

## THE SIGNIFICANCE OF THE CONFLICT IN WEST PAPUA FOR DEFENCE COOPERATION PLANNING IN THE PACIFIC

### Submitted by:

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Note: In this submission, the name 'West Papua' is used to refer to the whole of the western half of the island of New Guinea. However, 'West Papua', at this time, is divided into two provinces, 'Papua Province' and 'West Papua Province'.

### Context

The Melanesian people of West Papua consider themselves, and are considered by other Pacific Islanders, to be a part of the Pacific community. Netherlands New Guinea, as West Papua was known under Dutch occupation, was a member of the South Pacific Commission (SPC) and Papuan leaders continued to participate in SPC meetings until the Dutch ceded their authority to the United Nations Temporary Executive Authority (UNTEA) in 1962. The Netherlands then withdrew from the SPC.

When West Papua was integrated into Indonesia under the 1969 referendum known as the Act of Free Choice (widely considered to be a sham)<sup>1</sup>, West Papua seemed to disappear from global consciousness or else was considered part of Asia. With the renewed momentum of West Papuans' movement for self-determination over the past decade and the civil society support for West Papua's right to the same among Pacific allies, West Papua has now come full circle and is again an actor in Pacific politics where it belongs, geographically and culturally, as this submission will demonstrate.

After the Second World War, the South Pacific was considered a backwater for Australian foreign policy which focused mainly on the Asian region to our north. The South Pacific is now on the agenda as a priority in Australian foreign policy. In November 2018 Prime Minister Scott Morrison announced Australia would take our engagement to a new level with the 'Step-Up' policy, ostensibly due to the growing influence of China, through its aid programs, in the region.

Recently Australia has ceded authority in the Pacific region because of the Federal Government's denial of, and lack of action on, climate change, a priority for Pacific nations; its harsh asylum seeker policy in Manus and Nauru); and its reluctance to stand up to Indonesia

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<sup>1</sup> <https://www.theguardian.com/world/2013/aug/29/west-papua-independence-history>

regarding the human rights situation in West Papua—a considerable concern to the people elsewhere in the Pacific<sup>2</sup>.

We believe it is in Australia's best interests, as it seeks to 'step-up' its leadership in the Pacific, to recognise that the conflict in West Papua is an issue of great concern for Pacific governments, as evidenced in the remainder of this submission. In acknowledging that, together with climate change, the Papua conflict is one of the biggest political issues in region, and in working with Pacific governments to raise concerns about human rights in West Papua at regional and international fora, it is our contention that Australia's defence relationships in the region will be improved.

### **West Papua in the Pacific and at the United Nations**

West Papua is on the agenda of the two main regional organisations, the Pacific Islands Forum (PIF) and the Melanesian Spearhead Group (MSG), and its conflict with Indonesia is increasingly being raised as an issue at United Nations (UN) fora by Pacific Islands nations.

#### *PIF*

During the PIF's consultation process under the Framework for Pacific Regionalism in 2015, concern about the human rights situation in West Papua was raised by over 40 Pacific Non-Government Organisations (NGOs) and individuals. The issue of West Papua continued to be raised as an issue of concern by NGOs in the following year's PIF consultations, as evidenced in the following excerpt from the 2016 PIF Communique:.

*Leaders recognised the political sensitivities of the issue of West Papua (Papua) and agreed the issue of alleged human rights violations in West Papua (Papua) should remain on their agenda. Leaders also agreed on the importance of an open and constructive dialogue with Indonesia on the issue<sup>3</sup>.*

#### *MSG*

The MSG consists of the four Melanesian countries of Fiji, Papua New Guinea, Solomon Islands and Vanuatu, as well as the Front de Liberation Nationale Kanak et Socialiste (FLNKS) of Kanaky (New Caledonia). The MSG granted Observer Status to the United Liberation Movement for West Papua (ULMWP) in 2015, separate to Indonesia's associate membership status.

#### *UN*

### **2016**

Pacific leaders regularly raise concerns about the issue of West Papua at the UN and in other international fora., In September 2016, leaders of Pacific Island nations of Vanuatu, Solomon Islands, Tonga, Nauru, Marshall Islands and Tuvalu raised concerns about the issue of West

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<sup>2</sup> <https://www.abc.net.au/radio-australia/programs/pacificbeat/support-for-west-papua-ramped-up-ahead-of-forum-leaders-meeting/11393858>

<sup>3</sup> <https://www.forumsec.org/west-papua/>

Papua at the United Nations General Assembly during the general debate of the Assembly's 71st session. Some leaders also called for West Papuans' right to self-determination to be respected<sup>4</sup>. For example, the then Solomon Islands prime minister, Manessah Sogavare, stated:

*Human rights violations in West Papua and the pursuit for self-determination of West Papua are two sides of the same coin. Many reports on human rights violations in West Papua emphasize the inherent corroboration between the right to self-determination that results in direct violations of human rights by Indonesia in its attempts to smother any form of opposition<sup>5</sup>.*

Marshall Islands president, Hilda Heine, called for the human rights abuses in West Papua to be independently probed:

*Given the importance of human rights to my country [Marshall Islands], I request that the UN Human Rights Council initiate a credible and independent investigation of alleged human rights violations in West Papua<sup>6</sup>.*

## **2017**

Pacific leaders again raised the issue of West Papua in 2017 at the 72nd Session of the United Nations General Assembly General Debate in New York. Vanuatu, Solomon Islands and Tuvalu, as well as the Deputy Prime Minister of Saint Vincent and the Grenadines in the Caribbean, each raised concerns about the human rights situation in West Papua. In his summary speech, the Vanuatu Prime Minister, Charlot Salwai Tabimasmass, stated that "The Human Rights Council should ... address the situation in West Papua" and "decolonization [should] be put back on the United Nations radar"<sup>7</sup>.

### **West Papua and the African, Caribbean and Pacific Group of States**

In December 2019 the 79 member states of the African, Caribbean and Pacific Group of States (ACP) also raised concerns about human rights abuses in West Papua. The Radio New Zealand report on the 9th ACP Summit states:

*A resolution was passed by the group at its 9th ACP Summit of Heads of State and Government, calling for urgent attention to be paid to the rights situation in Indonesia-ruled Papua region. The resolution supports and adds significant diplomatic weight to a resolution passed by the Pacific Islands Forum in August this year. Among other things,*

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<sup>4</sup> <https://www.rnz.co.nz/international/programmes/datelinepacific/audio/201817600/pacific-leaders-raise-west-papua-at-the-un>

<sup>5</sup> <https://www.rnz.co.nz/international/programmes/datelinepacific/audio/201817600/pacific-leaders-raise-west-papua-at-the-un>

<sup>6</sup> <https://www.rnz.co.nz/international/programmes/datelinepacific/audio/201817600/pacific-leaders-raise-west-papua-at-the-un>

<sup>7</sup> <https://gadebate.un.org/en/72/vanuatu>

*ACP states called for an international mission to visit Papua and provide an evidence-based, informed report on the human rights situation there<sup>8</sup>.*

### **Pacific Support for West Papua Raises Concerns in Jakarta**

The continuing support for West Papua by Pacific countries has raised concerns in Jakarta, a relatively new actor in the Pacific region. To counter growing civil society and government support for West Papua, Indonesia is attempting to strengthen its ties with South Pacific countries. Indonesia has dispatched delegations to strengthen bilateral relations with a number of countries and has offered various aid packages in an attempt to influence the MSG leaders not to grant full membership to the representative body of the West Papuan independence movement, the United Liberation Movement for West Papua (ULMWP). A Guardian article dated 12 August 2019 reported that Indonesia was angry that West Papua was put on the agenda of the 50<sup>th</sup> Pacific Islands Forum in Tuvalu, fearing the move would “establish a precedent for interference in other countries’ domestic affairs”<sup>9</sup>. Not a single Pacific Islands country opposed the inclusion of West Papua on the agenda other than Australia.

### **Regional Instability**

Papuans are oppressed, intimidated and arrested daily by Indonesian security forces for acts such as raising their national flag, commemorating days of significance in their history and protesting the injustices they face under Indonesian rule. The conflict has the potential to cause instability in the region. PNG shares a border with West Papua and is home to over 10,000 West Papuan. A deterioration in the situation in West Papua could cause more refugees to flee to PNG. An article in the Sydney Morning Herald dated 20 December 2019 states:

*For decades, Papua New Guinean troops say they have watched as Indonesian forces violated PNG sovereignty “up to a dozen times per year”. At times the TNI (Indonesian armed forces) crossed the border between Indonesian Papua and PNG to hunt animals. Sometimes they entered to intimidate refugees living along the border. The PNG Defence Force (PNGDF) has long viewed such TNI actions as part of a campaign of psychological warfare designed to remind Papuans just how vulnerable they are to Indonesia's military might<sup>10</sup>.*

Australian citizens are assured time and again by the Australian government that the human rights situation in West Papua is improving. The human rights abuses that occurred throughout the past year, however, prove otherwise. Human rights abuses and incidents of intimidation

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<sup>8</sup> <https://www.rnz.co.nz/international/pacific-news/405595/africa-caribbean-pacific-group-seeks-action-on-papua-rights-abuses>

<sup>9</sup> <https://www.rnz.co.nz/international/pacific-news/405595/africa-caribbean-pacific-group-seeks-action-on-papua-rights-abuses>

<sup>10</sup> <https://www.smh.com.au/world/oceania/from-the-ocean-to-the-east-it-looks-like-australia-s-pacific-policy-is-all-at-sea-20191220-p53lrd.html>

and torture of West Papuan activists and human rights defenders continued to be committed by the Indonesian security forces. A number of military operations took place in response to alleged attacks on the security forces or on vehicles operated by the Freeport copper and gold mine. These operations leave the local people traumatised and in fear for their lives. The security forces frequently do not distinguish between what they term 'separatists' and the general public.

Two major recent events in West Papua show clearly that the situation is not improving.

1) More than 100 civilians died between early December 2018 and the end of March 2019 during military operations in the Nduga Regency. A report in the Jakarta Post from April 2019 on the military operation in Nduga Regency states:

*Military operations conducted by the Indonesian Military (TNI) in Nduga regency, Papua, in the past few months have led to various human rights violations, a recent investigation initiated by the Nduga administration has alleged, allegations that the TNI has denied. According to the investigation report, TNI personnel allegedly destroyed and burned down residents' houses--forcing thousands of people to leave their homes for safety. The personnel are in Nduga in search of the West Papua Liberation Army (TPNPB) fighters who killed 19 workers of state-owned construction firm PT Istaka Karya in December. Tens of thousands of the fleeing residents currently live in neighbouring districts without access to sufficient food, education or health services. Around 4,238 residents have fled to Kagayem district, 5,021 people to Yal district, 5,056 to Jigi district and 4,001 persons to Inikgal district<sup>11</sup>.*

2) Racist attacks on Papuans by Indonesian citizens and police in August and September in 2019 resulted in mass demonstrations across West Papua and more attacks on West Papuans. The demonstrations were triggered by the arrest of 43 West Papuan students in Surabaya, Indonesia on the 17 August, Indonesia Independence Day ,following a report that an Indonesian flag had been vandalised near a student hostel for Papuans. The Jakarta Post (19 August) reported that security personnel and members of Indonesian nationalist groups attacked the Papuan students, throwing stones at the dormitory and chanting "Kick out the Papuans!" and "Slaughter the Papuans!"<sup>12</sup>. The mob also called the students monkeys, pigs and dogs. As they stormed the dorm building, police fired tear gas and arrested the students. The students denied any knowledge of the damaged flag. Thousands of protestors took to the streets in anti-racism rallies in all the major cities and towns in West Papua but across Indonesia. Protesters were showing solidarity with the arrested students as well as protesting against the racial abuse, both verbal and physical, that occurred during the arrests. It is of great concern that Indonesian

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<sup>11</sup> <https://www.thejakartapost.com/news/2019/04/03/military-operations-in-nduga-violate-human-rights-report.html>

<sup>12</sup> <https://www.thejakartapost.com/news/2019/08/19/riots-flare-in-manokwari-after-racist-attack-on-papuan-students-in-surabaya.html>

militia groups such as the Red and White Militia were involved in the demonstrations<sup>13</sup>. Two West Papuans were gravely injured by militia in Fakfak.

Pacific Islands Forum Secretary General, Dame Meg Taylor, expressed concern at the violence erupting throughout West Papua last year:

*I am deeply concerned about the situation in West Papua, and I call for calm, and restraint by all parties. We reiterate our calls for all parties to protect and uphold the human rights of all residents and to work to address the root causes of the conflict by peaceful means. These events make the proposed visit of the UN High Commissioner for Human rights to West Papua even more important. I repeat the recent call by Forum Leaders in Tuvalu for the parties to finalise the timing for a mission of the UN High Commissioner for Human Rights to West Papua<sup>14</sup>.*

### **Strategic Importance**

The South Pacific region and the island of New Guinea in particular will always be strategically important to Australia. For this reason, we believe that the Australian Government should be doing all it can to help solve the ongoing conflict in West Papua, one of our closest neighbours. It is now 57 years since Indonesia took over administration of the territory from UNTEA in 1963. The West Papuan people are still struggling for their right to self-determination, marching in the streets, risking arrest and torture at the hands of the Indonesia's security forces.

Like the Pacific community, we hope Australia understands that West Papua is an issue that is not going away and that it is in Australia's national interest to try to help resolve human rights issues in West Papua.

The Australian Government contends that Indonesia is now a democracy. Indeed, there has been a significant improvement in how the state deals with human rights since the fall of former President Suharto. However, this improvement has not translated into democracy in West Papua. The Indonesian security forces continue to crack down on peaceful rallies called by Civil Society Organisations (CSO's) in West Papua, and Papuans are repeatedly arrested—some charged with treason—simply for taking part in the rallies<sup>15</sup>.

These arrests go against the principles laid down in the Universal Declaration of Human Rights, which state:

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<sup>13</sup> <https://www.rnz.co.nz/international/pacific-news/397967/tensions-high-in-papua-with-militia-groups-in-the-mix>

<sup>14</sup> <https://www.forumsec.org/pacific-islands-forum-secretary-general-on-events-in-west-papua/>

<sup>15</sup> <https://www.smh.com.au/world/oceania/indonesia-convicts-papua-activists-of-treason-20200426-p54nat.html>

*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers (Article 19)*

and

*Everyone has the right to freedom of peaceful assembly and association (Article 20).*

We seek, along with the Australian Government, stability in the region, especially to our north, but the policies of the Indonesian Government and the behaviour of the Indonesian security forces in West Papua threaten such stability. Their actions, and at times inaction, have the potential to raise tensions not only between Australia and Indonesia but also with other countries in the region.

We understand the sensitivities between Australia and Indonesia over the West Papuan issue. Australia could work with the Pacific community, supporting the PIF leaders in raising concerns about the human rights situation in West Papua at PIF summits and acknowledging these concerns in the official communiqués. In particular, it could underscore the importance of the PIF's request to the Indonesian Government to allow a PIF fact-finding mission to West Papua to investigate the human rights situation in the territory.

### **Conclusion**

The conflict in West Papua is escalating as Jakarta continues to send troops to counter growing demands for independence. The West Papuan armed independence group, the OPM, is becoming better organised and armed and is mounting coordinated attacks on the Freeport mine with the aim of shutting it down, as occurred in the Panguma mine in Bougainville. There is a real chance this will occur as the mine remains vulnerable to armed attack given its sole access road runs through extremely remote and mountainous terrain.

Meanwhile the case of West Papua has become a *cause celebre* among Pacific nations, the majority of whom have suffered their own colonial injustices. The plight of West Papuans resonates with them. Acknowledging this would indicate to the Pacific countries that Australia does, indeed, listen to their thoughts and concerns.

Within Indonesia, there are now strong voices expressing concern bordering on outrage at the continued Indonesian army occupation of West Papua and the concomitant human rights abuses that subsequently arise. Progressive Indonesian opinion is that the situation in West Papua is unsustainable and inconsistent with a modern, thriving, Asian democracy<sup>16</sup>.

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<sup>16</sup> <https://www.abc.net.au/radio-australia/programs/pacificbeat/lawyer-says-more-indonesians-support-west-papua-protests/11455568>

Therefore, it is time Australia acknowledges the profound conflict on our doorstep, its potential to escalate and 'drag' in Australia (as was the case with East Timor), and the priority the issue has become within Pacific countries. The first step to solving problems is to identify them. Australia can play a constructive role in this process which would strengthen regional security and enhance relations with Pacific countries and, ultimately, Indonesia.

### **Recommendations**

1. Support the Pacific Islands Forum Leaders in requesting Jakarta to allow a PIF fact-finding mission to West Papua.
2. There are regular bilateral visits between Australia and Indonesia. We believe that these bilateral visits present an opportunity for an open and frank exchange on how to improve the human rights situation in West Papua. We recommend that in all future bilateral visits between defense and foreign affairs officials, the human rights situation in West Papua should be on the agenda.
3. The Australian Government is a generous donor of aid to Indonesia. There are a number of Indigenous human rights NGOs in West Papua and the Australian Government can strengthen the human rights situation in West Papua by supporting these organisations with financial aid, capacity building and education. We recommend that human rights defenders working in human rights organisations in West Papua are funded to attend human rights and diplomacy courses in Australia and overseas.
4. We also urge the Australian Government to re-think its policy of ties with the Indonesian military until such time that Indonesian military personnel involved in past human rights abuses are brought to justice and the culture of the Indonesian military becomes of an acceptable standard to both the Australian people and Australian military.