

**Indonesia Synergy Discussion Series**

**Papua Update: Development, Natural Resource Management and Human Rights**

17 July 2012, 12:30-2:30pm, Room 1.04 Coombs Extension
The Australian National University

Organisers:
Indonesia Synergy, in collaboration with Indonesian Students Association in Australian Capital Territory (ACT) and ANU Chapter (PPIA ACT and PPIA ANU)

*Indonesia Synergy is a knowledge network initiated by young Indonesian scholars from various universities in Canberra, Australia. It aims to facilitate the sharing of information and exchange of ideas as well as academic and professional networking with a strong Indonesian focus. Indonesia Synergy works in close collaboration with the Indonesian Student Associations in the Australian Capital Territory (ACT), including Australian National University (ANU), University of Canberra (UC), University of New South Wales – Australian Defence Force Academy (UNSW-ADFA) and Charles Sturt University (CSU). Discussion series is held periodically. Please see [http://indonesiasynergy.wordpress.com/](http://indonesiasynergy.wordpress.com/)*

**Panelists:**

1. **Mike Cookson**, PhD (Formerly with the Australia Indonesia Governance Research Partnership, ANU): “Papuan exceptionalism”
2. **Budi Hernawan** (PhD Candidate at Regulatory Institutions Network, ANU): “Human rights condition in Papua”
3. **Musa Sombuk** (PhD Candidate, Division of Pacific and Asian History, Crawford School, ANU): “The challenges in natural resources management in Papua: a critical assessment on Freeport”

Moderator and further contact: Fitrian Ardiansyah, Coordinator of Indonesia Synergy and PhD Candidate at Crawford School, ANU, [fitrian.ardiansyah@anu.edu.au](mailto:fitrian.ardiansyah@anu.edu.au)
Rapporteur: DP Adhityani Putri (Master Candidate at Crawford School, ANU)

**Speaker 1: Mike Cookson**, PhD, Australian National University, formerly with Australia Indonesia Governance Research Partnership, casts a light into Papua’s turbulent political history to explain why issues like human rights, natural resource management, and economic development are of unique nature in Papua despite of the fact that similar issues occur elsewhere in Indonesia.

Some highlights:

1. Indonesian Papua, formerly known as Dutch New Guinea, which today comprises of the provinces Papua and West Papua, has been considered as part of Netherlands’ East Indies up until WWII (slide shows Paris Colonial Exposition Map, 1931). When Indonesia proclaimed and later gained its independence in the 1940s, the territories of Dutch New Guinea have been withheld on basis of racial and developmental differences.
2. The Dutch, indicated by propaganda documents throughout 1950s, have always made conscious effort to demonstrate the distinction between tribal groups in Papua and the rest of the Indonesian population. In the 1960s, the Dutch colonials have set up a Dutch New Guinea council comprising of indigenous West Papuans as the region’s political representatives.
3. Indonesia, meanwhile, continues to push for the integration of West Papua into the new independent state. There are many reasons why the Dutch is reluctant to release West Papua from its grip. As a consequence, the ongoing dispute throughout the 1950s and 1960s erupted into a war. The newly established New Guinea council declared independence.

4. Following the Indonesia’s invasion into West Papua, UN arbitrated transition of authority from Netherlands to Indonesia. By May 1963 territory effectively became under Indonesian control, despite the fact that there was a popular vote pending. Guerrilla resistance by militant groups previously trained by military and police during Dutch colony have started to emerge, among other, marking the formation of the Papua Freedom Movement (OPM).

5. Interesting historical fact: The Indonesian rhetoric surrounding West Papua in the 1960s is constructed around the idea that West Papua is a land “worth fighting for” and that the inclusion of the region would “complete Indonesia’s long struggle for liberation” from the Dutch colonials. Papuans are depicted in modern clothes as average Indonesians, an integral member of the new Indonesian society.

6. On the other hand, the New Order portrayal of Papuans and Papuan culture could not have been more different. Papuans are culturally depicted to be primitive, backward; the imagery always illustrates Papuans in their traditional bare nakedness lurking as a shadow, a background to the Indonesian state instead of in the forefront at par with other ethnic groups in the country. Meanwhile, true cultural expressions are suppressed on the ground.

7. Parallel to that, human rights abuses have been rampant during the New Order period, but seldom reported. Decades of information suppression have led to the lack of knowledge and awareness of majority Indonesians when it came to the Papuan situation.

8. New developments since 1998: Deepening crisis of legitimacy for the state, a lot of them the legacy of New Order practices. There is a strong sense among Papuans, particularly younger ones, that they have been sidelines and that they have been in a situation where they had all of their fundamental dignity and rights trampled on. At the same time there is a very strong sense that they should not have tolerated the suppression, violence and suffering given their unique historical position, which is fundamental in their departure from the rest of Indonesia.

9. In February 1999, dialogue took place between the Indonesian government (president Habibie) and a group of 100 Papua negotiators. A request for independence was made but was rejected. This subsequently raised the Indonesian government’s suspicion of pro independence activities. Mike shows a government issues schematic of the Papuan pro-independence movement and activities.

10. Recently, indigenous movements have become very strong, as indigenous rights issues have emerged in public discussion. However, unlike in other places of Indonesia, the issue of indigenous rights is perceived to be of a different nature in Papua, given its special history. Indigenous rights movements have been perceived to be identical to pro-independence movement. Therefore, efforts to curtail cultural expression are part of an effort to curtail pro independence movement.

11. In 2006, a roadmap for Papua’s Peace and Conflict resolution was issued as part of an initiative by civil society and church groups working together with researchers and NGOs across Indonesia to try and form a coalition that can represent meaningful and viable options to settle grievances that West Papua might have towards the government in Jakarta.

12. The government has recently form the Unit for Accelerated Development for the provinces of Papua and West Papua, with sufficient provision and mandate to address fundamental concerns. The unit is mainly dedicated to economic development and it is unknown what role it plays in the cultural and social realms as Papuan ‘exceptionalism’ remains strong.

13. Key research questions: What role does civil society play in West Papua, clearly there has been strong initiatives within West Papua and across Indonesia to promote interventions and initiatives to get meaningful dialogue happening. Also need to assess whether the creation of international support networks were able to sufficiently enable progress.

Speaker 2: Budi Hernawan, PhD candidate, Australian National University, discusses recent developments related efforts to raise and address concerns of human rights in Papua. His talk, “‘They are just Papuans’ a reflection on the status of humanity of Papuans’ draws on his experience serving the Papuan community as a Catholic priest and his ongoing research on torture and justice in Papua.
Some highlights:

1. At the Universal Periodic Review (UPR) 2012, 12 delegations made critical comments on the status of human rights conditions in Papua. Among them, South Korea and Japan raised critical voices. This marks a stark contrast to 2008 session. Back then only few countries raised critical comments. Most statement praised progress and achievement of Indo government. Why are countries more bothered with ‘internal matters’ of Indonesia? In contrast, President Yudhoyono made a statement in June 2012: The recent incidents in Papua can be considered small, with limited number of victims, very small compared to the Middle East. Why would a leader of a big democratic country such as Indonesia made such statement and belittle violence and the state’s failure to protect its own citizens?

2. Human right is claimed to be of western conception, but many evidence shows against it. Human rights are undeniably a universal concept. In fact Indonesia contributed significantly to the formulation of the Universal Declaration of Human Rights through Natsir’s intervention. He insisted the notion of universality to contradict the West which promoted the particularity of human rights. Indonesian constitution preamble states clearly that human lives come before territory in Indonesia. Also that “everyone is entitled to protection” in Article 28G v. 1. International agencies recommended Indonesia to project its multi ethnic democracy by upholding values of unity, harmony and tolerance. The same notion is also contained in the report of Indonesian government to the UPR. Let us explore what happened before UPR.

3. The Indonesian government has awarded Papua a Special Autonomy with four areas of development, namely health, infrastructure, education and micro economy. There is supposedly protection and empowerment through the Papuan People Council. The special autonomy also enables the Governor to directly appoint the Chief of Police of Papua. The law also stipulates the establishment of three human rights institutions. However, these are promises, NOT achievements.

4. Special autonomy was put in place 2001, eleven years on, level of poverty in Papua remains big – triple of the national standard. Development covers urban areas, where most migrants live, rural areas remain least developed (where most indigenous Papuans live), these facts are based on a study in 2008-2009 (by Budi Resosudarmo). Statistics prove that the level of development in ten years time remains abysmally low. Study shows new formation of district, rampant corruption, mismanagement and dysfunctional government.

5. Recent study by NGO Imparsial reveals there is a direct connection between excessive presence of military and high level of HR abuses. In terms of numbers in Papua there are 10 thou personnel of military around 9,000 belongs to army. All these are regular army, not included all special units. Ratio between military personnel and civilian is 1: 2000, about 4 percent of Indonesian military is stationed permanently in Papua. Infrastructure of army is present, explicit, not hidden. ICTJ & ELSHAM 2012: feelings of distrust are deeply rooted in the past and present experiences of human rights violations. Very much so among young Papuans.

6. Papuans are exhausted domestic remedies. Daily life remains stricken with poverty; tale of development becomes tale of exclusion of indigenous Papuans. Development equals with deprivation of the rights over land, land resources, etc. Exclusion of rights, state security have become the ones who cause harm with almost complete impunity.

Speaker 3: Musa Sombuk, PhD candidate, Australian National University, examines mining practices in Papua, specifically those carried out by Freeport Indonesia and discusses how recent changes in regulation and IPO plan will result in significant changes in terms of sustainability and its contribution to local economic development. His talk ‘Challenges in Natural Resources Management in Papua: A Critical Assessment of Freeport Mine’ draws from his ongoing research on the same subject.

Some highlights:

1. Mining has a long history in Indonesia. Pertaining Papua, in 1967 Indonesia signed a Contract of Work (CoW) with US Miner Freeport Sulphur for the Erstberg orebody in Irian Barat, with negotiations taking place even prior to Papua was even fully part of Indonesia. Mining has been identifies as an important economic sector since the New Order. This has spurred mining activities in many areas, particularly in very remote areas where government
presence is limited. This does not come without consequences such as human rights issues, militarization, uncontrolled migration and poverty. These may have become common problems in Indonesia, but is more pervasive in areas such as Papua. Serious environmental issues include loss of forest cover in large scale mining, tailing spills, acid rock drainage,

2. Democratization has raised hopes, and in fact there were some improvements in terms of management (on paper) but it is not automatically happening (on the ground). Indonesia needed 11 years to reformulate mining law since 1998 so mining law will allow Freeport to stay in Indonesia. But since 1967 a lot has changed and currently there is uncertainty around mining contracts given the changes in law.

3. Freeport is allegedly involved in numerous human rights abuses. The past image of Freeport (and perhaps still is) is that of greed and violence, embodied by caricatures of the Satan or the Devil. The root problem really lies in the CoW, which has become the basis for the imbalanced relationship between the company, central government and local people. The flow of benefits saw locals excluded.

4. In 1974 first attempts have been made between company and local people to resolve the problem. Around 7 agreements have been made. But couple decades after, situation has not greatly improved and in 1996 a big strike closed the mine down, the first real big strike, which took place for around three days. The demands of strikers were that the rights of resources are recognized. Other major strikes and attacks followed and since then Freeport has put massive effort into changing its image from the Satan into the Angel.

5. The IPO plan, despite the fact that its is obligatory under the current mining law (divestment clause) could open the doors to improvement. IPO could force transparency. For instance, the Grasberg mine is scheduled for shutdown in 2014 but so far no mining closure plan has been announced. This is imperative for the continuation of the community in terms of its development and sustainability (environmental). Forcing Freeport Indonesia to go public could allow shareholder to will the company to become more open about its practices and the sustainability aspects of it.

6. But what is the government’s position on this matter? This is a question that needs to be answered. The 1991 CoW contravenes the divestment clause, in which shares must be offered to the government first before they are offered to the public. Will the government have enough funding to obtain significant shares? How will this affect future power structures in the region? What are the limitations of IPO in terms of the position of workers? Would workers be able to respond to IPO offers financially and if not, how can they otherwise be involved? And finally, will IPO be able to boost environmental corporate responsibility? A lot of research needs to be done to compare past cases in similar situations from outside of Papua.

Q&A session

1. Have you seen much progress during the administration of President Yudhoyono in terms of human rights and economic development? Are you expecting much change to take place between now and 2014 (the upcoming Indonesian general election)?

- **Budi Hernawan**: Little evidence of progress, in fact there is more militarization (more military personnel stationed in the region), more suppression and violation of rights have taken place.
- **Mike Cookson**: Agrees with Budi. There appears to be efforts to deepen intervention and infiltration. Evidence from early years suggests that the Indonesian government has encouraged and even promoted such strategy. Documentation by the Ministry of Home Affairs from early years shows an instruction to perform infiltration of Papuan civil society organizations to create instability and stifle political movement. Also, there is very limited understanding among the Indonesian public, particularly throughout the New Order Period, about the situation in Papua. Although this situation changed dramatically since 1998, where media are able to report freely, but there is little understanding of the legacy of human rights abuses and the frustration and resentment felt in Papua towards government structures. Consequently, there is an attitude of indifference and something more sinister in terms of the way Indonesians feel towards Papuans. Stereotypes include: Papuans are troublemakers, Papua equals problem.

“Papua Update” Discussion – Indonesia Synergy, 17 July 2012
Musa Sombuk: Disagrees and says a lot of progress has been made in terms of laws and regulations. For instance, in mining practices, even though relatively late, the law and regulations have been reformed and are heading towards a more positive direction for Papuans. However, enforcement is another thing and this is part of the Indonesian paradox. The recent Universal Period Review shows that Suharto is still very much alive in Papua (New Order practices - red). The real question: will Indonesia continue to exist in the next five years with the way things are going? Personal experience and encounters with many ex rebels revealed a surprising truth: There are doubts that Indonesia would be able to maintain its sovereignty. Pessimist attitudes such as these run deep and can be destructive. No wonder with the way things are going – the laws may be heading towards a positive direction, but reality is running to the other. However, positive attitude is needed.

Q2: How do you see Australia and PNG as neighbors of West Papua; Do you see a change in their attitudes?

Mike Cookson: Australia seeks to maintain harmonious relationship with Indonesia at all cost, but West Papua does pose a challenge to Australian government because issues are not going to go away and there is no quick resolution. A major demographic shift is underway, where Highlanders are coming out of their communities to migrate to coastal towns. But they arrive nothing, no education, very limited, little material, goods or give them entry points to local economies. However, they do arrive with strong history of state violence and suffering they arrive with collective sense of identity reasonably intact with strong competitive culture. In both West Papua and PNG, communities have had to struggle very hard for limited resources so coming to coastal areas they tend to outcompete other local Papuans and take aggressive positions towards independence.

Musa Sombuk: Indonesia-PNG relations should focus on resolving the refugee issue. Papua has around 10 thousand refugees living in bad condition in PNG without civil rights. At the same time lots of Papuans in Papua Province have enjoyed the special autonomy money. No countries including Indonesia have addressed the problem of refugees, the disparity in which they live and are not even talking about it in the United Nations. Border and refugee issues were never really touched—it’s a foreign affairs issue that has never been openly discussed.

Q3: Papuans are political subjects used by Indonesia in its pursuit for sovereignty. But this strategy required an audience. There are different audiences here; how do the speakers see the way the international and national audience respond to this display of power? How have solutions proposed for Papua been perceived by each audience?

Q4: Speakers spoke about religious tension in Papua and I suspect it is about Islamization – to what extent does religious tension have a play in creating anxiety. ‘Faksi Muslim’ by Toha Al Hamid was said to be one of the supporters of Papuan nationalism. How does this fit into the whole picture of religious tension?

Q5: What are the priorities in terms of addressing and resolving the situation in Papua? Let’s acknowledge that progress has been made but we need to realize that so much more needs to be done. What are the priorities that government and businesses should consider?

Answers to all three questions above:

Budi Hernawan:
1. The legacy of colonialism runs deep and influences the national audience. But it comes down to knowledge about the situation and it is only produced circa the independence of East Timor and is not provided in such a way that is sufficient to generate widespread awareness in Jakarta, let alone in the remote areas. This might also apply otherwise: Young Papuans in the Highlands might not understand the ‘Indonesian way’. They have completely disparate worldvies. There is a serious lack of information given the suppression of media and rights to speech.
2. The state narrative remains dominant. Secondly the whole infrastructure of army continues to produce the sense of state domination. As shown in the slides the presence of military is very much alive in daily life, and so is the interaction with violence. This is quite alien for other Indonesians unless you are actively involved in pro-democracy movements, you have minimum exposure to state violence.

3. Despite of the ongoing calls for peaceful dialogue between Papuans and Indonesian government, very few have ever taken place. President Yudhoyono has only so far invited delegations and has given the green light but that only happened early this year, so it’s pretty recent. But the very next day the president would issue a statement to cadets in the military academy in Java, urging them to defend the territorial integrity of the country at any cost yet the day after he is reported to have said that you need to firm but should not infringe human rights. These are confusing statements. Unless the leadership can be more assertive and firm such as what has been seen in the case of Aceh, low level violence will continue.

- Mike Cookson:
  1. Among the audience in Australia there is a widespread ambivalence towards PNG and that extends to West Papua in many respects. This explains why attitude is different towards East Timor. Balibo made a huge difference; the killing of journalists there have prompted news outlets reported so much more of the atrocities done in East Timor, which explains the overwhelming public support for East Timor’s independence. Australia has a strange relationship towards West Papua. And it is one that is not sustainable because issues will continue to unravel. Speaker is pessimistic about the current position that Australian government has. There are many things happening behind the scenes, but the government is not too transparent about it. Greater transparency and openness by the Indonesian government itself can actually help Indonesian cause to show that issues are complex and not black and white. Australians generally feel PNG is a tough place and not wanting to deal with the area. This attitude somehow extends to Papua, too.
  2. There are religious tensions and rivalries between Christians and Muslims but there is a lot of inter Christian rivalry in West Papua. Huge numbers of Christian church and there’s also Indigenous Islam therefore explains why there is also at the same time strong interfaith activity in Papua. And that’s actually is the reverse of the concern of Christian-Muslim tension. There is a real opportunity in helping bring different faith together in solidarity and trying to present a more unifying position for negotiation and peace building. Tensions are there and can be fed to destabilize the province but there is opportunity for interfaith network to promote peace and dialogue in the two provinces.

- Musa Sombuk:
  1. There is indigenous Islam in parts of Papua, and in fact among the few first religions to touch Papua. We have Papuan Muslims and Toha Al Hamid is one of them. He is a grand-grand father was from Middle-East and now he is considered as a Papuan. We have no problems with that. When Molluccans killed each other because of religion, we were appalled. Why do brothers kill each others? Turns out there is a fringe fundamentalist group in every society, even here in Papua. Papuans should do what they’ve done in Central Kalimantan (kick the fundamentalists out). Interfaith dialogue is important.
  2. How more sovereign can Indonesia get? I believe IPO is evidence that business community is moving faster than the state; the latter lags behind with their ancient attitude and political interest, which is evidently self interest and never the nation’s. Natural resource management is key to unite or break up a country. The key challenge here remains: Can we enjoy the benefits of our natural resources? That is the future of Indonesia and this is the biggest question in Papua. So far there is no evidence that local people have become prosperous because of natural resources. Some may have, but not the community. There is instead a lot of suffering. It lies in the hand of the government(s) to rectify this situation.