disadvantaged for decades with Tangguh's low gas selling price, in 2014 the SBY government finally managed to negotiate a better price, which was around US\$12 per mmbtu. Another company, Freeport McMoran, is not only a kind of country within the country, but "country" over the country. In Papua PT. Freeport (foreign) and MIFEE (national) are enemies of the Papuan people.

Fourth, apart from foreign companies such as BP in West Papua and Freeport McMoran in Papua, ecological chaos (even ecological killing/ecocide) continues without stopping. Freeport's contribution in the form of royalties and taxes to the Indonesian state budget is only 0.8% on average. So if Freeport was closed and the contract not renewed, Indonesia's economy would not be affected at all. However, the ecological destruction that cannot be repaired by any means is actually even more dangerous. In the words of Prof. Agus Sumule from the University of Papua "The decision of all extractive companies such as BP and Freeport is determined 100% by Jakarta." After 30 years all will be gone. There will be nothing left, except for toxic waste for the people of Papua.

Fifth, it is very funny if there are allegations of racism against the Papuan people. But it hurts us. However, many pro-independence Papuan figures have accused Indonesia of institutional racism since 1969. The tragedy that occurred in July-August 2019 due to indecent remarks from a number of people towards Papuan students at their dormitory in Surabaya, actually sparked riots in many major cities in Indonesia. Many of us were surprised to see the wide extent of Papuans calling for Papuan independence simultaneously. Among Papuan intellectuals some commented that Papua was in former times colonized by "White colonialism", and now by "Brown colonialism."

The Jokowi administration panicked in August 2019 when it faced protests that spread to the capital in front of the palace. Finally, the central government blocked internet access in Papua (19 cities/districts) and West Papua (13 cities/districts). Five leading NGOs reported Jokowi and the Minister of Communication to PTUN and were convicted of breaking the law. Of course, our two figures smiled a little because they had to pay a court fee of Rp. 475,000.

But what is even **worse is the prohibition of foreign journalists and UN representatives not being granted permission to enter Papua and West Papua**, a prohibition still in effect, which has led to conclusions the Jakarta government is covering something. This automatically makes Indonesia's image negative in the eyes of the international public.

Sixth, the Papuan people are increasingly aware that not only foreign extractive corporations such as BP, Freeport and smaller corporations from France, Spain, Norway and others have exploited their natural wealth and taken it abroad; but also domestic companies like MIFEE (Merauke Integrated Food and Energy Estate), which divides the land like it is dividing the land of its own grandfather. And don't forget, all with the permission of the Central Government. MIFEE has been operating since 2008, and before that, since 2006, as MIRE (Merauke Integrated Rice Estate). The land in Merauke is divided by 33 domestic companies operating in timber, oil palm, sugar cane, corn, rice, and wood processing plantations. For example, PT Kerta Kencana acquired 160,000 hectares, and PT Balikpapan Forest Indo has acquired 45,000 hectares. In the oil palm sector, PT Energi Hijau Kencana has 90,000 hectares. In the plantation sector PT Hardaya Sukar Papua has 45,000 hectares, and PT Agri Surya Agung has 40,000 hectares. In the area of corn cultivation PT Medco Papua Alam has 74,000 hectares. There are many other PTs which collectively have about 2 million hectares of land that belongs to the Papuan people in Merauke. This land grabbing (expropriation) has the single objective of fulfilling the needs of the extractive PT-PT, not the national food requirement (like the jargon says). It is a pity the Jokowi administration didn't stop the robbery of Merauke land, but instead has continued consistently.

We need to take note of recent developments in Papua and West Papua. After the death of George Floyd after being stomped on the neck by Minneapolis police on 25 May 2020, demonstrations sprang up in all major American cities with the hashtag "Black lives matter." What was so spectacular was that soon all major cities in West Papua and Papua also witnessed the outbreak of the hashtag "Papuan lives matter."

I propose, before it is too late, that as soon as possible, Jakarta's security and military approach in Papua and West Papua, to overcome social political and economic turmoil, is immediately stopped. That approach, combined with the Special Autonomy Laws, has not been able to overcome the turmoil of the Papuan people wanting independence. Otherwise the propaganda launched by Benny Wenda through ULMWP and strengthened by peaceful actions led by Filep Karma who wrote a book entitled "As if we are half animals" will continue and get bigger and bigger.

The Justice Approach in a broad sense is perhaps immediately applicable. All foreign corporations that have committed ecocide, destroying the environment must be forced to stop and be terminated. The government has always argued for the principle of international law, *Pacta Sunt Servanda* (the agreement must be fulfilled), even though there is an equal principle, *Rebus sic stantibus* (things standing) which means that if during the implementation of the agreement there is a change in the situation that undermines the main intent of the agreement, then the injured party can immediately ask for renegotiation and even for the agreement to be terminated. Look at the destruction of hundreds of square kilometers of the Jaya Wijaya Mountains, the giant bends and holes created by the Freeport mine as it recklessly exploits and extracts gold there and completely destroying the environment.

The Freeport mine was supposed to be closed in the mid-1990s, but we don't have the courage. The reason is that if Freeport is angry, the case will be taken to international arbitration, and we will definitely lose. As the fourth largest country on earth, Indonesia should be firm that Indonesia's natural resources are for the Indonesian nation itself.

Foreign corporations, please invest in mining, agriculture, plantations, and so on, but Indonesia remains the host country, not a non-native state that suffers from an inferiority complex.

Look at China for example. In defending its economic interests, China made a rule that any dispute with foreign corporations must be brought before China's own arbitration system. It turns out that all foreign corporations operating in China comply with that. Another example is Bolivia, which is a small country, but its president has the guts and skills of a fighter. When Evo Morales was appointed President in 2006, he immediately summoned all foreign corporations in Bolivia and told them that the new government would unilaterally make new rules in favor of the Bolivian people. With the new regulation, all foreign corporations still make a profit, but much smaller, and they cannot do it arbitrarily. And all the foreign corporations agreed, and none has left Bolivia. Indonesia, unfortunately, is a large country, and the ruling elite is dwarfed by and subordinate to these foreign corporations. On paper, Inalum paid 3.8 billion dollars for 51% of PT Freeport shares, but Freeport is still 100% the operator, so there are suspicions, about whether owning 51% of the shares will change the situation much, except for the millions of tailings waste covering hundreds of square kilometers around the mine, bringing more misery to tens of thousands of Papuans.

It is imperative that we look, reflect, and think realistically about the latest developments in Papua and West Papua provinces. The situation on the ground is moving very fast, so we should not be careless and think that political developments in the two easternmost provinces of Indonesia are still normal and under control. Not to mention that Jakarta Post published an article on 2 September 2019 entitled "How to lose the propaganda war over Papua". We must admit that the diplomatic offensive and propaganda by figures in the two provinces have reaped big results at home and abroad. What the government has done is only on the defensive, and it tends to underestimate the development of turmoil by our brothers in West Papua and Papua. Their desire for independence through a referendum supervised by the United Nations is very widespread. It would be very wrong to continue to underestimate the dramatic and drastic political developments in Papua.

Officially fifty-seven native Papuan Catholic priests from five dioceses in Papua expressed their stance that the Jakarta government should give Papuans the opportunity to hold a referendum on whether to remain Indonesian or build their own Papua State. This statement was published on 21 July 2020. The Special Autonomy Law for Papua is opposed by almost all people in Papua. Lukas Enembe, the Governor of Papua, the Papua and West Papua People's Council, ULMWP, FRIWP, WPCC, Papuan Women's Solidarity, Papuan Youth and Students all reject Special Autonomy Volume II. Special Autonomy (OTSUS) has been likened to a coffin for the Papuan people and toxic food which ends with their death. The Papuan Church Council (WPCC) has also rejected OTSUS Volume Two, arguing that it was drafted unilaterally by Jakarta. Its annual reflection, published on 5 July 2020 has the theme "God of Special Autonomy and Indonesian Development in Papua is dead."

This theme shows the resentment and anger of the Papuan people who are now just as smart, just as smart and as sharp as other tribal people in Indonesia. It would be very reckless if some of us still think that our brothers in Papua are less intelligent than other tribes or ethnicities. A quite surprising development was what happened at the Papua Customary Council Office (DAP) Expo in Wamena on 22 July 2020, when a petition called the Launching of the Papuan People's Petition Against Special Autonomy Volume 11 was announced. Those who attended were not careless. There were figures such as Filep Karma, Yosepha Aolmang, the Papuan Customary Council, academic representatives of UNCEN, and 23 movement organizations consisting of NGOs and various grassroots organizations. Filep Karma may be more influential than Benny Wenda, because of his persistence in raising Papuan awareness and arguments that Papua can be independent, respectable and have more of a future without Indonesia.

Meanwhile Mama Aolmang (Yosepha Alomang) is considered as "Mother Kartini Papua." The woman is very old but has the courage to oppose PT Freeport and never tires of building up the confidence of the Papuan people. I see that international support for Papua's efforts to break away from the Unitary Republic of Indonesia is also broadening, especially on campuses in Australia, Britain and America. Almost all Melanesian countries have begun to openly support the Papuan independence struggle. On 30 July 2020 the people of Vanuatu, besides celebrating their 40th independence, also declared Vanuatu's support for the independence of Papua and West Papua. On 23 July 2020 there was a parade of thousands of people in Port Vila City carrying two flags, the Vanuatu flag and the Papuan Morning Star flag. In international forums, Vanuatu has consistently stated its support for West Papua's independence.

No one is capable of predicting the future situation of West Papua and Papua. Yet in the history of the nations from the past until now there is a constancy—and even more emphatically in the Sunnatullah (the complete system of cause and effect through the immutable constances of the laws of Allah)—that any power or ruling regime that does not care about justice, must eventually collapse or collapse. When that happens is not the problem of human beings. Mankind only makes the effort. The final result is in the hands of Allah, Subhanahu Wa Ta'ala, the Almighty One.