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After Handing Back Special Autonomy**

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Managing Papuan Expectations After Handing Back Special Autonomy¹

J. Budi Hernawan

In this paper I write in my role as a Franciscan Friar reflecting on the issue of managing Papuans' expectations based on three major issues: first, the aftermath of the handing back of the Special Autonomy Law (SAL); second, the human rights condition in relation to security sector reform and the judicial system; and third, economic development. My reflections are based on my ten-years of personal and professional experience of working at the Justice and Peace Commission of the Catholic Diocese of Jayapura to advocate for the rights of the indigenous Papuans.² This reflection has played an integral part of my doctoral research at The Australian National University examining the nature and logic of torture in Papua in the last forty years.

Introduction

Since June 2010, I have witnessed three major developments, including the whole debate of Special Autonomy, human rights issues and social and economic development. These major issues indicate that managing expectations of Papuans continues to be the most protracted issue for building peace in Papua. Key actors, including national policy makers, Papuan political leaders, and civil society organizations have not been able to agree on a framework that would meet Papuans' expectations.

What are Papuan expectations? This is a very broad question and it is very hard to provide a single answer. This paper explores the status of Papuan expectations in politics, justice and economic development through three different lenses in order to depict the latest status of Papuan social and political dynamics. First, I deal with the drama of handing back the Special Autonomy Law (SAL) to identify the Papuans' political expectation. Second, I examine the current status of human rights conditions to explore Papuans expectations on justice. Third I consider the economic developments that have led to Papuans' expectations on prosperity.

¹ This is a revised version of a paper presented for public meetings organised by Pax Christi New Zealand in Auckland and Wellington, 15-19 November 2010. This paper is greatly indebted to Dr Michael Cookson's analytical framework in his forthcoming book chapter "Indonesian West Papua: Frustrating Expectations" in Edward Aspinall, Robin Jeffrey and Anthony Regan (eds.) *Diminishing Conflicts: Learning from Asia Pacific*, Routledge Press, London.

² Hereafter, the term 'Papuans' refers to the indigenous Papuans, who reside in the western half of New Guinea Island.

After handing back SAL

During a two-day gathering at the House of the Papuan People's Assembly (*Majelis Rakyat Papua/MRP*) in June 2010, 800 Papuan representatives formulated Papuans' political expectations, which were then adopted by the MRP decree No. 2/2010, concerning 11 points of petition.³ After stating the handing back of SAL in the first point, points two, three and four of the decree clearly summarise the expectations. Point two calls for a dialogue between Papuans and the central government; point three asks for a referendum towards a political liberation; and point four asks the Indonesian government to recognize and return the sovereignty of Papua to Papuans. It seems to me that these three key points move in a crescendo: dialogue, referendum, and recognition of sovereignty.

These expectations constituted the highest call that one can imagine, but they are not completely new. Previously, on 26 February 1999, the "100 team" of Papuan leaders delivered a similar message to then President B.J. Habibie and his cabinet. Tom Beanal, a spokesperson for the leaders, asked for *merdeka* (independence) from Indonesia. At the time, President Habibie was stunned and then asked Tom to return home and reflect on what he had said. History repeats itself. After a decade, the younger generation reiterated the same position in a different way. They did not ask for *merdeka* but "dialogue-referendum-sovereignty recognition".

Although the decree does not endorse the petitions and only receives them as recognition of the consultation, the MRP did follow up by presenting the petitions to the authorities. Then, a month later, the MRP handed back SAL, implementing the decree, during a mass demonstration in Jayapura in July 2010 involving some 2,000 people. MRP also demanded the House to hold a referendum to decide whether Papuans wanted to separate from Indonesia or to continue to be part of Indonesia.

I argue that this move constitutes a symbolic gesture of greater resistance. It was the MRP, a state institution, which delivered the demand, not the Papuan Customary Council (*Dewan Adat Papua/ DAP*), a community-based organisation. The DAP had pioneered a similar, much larger rally in 2005 in the same building.

Interestingly, in August 2010, the MRP chairman, Agus Alua, called for an extension of MRP's term. Such a gesture has caused confusion for the public but also for the decision makers at the national level. This confusion is centred on the following questions: if the MRP, as one of the most important elements of the SAL package, had handed back the package on behalf of Papuans, why had they asked for an extension of their term? Did they seek to dissociate themselves with the mass demonstration? What was the rationale of such a call, and why?

Papuan responses to the authorities

Alua explained that this call derived from MRP concerns that they still have a job to hold an election to elect new members of the MRP when his term finished. Despite the absence of a policy to deal with Papua, the central government gave a green light to this request (Bintang Papua, 6 October 2010) and, eventually, issued a decree of

³ See the appendix for the petitions.

three-month extension on 28 October 2010, three days before the expiry date (Papua Pos, 9 November 2010).

Such a call may have answered the central government's question but it may still puzzle an outsider: why would Alua, who represents the MRP institution, show such inconsistency in his decision? Did he lie to the public?

While the Papuan Customary Council rejected the MRP proposition (Dewan Adat Papua 2010), this situation might exemplify what John Braithwaite et al. (Braithwaite et al. 2007) describe as game playing. It is one of five types of motivational postures, including *commitment, capitulation, resistance, and disengagement*. Game playing means an attitude to escape regulatory constraints by redefining rules or repositioning oneself. As MRP's speaker, Alua is part of the game (SAL) but instead of abiding by the rules of the game, he tries to escape by rejecting the rules and then redefining them according to his own definition. However, a Papuan analyst argued that Alua simply did not have any choice rather than following what Papuans wanted, that is, handing back SAL.⁵

At a broader level, many Papuans, particularly the middle class and the elite, capitulated to the Indonesian authorities (Braithwaite et al. 2010). Capitulation means an attitude where a citizen only embraces the letter of law but not the spirit. This conceptual framework helps explain the reality of *pemekaran* of district administrations. It is not a coincidence that Papua's local government has grown dramatically from nine districts at the end of Soeharto's New Order era to 38 districts only in 12 years. The Papuan middle class has capitulated to Indonesian authority and benefited from the growing government bureaucracy with limited capacity to provide services to the public.

At the same time, *resistance* in the form of non-violent actions continues to grow both in national and international fora. Papuan university students have been instrumental in expressing their call for Papua's independence and recently they have called for a referendum. This movement is not limited to Jayapura but also in Wamena, Manokwari, Timika, Sorong and Merauke, and even in Jakarta. The International Crisis Group (International Crisis Group 2010) describes this phenomenon as 'radicalisation'.

In the international arena, Papuan leaders from various factions do the work. They continue to raise their voices and recently they delivered their testimonies before the U.S. Congress on 23 September 2010. This event marked a significant step to assert the Papuans' voice at the heart of the world power (Hernawan 2010).

What about OPM?

Does this mean that the OPM (Free Papua Organisation)⁶ armed struggle has withered away? The continuing military and policy operation in Puncak Jaya would answer this

⁵ Confidential communication on 4 February 2011.

⁶ Djopari's work on OPM (1993) is informative on the genesis and development of Papua Freedom fighters until early 1990s. However, it does not incorporate the last decade development of the transformation of this guerilla resistance movement into a more political idea of resistance that has

question. In the last three years, the situation in Puncak Jaya remains fragile as a group of OPM has been active in engaging hit-and-run tactics against the security forces. This has met a military and police response.

A respondent, who was a senior army officer in Papua, explains the army's standpoint in dealing with the situation in Puncak Jaya as follows:

This group is just a faction who wants independence. It's quite publicised and keeps calling for independence but they are only some 30 people. There is no legal basis for TNI, however, to conduct any operation. What happened there is a disruption to public order so it should be dealt with law enforcement, which is under the police responsibility. TNI assist the police there because they disturb the locals and ask for money from the truck drivers.

The solution is a police operation assisted by TNI. Our role is also to avoid any supply of ammunition coming from outside. All work together but it is the police' duty because it is a criminal matter. If it were a military operation, it would have been quick because they are small. But if we do that, then we may be labeled "breaching human rights"⁷.

Furthermore, a respondent, who used to work in the police force in Papua, describes the complexity of such a police operation:

The operation there [Puncak Jaya] is expensive. All have to be brought in by air: 120 personnel per month, logistics and equipment. This costs a lot. Decky Tabuni is Goliat Tabuni's son. He had been hanging around in town for 7 months and stayed in our post. He ate and slept there. He couldn't return to his father because he had used the logistics we sent to them for his own. Having had lived with us, he exactly knew every single detail of the post life cycle. Now, when two police personnel went to town and left behind their guns in the cupboard, he had known which cupboard and the condition of the lock. You know, it was in Puncak Jaya. The cupboard was so modest with a simple lock. He easily broke the lock and took two guns, which he used to attack two other police officers. Eventually, he ran away with four guns to this father to restore his credibility and trust. This is also our negligence.

If it were a war operation, the logistics would have followed every stage the troops moved. A helicopter would have dropped of the logistics so they did not have to come to the post to collect logistics. But it was not the case. So every time our troops had to return to the post to grab their logistics and continued their search. Of course, by time they got there, they [the OPM] had run away to the jungle benefiting from the heavy terrain we could easily go through. This is also their advantage⁸.

These testimonies illustrate that armed struggle remains and is sometimes deadly, despite its low capacity and lack of internal coordination. On the side of the security services, their testimonies depict not only the complexity of an operation but also the gap between policy and practice in conducting such an operation. The gap lies

infused different layers of Papuan society, including university students, women's groups, NGOs, DAP and other civil society organisations.

⁷ As I agreed with my interviewees that their identities would be kept confidential to protect their safety, I will only provide general references in this paper. Interview with a senior army officer II/C24 in Papua on 2 September 2010.

⁸ Interview with a retired senior police officer II/E4 in Jakarta on 8 September 2010.

between the state policy to eradicate armed struggle and the reality that the security services are only equipped with limited logistics and thus have impaired capacity to launch full-fledged military operations.

The churches' voice

Early this year, the three major church denominations in Papua showed a further act of resistance. They not only organised another large demonstration involving their congregations but also expressed their concerns in a 'theological declaration.' As the rationale of the declaration, the church leaders argue that they were "humiliated" for two reasons: first, the irregularities in selection processes of new MRP members and the silence of the government towards the Papuan statement of handing back of SAL. Moreover, they questioned the legitimacy of the letter of the Home Minister that ordered the establishment of two MRP bodies for two provinces in Papua. This decision breached SAL, which only stipulates one body of MRP.

In eight points, the declaration summarises the position of the church leaders. Point one, two and three reiterate their positions on the problematic integration of Papua into Indonesia in 1969, the genocidal situation that threatens the existence of Papuans manifested in oppression, and the internal colonialism to which the churches considered themselves to have been silent. Points four and five emphasise the role of the church as "the shepherd for its sheep" that has to be attentive and critical to the needs of the sheep. The churches have to be the voice for the trauma of their congregation *vis-à-vis* the major threats to Papuan existence, that is, the genocidal situation, the internal colonialism and the disguised slavery. In point six, the declaration reiterates the Papuans' position that SAL has failed to address the problems of Papua. The declaration concludes with encouragement to the congregations in Papua to confront the three major threats and an appeal for solidarity from the Christians in Indonesia.

A stalemate

The different layers of postures of Papuans towards Indonesian authority have placed the central government in a difficult position to come up with a comprehensive proposal that meets expectations. Instead, it tends to approach the question mainly from the development perspective grounded in its own perceptions. "The approach to Papua has totally changed since SBY came to the presidency. Since 2005, the government has deployed welfare and prosperity policy as a priority, not security"⁹ said a senior government official, who is also a member of the cabinet in Jakarta.

There is no doubt that this statement has translated into a dramatic increase of funds available for Papua, as explained in section 3 below, but Papuans' political aspirations lie elsewhere. What they ask for is the 'holy trinity' of dialogue-referendum-recognition'. It is not surprising that an observer, who used to work with the army, argues, "So far I have not found any coherent policy from the government on Papua. Let alone Papua. Look at Aceh. When some Acehnese, who did not agree with Sharia

⁹ Interview with a senior government official II/C25 in Jakarta on 8 September 2010.

law, made their way to come to Jakarta to express their concerns, they didn't find an address to discuss their complaints. This exactly happens with Papua now.”¹⁰

This situation is a stalemate. Neither state institutions nor civil society organizations have been able to provide clear guidance to meet Papuan expectations. On the state institution side, there is no clear indication to support any movement to open up dialogue with Papua. The Indonesian House of Representatives and the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat*), the highest state authority, have been silent and disengaged. The government has been indecisive about committing to any peace process like the one it had with Aceh. Instead, it shows a game playing posture by continuing its action in issuing piecemeal decisions that only satisfy immediate callers but do not solve the deepening impasse.

Civil society organisations, on the other side, including Dewan Adat Papua, student movements, and Papuan political organisations, have lost their trust in state authorities and have turned to international actors, such as the United Nations, the U.S. Congress, the European Union and international NGOs. Such a thing might indicate an assumption that these actors will intervene in the stalemate. With these two sides at odds with each other, ordinary Papuans are more frustrated but at the same time, have over-expectations stemming from a hope for an imminent intervention of the international community to make a breakthrough to end the stalemate.

Human rights conditions

The human rights conditions in Papua cannot be separated from Indonesia's security sector reform as well as the condition of Indonesia's judicial system. In Indonesian history, the security services (the military and the police) have been involved in history of human rights abuses across the country.

The Indonesian Parliament has long passed new laws that separate the police from the military. The role and the structure of the military in particular have been re-organised and have been subjected to the Minister of Defence, who is a civilian. This was a milestone that still presents many internal and external challenges. Moreover, each institution has released a human rights handbook for every member in its institution¹¹. Human rights as a subject has been integrated into the military and police academy curriculum involving external trainers.

In a similar vein, the judiciary has gone through major reform. A special court to prosecute human rights cases was established under Law 26/2000 concerning the Human Rights Court. The Constitutional Court was also established. This has an overarching power to conduct a judicial review and its decisions are final and binding. The office of the Supreme Court has made some progress by implementing a remuneration system to combat corruption within the institution.

¹⁰ Interview with a retired three star army general II/E8 in Jakarta on 26 June 2010.

¹¹ The Indonesian Army headquarters issued *A Manual on Human Rights For Soldiers (Buku Saku Pedoman Prajurit TNI AD dalam Penerapan Hak Asasi Manusia (HAM))* in 2000 and The Police Issued Perkap No. 8 of 2009 tentang *Pedoman Dasar Implementasi Prinsip dan Standar HAM dalam Penyelenggaraan Tugas Polri* (Guidelines of the Implementation of Human Rights Principles and Standard for the Police Force).

Torture video

While the structural, organisational and doctrinal reform is under way, a graphic video distributed through *You Tube* poses a serious question to the reform.¹² The video depicts two Papuan men being tortured by a group of Indonesian soldiers to reveal the location of OPM weaponry. Despite public acknowledgment from the Indonesian government confirming the act, such an incident might prove that torture remains the preferred method of interrogation to gain confessions. More importantly, this also confirms an analysis of some respondents, who work for the military and the police force, that “[t]he hardest part to change the military and the police institution is to change their culture. The culture of violence is so intact and deeply entrenched in these institutions.”¹³

This analysis illustrates that the legacies of the authoritarian era remains a major obstacle for the reform (Heryanto 2005; Kontras 2008; Kontras et al. 2006; Wardaya 2007). The legacies mean “rules, procedures, norms, patterns, practices, dispositions, relationships, and memories originating in well-defined authoritarian experiences of the past, as a result of specific historical configurations and/or political struggles, survive democratic transition and intervene in the quality and practice of postauthoritarian democracies.” (Hite and Cesarini 2004: 4)

This definition covers three major components of the legacies, namely institutions, social and political actors, and cultural practices, lived experiences and psychological dispositions. The torture video not only highlights the lingering but more importantly, the depth of the impact on the military institutions, actors and military culture.¹⁴ Similarly, the judiciary has done very little to address this particular incident.

Two series of martial court hearings in Jayapura have convicted seven low-ranked soldiers and sentenced them with jail terms ranging from 6-12 months. These soldiers confessed as the perpetrators and explained that they arrested, detained and used torture in order to extract information from the victims. As a response to the Court, human rights organisations strongly criticized the court hearings as they only heard and sentenced the perpetrators for committing crimes of disobedience not torture. They emphasised the inadequacy of the court and put pressure on the Indonesian National Commission on Human Rights (KOMNAS HAM) to bring the case to the human rights court. Although KOMNAS HAM did not take any further action to

¹² This footage appeared for the first time on *YouTube* on 17 October 2010 but then was removed on the following day. In its press released dated 17 October 2010 (<http://www.humanrights.asia/news/press-releases/AHRC-PRL-021-2010>), the Asia Human Rights Commission acknowledged that it received the footage and then published it on its website at the same date. By 24 January 2011, it reached 7,397 hits. Similarly, the Fairfax News Media separately received the same footage and uploaded it on the same website (<http://www.youtube.com/watch?v=uEisR8rFLOo&feature=related>). By 24 January 2011, the viewers reached 64,020.

¹³ Interviews with a middle rank police officer II/C16 in Papua on 18 August 2010 and a senior police officer II/C18 in Papua on 25 August 2010.

¹⁴ Bu Wilson’s PhD thesis (ANU 2010) examines that the legacies of the authoritarian Indonesia in Timor Leste have constitute impediments to the development of a professional police force in Timor Leste.

respond to this pressure, it published its own separate investigation into the case and found a case of extra-judicial killing on top of the torture cases (KOMNAS HAM 2010). This particular case remains unresolved.

Due to the current debate on the torture video and the Court decision, it is relevant to shed light on this particular phenomenon by providing a broader context to it. Since Indonesia received the transfer of administration of Papua from UNTEA on 1 May 1963, torture has been widely used by the security and police forces towards Papuans. Despite the patchy records that document torture over the period of 1963-2010, Papuan churches, NGOs reports, KOMNAS HAM and some individuals have been able to collect extensive data that capture the persistent pattern of torture (Hernawan 2008).

Patterns of torture

Based on 12 public documents and three personal archives, my research has codified some 430 cases over the period of 50 years and identified six major patterns. First, most of the victims are farmers, males, and highlanders who live in the rural areas, including the two men on the video. Only a few cases show that the victims were OPM members or OPM leaders. It means most victims are innocent and have nothing to do with pro-independence movements. They have become the wrong target of a military or police operation to eradicate the separatist movement.

Second, all female victims were sexually abused, raped or sexually enslaved. This fact shows how torture has been used to subdue Papuan women. The recent joint study project of Komnas Perempuan, International Center for Transitional Justice (ICTJ) Indonesia and the MRP (2010), sheds light on this issue. It covers the period 1963-2009 and examines 261 files of violence against Papuan women. This study found two types of violence: state violence in 138 files and domestic violence in 98 files. Fourteen women suffered both. This study not only confirms the second pattern of Papua torture but, more importantly, shows an example of how Papuan women are vulnerable to multiple abuses even in their own families, which are supposedly protective of their safety and well being.

Third, some victims were detained for a short period of time, but most victims were never charged nor brought to the court. This fact demonstrates that torture methods have failed to collect evidence sufficient to lay charges and to stand a trial. Even if they had, such evidence would have been deemed unacceptable under the Indonesian Criminal Code as well as the UN Convention against Torture, to which Indonesia is party.

Fourth, perpetrators enjoy almost complete impunity. The Abepura case in 2000, which involved torture by Jayapura police, is the only case where the perpetrators (two police officers) were brought to the human rights court and eventually acquitted. The martial court that heard the torture video case convicted seven soldiers and punished them with 6-12 month jail terms. The Court, however, only convicted them with crimes of disobedience, not torture. These cases exemplify how the justice system failed to address and deliver justice to the victims. On the contrary, the victims remain living with a stigma 'separatist' and scars on their bodies and minds.

Fifth, torture was committed mostly in public space and TNI/ Police stations. This element becomes very relevant with the distribution of the video as this constitutes a distinctive phenomenon in Papua, which is not found in any torture situations of drug dealers (Nowak 2008) or terrorist suspects in Indonesia. Most torture files show that the torture was committed in a public arena, such as on city roads, in the backyards or front yards of the Papuans' homes, the marketplace and other open areas that are accessible and visible to anybody, including women and children. In the case of torture committed in the military and police compounds, many victims were tortured in open area in the compound. Even though this method is similar to the one in Aceh to eradicate GAM (Aspinall 2006; Rahmany P 2001) and in Jakarta to combat the criminals (Soeharto 1989: 389-390), in Papua the torturers keep the bodies alive so they can transmit and amplify the terror.

Sixth, the torturers use simple and low cost methods. Electric shock, for instance, has not been frequently used compared to beating. Methods using drugs and high technology are almost unused. The following testimony illustrates the methods.

Under rain, I was walking out of the company compound when 4 Brimob members pointed their guns on me. I was confused. I asked what happened and the immediate response was only beatings with the rifle butts. So I gave up. I saw many people were already on the beach, including our village head. I didn't know these Brimob because they were in plain clothes and trouser uniforms and bands in their heads. They beat me, and beat me until I was bleeding and fainted....

Anton, a detective there, dragged me out of Manokwari police station. He picked some pebbles in a can. Every time I can't answer a question, he forced me to crunch a pebble. How could I resist? I did it and broke all my teeth. He then hit me with a wooden bar 5 x 5 cm at the back of my neck and I fell down and had a seizure. My ears turned deaf and I felt I was going to die. Hasan stabbed his bayonet through the left side of my nose onto my mouth.¹⁶

This reality might relate to the fact that generally the security services are provided with poor equipment and minimal facilities to carry out their duties. So the members of the military and the police turn to methods that they can easily use such their bodies, guns or other equipment that is available on the spot.

Based on these six key persistent patterns, I argue that torture in Papua is a spectacle that has been imposed to create a 'society of spectacle', as Foucault described the public execution of the regicide of Damiens (Foucault 1991: 3-6). This is a society where power acts infrequently but with excessive brutality to clamp down on a largely lawless society (Schmidinger 2010). The main purpose of such a theatrical brutality is "a policy of terror: to make everyone aware, through the body of the criminal, of the unrestrained presence of the sovereign. The public execution did not re-establish justice; it reactivated power" (Foucault 1991: 49).

A thorough assessment of the impact on the memory and the body of the survivors in Papua still needs to be done. Many Papuans, including survivors of torture, have

¹⁶ Interview with a victim II/A36 in Papua on 16 August 2010. Pseudonyms are used here.

frequently used the term “trauma” while they have delivered their testimonies on their horrendous experiences. Despite the large body of literature on impact on torture on mental health, very little research deploys empirical methods to measure the level of trauma and its impact on survivors and their community. A recent preliminary investigation of the impact of therapy on torture survivors in Aceh, Jakarta and Papua shows that they suffer from anxiety, and depressive and somatic symptoms. Through group and individual therapy the survivors have experienced symptom relief and improvement in functioning (Larson-Stoa 2010). Although this study paves the way for trauma healing in a therapeutic sense, such help remains a luxury for most Papuan torture survivors as the necessary support simply does not exist.

However, one should not forget that torture is not the only human rights abuse. The Papuan Churches in collaboration with local NGOs, sometimes, Jakarta-based NGOs and international NGOs have long documented other forms of abuse, including extra-judicial killings, enforced disappearance, and gender-based violence against women. Moreover, these organizations have broadened their perspectives to include economic, social, and cultural rights in their analyses to capture fast growing economic development as a result of the extraction of natural resources and formation of new districts (*pemekaran*). Large-scale extractive industries, such as Freeport, a U.S. based gold and copper mining company,¹⁸ have been some of the largest contributors to this environmental disaster by dumping tonnes of its toxic waste per day into the Aikwa river that has devastated the livelihood of Papuans particularly around Timika city.

The gravity of human rights problems can also be seen through some 9,700 West Papuan refugees living in Papua New Guinea (UNHCR 2009) and dozens of them in Australia. Many of the refugees suffered from human rights abuses that prevent them returning to their homeland even though they have to confront dire conditions in PNG (Glazebrook 2008).

The result of these records is Papuans’ expectations for justice. The new establishment of an organisation of human rights abuse survivors, *Bersatu Untuk Kebenaran* (BUK), in 2008 signified a major step in representing the interests of the survivors. Despite its limited capacity, BUK keeps raising awareness of the public by organizing annual memorial events to remember major human rights abuses across Papua.

Economic and social development

It is clear that the government policy to develop the two provinces of Papua has met with growing resentment among Papuans. Many Papuans expect that they can enjoy the level prosperity that they see in the media. The Indonesian Bureau of Statistics

¹⁸ The first public report on the human rights abuses in Papua by the Catholic Church precisely reveals the atrocities committed by the Indonesian army using Freeport company facilities in 1995 (Münninghoff 1995). Chris Ballard conducted a study on the high cost of environmental and human lives in Timika area that has inscribed a traumatic memory over the Amungme people (Ballard 2002).

shows that during 2004-2008, West Papua and Papua Province are ranked 30 and 33, respectively, for the Indonesian Human Development Index out of 33 provinces of Indonesia. This indicator consists of four key elements, including life expectancy, literacy, years of schooling and annual income per household. As the two provinces ranked very low and the lowest, we can interpret that the conditions of life expectancy, literacy rate, years of schooling and household income remain down at the bottom.

In its report on the development of the infrastructure in the two provinces, the World Bank revealed that the transfers from Jakarta to Papua have dramatically increased by more than 600 per cent in real terms and 1300 per cent in nominal terms since 2000 (The World Bank 2009). Similarly, the report of the evaluation of the five-year SAL implementation (Bappeda Papua & Universitas Cenderawasih Jayapura 2008) has identified that the central government has transferred some USD 1,2 billion of SAL funds to Papua province during the period of 2002-2006 or some USD 240 million per annum. On top of this, in 2006 and 2007, the central government also provided some USD 72 million and some USD 95 million respectively for developing infrastructure. Sixty per cent of the SAL funds were distributed to the provincial government and 40 per cent to the district governments.

Moreover, the report identifies three major failures that illustrate conflicting policy: first, the delay of disbursement from the central government to the provincial government has caused delay in implementing development projects; second, the continuing top down approach in budgeting because it only involves the Ministry of Finance and relevant ministries, and third, the inconsistencies of the disbursement of local incomes generated from the Freeport company and petroleum industries (Bappeda Papua & Universitas Cenderawasih Jayapura 2008: 293-4). However, this report does not really explain the puzzle of why such a huge amount of money has not been able to significantly develop the four key priorities of the government policy under SAL, namely education, health, grassroots economy and infrastructure.

Budy Resosudarmo et al. (2009b) explain that poverty is the key development challenge. Their study shows that development only covers the urban area where most migrants live whereas the rural areas where most indigenous Papuans live remains less developed. If this is the case, it might explain why Papuans handed back SAL because they do not enjoy much benefit from the huge funds available to them. Moreover, the study helps to explain why more and more young Papuans from the rural areas come to urban centres. This situation has increased the tension between migrants and indigenous Papuans because of the increasing gap in access to public services, employment, and economic benefits.

The study also concurs that the rapid formation of new districts and rampant corruption has largely contributed to mismanagement and dysfunctional governments. The formation of new districts have led to three major problems, namely the significant cost of establishing a new district; weak government institutions that are unable to deliver services and development to the local community; and local conflict prior to and following the establishment of new governments (Resosudarmo 2009a).

Moreover, aside from Indonesia's decentralisation policy to spread corruption to the local level, the corruption problem in Papua has been exacerbated because the amount

of money is huge as mentioned above; control of the higher authorities remains weak; and much of the revenue coming from natural resources is highly concentrated in a few regions (Resosudarmo 2009a). For example, Yusak Yaluwo, the regent of Boven Digul, who is the suspect of graft allegations and has been detained by the Indonesian Anti Corruption Commission, won the regional election of the District of Boven Digul to secure the second term of regent (*Antaraneews.com*, 15/9/10).

The following testimony from a senior government official in Papua confirms the call of handing back SAL but, at the same time, identifies specific problems within the bureaucracy that have contributed to the problem.

The implementation of SAL has been going for 8-9 years and doesn't give positive benefit for the Papuans. That is why it is called 'failed'. But actually, those who failed are the government officials. The reasons are first, the central government is not consistent in sharing the power. The MRP doesn't have any power in legislation so that is why they issued the Decree no. 14/2010. Secondly, [the central government] attention to the regents is minimal. Funds only go to the province.²⁰

This statement identifies a few key issues: power sharing and distribution of funds. These two elements are crucial not only for SAL implementation but, more importantly, for peacebuilding in Papua (Braithwaite et al. 2010).

The sharp contrast between the revenues coming from mining and the high level of poverty has led to a call for prosperity. This expectation is sometimes mixed with a romanticism of the Dutch period, where Papuans were provided with goods and public services.

Conclusions

Since June 2010, Papua has witnessed growing expectations of freedom, justice and prosperity. These three different but inseparable expectations have converged into a single call to 'hand back SAL.' However, the call has only increased and deepened the stalemate.

Based on the nature of conflicts in Indonesian history, such a situation can easily lead to a rupture of violence when there is a trigger for an outlet of their frustration, anger and over-expectation. The killings of migrants in Wamena following the police operation to seize the Papuan flag in October 2000 exemplify such potential (Tim Kemanusiaan Wamena 2001). The outrage of Manokwari's people following the shooting incident by Brimob members that killed two local people is another example (LP3BH 2010).

In such a situation, a dialogue between the central government and the Papuan leaders is urgent. In the last decade, various actors, including the inter-faith leaders, academics, civil society organizations, student movements, women's groups and political leaders, have call for dialogue that discusses Papuan expectations and the difference between their perspectives and the state authorities' positions (Hernawan

²⁰ Interview with a senior government official II/C14 in Papua on 5 August 2010.

2005; Tebay 2009; Widjojo 2009). Such a dialogue has been successfully done to solve Aceh's problems undertaken by the current administration. Despite the different characteristics of the Papuan conflict, the current government has substantial positive experiences to commit to a peace process towards a win-win solution.

Neighbouring countries should encourage the Indonesian government to take such an initiative as an important gesture of the largest democracy in the region. Governments in the region should not repeat the history of the lost generation of the Aboriginal Australians. Therefore, citizens in the region, particularly in places like New Zealand which has positive reputation for integrating Maori culture into society, should put pressure on their governments to act. Civil society in the region should provide support for Papuan initiatives for peace and dialogue. Exchange visits between civil society organisations in the region and their Papuan counterparts would empower the existing peace initiatives in Papua. Finally, the media in the region should pay more attention to the Papuans' expectations for freedom, justice and prosperity, and promote peace journalism. In other words, civil society organisations in the region should maximise any available means and strategies to address Papuans' expectations in order to build peace not only in Papua but also in the region.

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Appendix

CONSULTATION OF THE PAPUAN PEOPLE COUNCIL AND PAPUAN INDIGENOUS PEOPLE

Jayapura, 9-10 June 2010

RECOMMENDATIONS

Consultation of the Papuan People Council and the Papuan Indigenous People declares that Law No. 21 of 2001 concerning the Special Autonomy for the Province of Papua for nine years has FAILED. Therefore,

1. That the Special Autonomy must be handed back to the government of Indonesia;
2. That Papuans call for dialogue which has a neutral international party as an intermediary;
3. That Papuans call for a referendum towards a political liberation;
4. That Papuans call for the government of Indonesia to recognize and return the sovereignty of Papuans as it was proclaimed on 1 December 1961;
5. That Papuans urge the international community to put an embargo for international assistance to implement the Special Autonomy in Papua;
6. That it is considered unnecessary to do a revision of Law No. 21/2001 concerning the Special Autonomy Law for the Province of Papua and the Province of West Papua in conjunction to Law No 35/2008 concerning the Amendment of Law No. 21/2001 because it has been proven failed.
7. That all regional elections at district and municipality level across Papua to be suspended, and calling for the governor of Papua and that of Western Papua, the Provincial House of Representatives and to suspend the funding for the elections;
8. That the Central government, Provincial Government of Papua and Western Papua Provinces and all district and municipality government must end the transmigration program from outside Papua and take tight control over migration from outside Papua.
9. That Papuans urge the Central government, the Provincial government and the Provincial House of Representatives of Papua and the Provincial government of Western Papua Province and the Provincial House of Representatives of Western Papua to release political prisoners in all prisons in Indonesia;
10. That the central government have to demilitarize Papua;
11. That the consultation between the MRP and the indigenous Papuans urge to close down Freeport Indonesia Mining

Here are the recommendations of the consultation.

Jayapura, 14 June 2010

Signatories

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Chair of the Papuan Customary Council

Salmon Yumame
Democratic Forum of United
Papuans

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Religious leader

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