



Moi children, Sorong, West Papua
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WE WILL LOSE EVERYTHING

A Report on a Human Rights Fact Finding Mission To West Papua



Conducted by the
Catholic Justice and Peace Commission

of the Archdiocese of Brisbane

1 May 2016

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“We will lose everything!” This was the grim prediction made by the four members of the Executive of the United Liberation Movement for West Papua (ULMWP) when they presented their three year campaign strategy to a Brisbane meeting of representatives of solidarity groups from around the South Pacific in January 2016. When ULMWP Secretary-General, Octovianus Mote, uttered these words on behalf of his colleagues, both the anguish of the people of West Papua and their grim determination to overcome their oppression was evident in his voice. Faced with becoming a small minority in their own land within a few short years and living with unrelenting intimidation and brutality at the hands of the Indonesian Government’s security apparatus together with rapidly growing economic and social marginalisation, he stressed the need for urgent action to stop the violence in their land and to secure an international commitment to give their people a genuine opportunity to freely determine their future. The message was clear. The situation in West Papua is fast approaching a tipping point. In less than five years, the position of Papuans in their own land will be worse than precarious. They are already experiencing a demographic tidal wave. Ruthless Indonesian political, economic, social and cultural domination threatens to engulf the proud people who have inhabited the land they call Tanah Papua for thousands of years

One week after the meeting in Brisbane, a two person delegation from the Catholic Justice and Peace Commission of the Archdiocese of Brisbane set foot on Papuan soil to speak to Papuans directly about their situation. The Pacific Islands Forum (PIF) Leaders Summit in Port Moresby in September 2015 had agreed to send a human rights fact-finding mission to West Papua, but the Indonesian Government has not allowed this to happen. One of the Commission’s objectives in sending the delegation was to build relationships with the Church in West Papua for future collaboration on human rights and environmental issues. However, because of the Indonesian Government’s unwillingness to accept a PIF mission, our delegation effectively became the first of a number of shadow human rights fact finding missions to West Papua from the Pacific.



Children in Biak welcome a human rights fact finding mission with singing at a meeting with survivors of human rights violations, January 2014.
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Over the next two weeks, the Commission's Executive Officer, Mr Peter Arndt, and prominent Sister of St Joseph from Sydney, Sr Susan Connelly, travelled through Merauke, Jayapura, Timika and Sorong. They heard many stories of bashings, torture, murder, economic hardship, social marginalisation and cultural deprivation. Just as in Brisbane, Papuan voices were filled with a sense of urgency and fear. Yet, beneath all this, there is an

unmistakeable determination to continue to strive for the long cherished dream of freedom. This report seeks to briefly sketch the historical context of the present situation in West Papua, to document some of the stories and information collected about the present human rights situation, and to make an assessment of the way forward.

The Commission makes it clear that this report seeks to present the voice of the people of West Papua as accurately as possible. Our delegation's program while in West Papua was determined by Papuans. Papuans worked closely with us throughout the two weeks of our visit. Since our return to Australia, Papuans have continued to provide us with information and advice. A wide range of Papuans were asked to read the report in draft form and to indicate where changes were needed so that the published report accurately reflects their situation and views. The final report will be co-launched by the Commission with Papuans not only in Brisbane, but by Papuans and their supporters in West Papua, Jakarta, Indonesia and Port Vila, Vanuatu. We intend that the preparation and publication of this report be a genuine collaboration between Papuans and us. The struggle for justice, freedom and dignity is theirs and we have tried to ensure that Papuans not only participate as fully as possible in the work of publishing this report, but that they effectively lead and direct the process.

The Heart of the Matter

The present violence and marginalisation endured by the Papuan people have their genesis in shabby dealings by international powers which enabled the Indonesian Government to occupy West Papua in the 1960s without the free consent of the people. This was brought home clearly to our delegation one hot, humid Tuesday afternoon when we visited an old woman who was one of the 1022 Papuans chosen to

represent their people in the so-called “act of free choice” ^{1, 2}

She participated in one of eight assemblies organised by the Indonesian Government under the supervision of United Nations authorities to vote on integration of West Papua into the Indonesian Republic. The assemblies were held in Merauke, Wamena, Nabire, Sorong, Fak Fak, Manokwari, Biak and Port Numbay (Jayapura) between 14 July 1969 and 2 August that same year.



West Papuans protest the Act of Free Choice, 1969, West Papua
Hugh Lunn

Our host told us that she was separated from her family and taken with other assembly participants to ‘special accommodation’ two weeks before the vote. In that period, she was not allowed any communication with her family or others and was subjected to intense pressure from Indonesian authorities to support West Papua’s integration into the Indonesian Republic. She was threatened with dire consequences if she did not support the Indonesian takeover. She recalled the vote being taken in a hall surrounded by armed Indonesian soldiers. She read a statement of support for integration with the ‘Unitary Republic of Indonesia’ written by the Indonesian authorities to the assembly. Once statements were read the armed Indonesians asked who agreed. She and the other participants, under great duress, put their hands up in agreement. There was no vote. During the assembly a large crowd of Papuans gathered outside the hall. When they heard the support for integration, they shouted their fierce opposition to the decision. A Papuan priest who accompanied us to the woman’s house was present in that crowd. He was a teenager at the time and he recalled that

¹ The following paragraphs which provide a brief outline of some of the significant events and incidents in the period between Indonesian occupation of West Papua and the “act of free choice”, the vote itself in 1969 and the immediate aftermath in the United Nations are drawn from two authoritative accounts by John Saltford and Pieter Drooglever, viz., Saltford, John, *The United Nations and the Indonesian Takeover of West Papua, 1962-1969: The Anatomy of Betrayal*. London: Routledge Curzon, 2003 and Drooglever, Pieter, *An Act of Free Choice: Decolonization and the Right to Self-Determination in West Papua*. Translated by Maria van Yperen, Marjolijn de Jager and Theresa Stanton. Oxford: Oneworld, 2009.

² According to John Saltford and Pieter Drooglever, who have separately conducted scholarly analysis of the archival evidence, 1026 West Papuans were selected to participate in the Act of Free Choice, which took place in a series of assemblies over several weeks. Four Papuans were sick so the total number of those who participated in the Act of Free Choice is 1022, less than 0.01% of the population.

Indonesian security forces chased protesters away. Many were beaten. Our host's husband was so angry at the outcome, he threatened to separate from her.

In all eight assemblies, the vote for integration with the Indonesian state was unanimous, but Papuans and many other international witnesses are adamant that this support was not free nor fair. It was extracted at the point of a gun on the day. Papuans told us that they experienced threats and actual violence, including aerial bombardment and strafing from machine gun fire, from the first moment Indonesian troops started administering the territory on behalf of the United Nations on 1 May 1963.

From the inauguration of the Indonesian Republic on 17 August 1947 with Sukarno as its first President, the Indonesian Government set out with single-minded determination to ensure that all the colonial territories of the Netherlands East Indies, including West Papua, were included in the Republic. By 1949, after a number of military actions initiated by the Dutch and various diplomatic negotiations, all of the Dutch colonial territory except West Papua was incorporated into the Indonesian Republic.

Throughout the 1950s, the Indonesian Government used diplomatic negotiations with the Netherlands and in the United Nations in an attempt to wrest West Papua from Dutch control, but it was unsuccessful. As this was happening, the Netherlands Government belatedly worked with Papuans to prepare them for autonomy and in 1961. The Dutch established the West New Guinea Council through a mix of direct elections by Papuans and appointment. In the same year, Dutch Foreign Minister Luns submitted a plan to the UN General Assembly. The plan proposed the Dutch relinquishing sovereignty and a UN administration assuming control. The plan recognised self-determination for the Papuan people. The Dutch could not get the necessary support from the UN General Assembly and abandoned efforts to promote it, but, on 1 December 1961, the members of the West New Guinea Council voted for a change of name for their land from West New Guinea to West Papua and selected an anthem and a flag. They also passed a series of resolution supporting the doomed Luns Plan and its commitment to self-determination for the people of West Papua. Later that month, Indonesian President Sukarno issued a command for the whole of the Indonesian people to mobilise in order to effect what he called the liberation of the people of West Irian. From that point on, all Indonesian negotiations and actions were based on a non-negotiable demand that West Papua would become part of the Indonesian Republic.

The New York Agreement was signed by Dutch and Indonesian officials on 15 August 1962. It provided for a United Nations Temporary Executive Authority (UNTEA) to take control of West Papua from the



Dutch on 1 October 1962 and for control to be transferred to the Indonesian Government some time later. A provision for an act of self-determination by the Papuan people at a later stage was also included in the agreement. Even before the Agreement was signed, Indonesian paratroopers were being dropped into West Papua and, from that time onwards, the Indonesian security forces in West Papua engaged in systematic violence to intimidate Papuans seeking to oppose their occupation and to prevent Papuans demonstrating in favour of a UN-administered act of self-determination by all Papuans. After the UN General Assembly gave its stamp of approval to the New York Agreement in September 1962, the UNTEA officially assumed administration of West Papua on 1 October that year. The UNTEA included a civil administration for the territory. Although Pakistani troops were on the ground as part of the UN presence, they were only military observers and did nothing to curb the brutal determination of the Indonesian security forces to eradicate any opposition to Indonesian control.

In November 1961, Indonesian troops were reported to have beaten up Papuan police in Sorong and surrounded an airport in Sentani, preventing Papuan police from performing their duties. In December of that year, Indonesian troops fired at a crowd of demonstrators in Merauke and bombarded a Papuan police station in Sorong with mortar shells.

In December 1962, a confidential letter was sent to all Indonesian police commissioners working with UNTEA from the head of the police branch of the Indonesian mission to UNTEA. It instructed them to ensure that police under their command sign pro-Indonesian statements calling for the early departure of UNTEA and an end to any plans for an act of self-determination.

Control of West Papua was handed over to the Indonesian Government on 1 May 1963, who under the terms of the New York Agreement were to administer the territory as a trust on behalf of the United Nations. In reality the Indonesian government had no intention to fulfil the terms of the New York Agreement. Indonesian security forces and pro-Indonesian Papuan groups used violence to intimidate opposition to the Indonesian takeover and to quell demonstrations and rebellion. As both armed and unarmed resistance grew, so did the Indonesian military action in response. In 1967 and 1968, Indonesian military aircraft bombed and strafed the town of Manokwari killing many Papuans. Paratroops were used in the Paniai district to unleash enormous bloodshed. Papuan leaders who led opposition to Indonesian control were killed. Foreign observers visiting West Papua in the years leading

up to the 1969 vote noted how unpopular the Indonesian occupation was. In March 1968 Reynders, a US consular official at the time, described West Papua as existing in 'a continuous state semi-rebellion'.

Despite knowledge of what was happening, the UN and its member states, failed to act to ensure that the conditions for a truly free and democratic expression of the will of the Papuan people occurred. The evidence clearly points to the conclusion that the so-called 1969 Act of Free Choice was neither democratic nor free. Consent to West Papua's integration into the Indonesian Republic was extracted by Indonesian coercion abetted by the failure of the UN to intervene when it saw Indonesian authorities contravening provisions of the New York Agreement.

When a report on the Act of Free Choice was discussed at the UN General Assembly, the Ghanaian delegation proposed another act of self-determination by 1975, but this move was rejected and the General Assembly simply 'took note' of the official report, effectively giving its approval to the Indonesian occupation of West Papua.

Compare these circumstances with the UN's management of the move to self-determination in the Australian-controlled eastern half of the island of New Guinea at the same time. In 1968, the UN General Assembly asked that Australia prepare the territory for a full and free vote on independence by all adults in that territory. A free and fair plebiscite was subsequently conducted in Papua New Guinea and the country gained its independence in 1975. The difference between what happened under the supervision of the UN in the eastern and western halves of the island of New Guinea is stark. It is nothing short of an enormous scandal.

Peter and Sr Susan were deeply moved by their encounter with the old woman who participated in the notorious vote of 1969. She still showed great distress and guilt over her part in the vote all these years later. She sees her support for the Indonesian occupation as a betrayal of her people's wishes. Worse still she cannot publicly share what happened for fear of what that might mean for her own life and the life of her family. Her distress and guilt is all the worse because of the many brutal acts of repression at the hands of Indonesian security forces she has witnessed in her town since that fateful day. Most governments of today, including the Australian Government, emphatically affirm their recognition of Indonesia's sovereignty over West Papua. They ignore the historical injustice as well as the contemporary failure of the Indonesian government to protect Papuan life and ensure Papuans can live to their full potential. Papuans, like this troubled old woman, continue to point to the events surrounding the 1969

vote, as well as their daily experience of fear and violence, as an outrageously unjust denial of the will of the Papuan people and the beginning of decades of ruthless oppression.

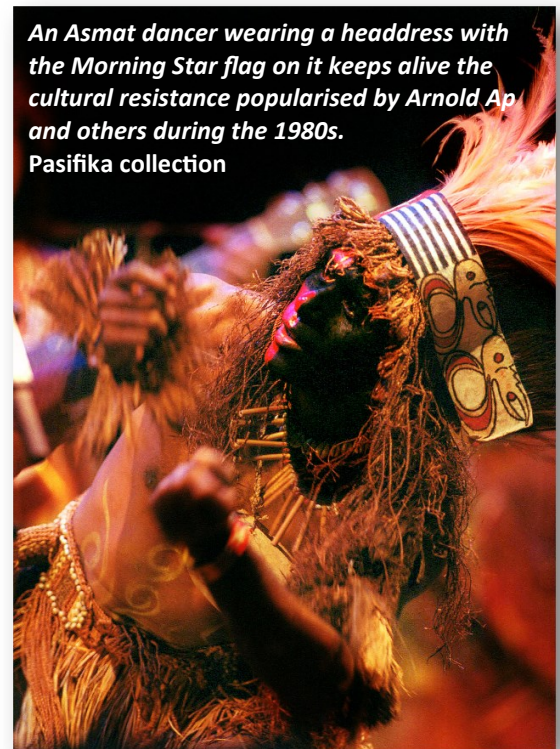
After the Vote

Resistance to the Indonesian occupation continued after 1969 and so did the brutal repression by Indonesian security forces. The elimination of articulate political leaders continued. So did the bombings and strafing. Thousands of Papuans have lost their lives as a result of the violence of Indonesian security forces.³

Some major examples of this repression include:

- Three months of bombing and strafing in the Highlands by ex-Vietnam OV-10 "Bronco" aircraft in 1977 with estimates of at least 25,000 dead;
- Further bombing and strafing in the Central Highlands in 1997 destroying gardens and animal stocks resulting in starvation and death affecting thousands of villagers;
- The 1998 massacre of men and women gathered at the water tower in Biak to pray for independence;
- The torture, caught on video, of two Kingmi Church pastors in Puncak Jaya in March 2010.
- The killing of major Papuan figures such as Arnold Ap (1984), Dr Thomas Wainggai (1996), Theys Eluay (2001) and Kelly Kwalik (2009).

In addition, in the last decade, the Indonesian Government has either evicted or effectively caused several international agencies to cease operations in West Papua through harassment and intimidation including the International Committee of the Red Cross, the Dutch development agency, Cordaid, and Peace Brigades International. These organisations were forced out of West Papua because they defended human rights in the region as part of their work. Other international agencies seeking to work in West



³ For detailed accounts of Indonesian repression of civil resistance between "the act of free choice" and the present, see as examples: Osborne, Robin, *Indonesia's Secret War*, Allen & Unwin, Sydney, 1985; Elmslie, James, *Irian Jaya under the Gun: Indonesian Economic Development vs West Papuan Nationalism*, University of Hawaii Press, Honolulu, 2002; Singh, Bilveer, *Geopolitics and the Quest for Nationhood*, Transaction Publishers, Piscataway, New Jersey, 2011; Macleod, Jason, *Merdeka and the Morning Star: Civil Resistance in West Papua*, University of Queensland Press, Brisbane, 2015.

Papua have been forced to sign a memorandum of understanding explicitly precluding involvement in human rights work.⁴

More Recent Repression

Our Commission has shown an interest in the situation in West Papua since 2002, but our commitment intensified after killings and arrests which occurred after the Third Papuan People's Congress in



A young girl with the Morning Star painted on her face attends an independence rally in Wamena, West Papua in 2011.
West Papua Media collection

October 2011. Celebrations following this major political meeting turned to tragedy when Indonesian security forces opened fire on the crowd, killing several people and injuring many more. Five leaders were detained, beaten and tortured and subsequently jailed for 3 years for treason. Our Commission joined with others in the Brisbane solidarity movement to fund medical treatment and other forms of practical support to the Jayapura 5 as they became known – Forkorus Yaboisambut, Edison Waromi, Dominikus Sorabut, Selpius Bobii and Agus Kraar. All five were given an early release and are still active in the independence movement.⁵

In recent years, the KNPB (West Papua National Committee) has engaged in an energetic campaign of public demonstrations and prayer gatherings in support of their aim of a referendum on independence. Indonesian security forces have adopted an aggressive approach involving the breaking up of public demonstrations and the arrest and beating of participants, raids on the organisation's offices and the killing of leaders such as Mako Tabuni in 2012.⁶

The Commission's Executive Officer, Peter Arndt, joined with ten other Christians in a pilgrimage to West Papua in January and February 2015. The pilgrimage began only weeks after a horrifying incident in Paniai Regency in the Highlands. On 8 December 2014, 22 Papuans were shot, allegedly by security

⁴ See Human Rights Watch's report on this issue, *Something to Hide?*, November 2010, <http://www.hrw.org/report/2015/11/10/something-hide/indonesias-restrictions-media-freedom-and-rights-monitoring-papua>

⁵ See Rayfield, Alex, *Violent Tactics Backfire in Papua*, New Matilda, October 2011, <https://newmatilda.com/2011/10/31/violent-tactics-backfire-papua/>

⁶ See Macleod, Jason, op. Cit., pp. 167 – 191.



forces, in Enarotali, the capital of Paniai Regency. Four — 17-year-olds Alpius Youw, Yulian Yeimo and Alpius Gobai and Simon Degei, aged 18 — were killed on the spot. Meanwhile some 18 others were injured and taken to the hospital for further medical treatment. The Papuans were shot while they were holding a peaceful demonstration, while performing a traditional dance, to call for justice. They had gathered in large numbers to protest the beating of a teenage boy by police the night before. The evidence of local church workers suggests that, before the incident, the Indonesian security forces in the region regularly disrupted normal activities of churches and other organisations and seemed to be provoking reactions which would give them cause to use lethal force. The behaviour of security forces in Paniai created a constant state of fear among the people.

Those who participated in the pilgrimage felt that fear everywhere they travelled in West Papua. Both their guides and the people they met in Jayapura, Biak and Paniai were extremely cautious about arrangements made for each meeting. The Papuans who helped them and met with them were often nervous and distrustful of other Papuans for fear that they might be informants. Soldiers, police and intelligence operatives were visible everywhere.

Pilgrims met survivors of the 1998 Biak massacre and were deeply moved by the anguish they still feel as a result of the horrors they endured. Their suffering is compounded by on-going harassment by security forces, ostracism by other community members who feel their continuing campaign for accountability and justice is attracting more unwanted attention by security forces, and deprivation of access to economic and social opportunities. When they recounted the stories of their barbaric abuse and humiliation by Indonesian security forces, it brought home to pilgrims that many Indonesian soldiers and police have racist attitudes and treat Papuans with great contempt. It seemed as though the Indonesian soldiers' sense of racial superiority helped to explain the degree of viciousness and barbarity with which they treated the Papuan men and women they attacked.

In Paniai, the pilgrims saw that the villagers still showed the signs of trauma as a result of the recent killing of the four teenage boys in Enarotali. They were also deeply concerned about the lack of economic opportunities, basic social services and the economic exploitation of their community by security forces and the social harm it has caused.

Pilgrims got a taste of the intimidation Papuans face every day when police, intelligence operatives and immigration officials raided their meeting with Biak massacre survivors. Seven members of the group

were called in for questioning by immigration officials and, although they were eventually cleared to continue their travels through Papua, their Papuan guides continued to be harassed by officials.

Despite an announcement in May 2015 by President Widodo that journalists would have free access to West Papua, media access is still restricted. There is no freedom of expression. Almost 40 political prisoners are currently in jail ⁷, customary land rights are not protected and there is no systemic policy of affirmative action. West Papuans human rights are also not protected. Throughout 2015, the Indonesian security forces have targeted young people in particular, all of whom have been unarmed.

Throughout 2015, the Commission notes many reports of serious human rights abuses committed by security forces including:

- On October 25, the West Papua National Committee (KNPB) accused the Yahukimo Police of physically abusing two of its members, Adembo Kobak (24 years) and Yanus Giban (27 years). They had asked a group of 20 people, including police officers, to stop gambling on cock fights. Both were hospitalised as a result of their injuries.
- On September 28 in Timika, Kaleb Bagau, 21, was shot to death and Erfando Sabarofak, 17, sustained injuries during shooting by the police.
- On August 28, the Indonesian military opened fire on Papuans gathering in front of a Catholic church for a thanksgiving celebration. Two Papuans, Yulianus Okoare, 18, and Imanuel Marimau, 23 were killed. The shooting injured Thomas Apoka, 16, and three others in their early 20s — Moses Umapi, Marinus Apokapo and Moses Imipu. This was one of the rare cases in which Indonesian security forces members were held accountable for their violent actions. The Catholic Bishop of Timika, Mgr. John Philip Saklil and his staff were instrumental in securing this outcome.
- On August 27, Wilhelmus Awom, 26, Soleman Yom, 27, and Yafet Awom, 19, were abducted and severely tortured by police in Jayapura, the capital of Papua province.
- On July 17, 12 Papuans were shot by security personnel in Karubaga, the capital of Tolikara regency, in the central highland. One, Endi Wanimbo, 15, was killed and 11 others were injured by the shootings. The shooting was a response to Papuans who had protested.
- On June 25, Yoseni Agapa, 15, was shot to death, allegedly by security forces, in Ugapuga village, Dogiyai regency.

⁷ See Papuans behind Bars data at <http://www.papuansbehindbars.org/>

- In the months leading up to the Melanesian Spearhead Group (MSG) Leaders Meeting in Honiara in June 2015, police arrested over 500 Papuans who participated in public demonstrations of support in different towns in Papua. They were showing their support for the ULMWP's bid for membership of the MSG. Some were convicted of offences and jailed.⁸
- On March 19, a clash erupted between police and hundreds of young Papuans who had gathered in Dekai, the capital of Yahukimo regency, to show support for the formation of the United Liberation Movement for West Papua (ULMWP) and to raise money for cyclone relief in Vanuatu. One was killed and Intel Senegil, 16, was wounded by the shooting. Meanwhile three young men, Elkius Kobak, 23, Putih Bahabol, 28, and Era Kobak, 26, were arrested and detained by the police.⁹

The Current Situation

The Commission's delegation to West Papua in February 2016 found no improvement in the human rights situation. Reports of human rights violations by members of Indonesian security forces had not declined and the economic and social status of Papuans has not improved. The Indonesian legal and political system is unwilling and unable to address human rights violations in West Papua.

The many Papuans met by the delegation expressed immense concerns about their current situation. They live in constant fear of violence and feel desperate about their rapidly declining proportion of the population and growing marginalisation economically and socially.

Security Forces Action

A meeting with Papuan families living in a compound in Kuala Censana exemplifies why the fear among Papuans of security forces intimidation, harassment and violence has not declined at all in recent times.

The families met by the delegation are Dani people who support the West Papua National Committee (KNPB). They related an incident which occurred on 5 February 2016, a public holiday to mark the coming of Christian missionaries to West Papua. The local KNPB branch had organised a meeting on an oval to celebrate the holiday, but also to present awards for a recent sporting competition and to inform people about the organisation's campaign for a referendum on independence in West Papua.

⁸ In a report on arrests of political prisoners in West Papua between 2012 and 2014, Papuans behind Bars reported that 1341 Papuans were arrested in the 2 year period and 98% of those arrested were not armed. See <http://www.papuansbehindbars.org/>

⁹ For a comprehensive coverage of human rights violations in West Papua in 2015, see the International Coalition for Papua's 2015 Human Rights Report at www.humanrightspapua.org/hrreport/2015/

While the meeting was in progress, about 12 cars arrived at the scene and a number of police and members of the special counter-insurgency unit, Densus 88¹⁰ confronted the gathering. Although they did not accost anyone, they began taking photographs and videos of the gathering. Their presence intimidated many in the crowd and resulted in many fleeing the scene to avoid possible violence or arrest. The police left after the crowd began to disperse. They had successfully disrupted the meeting without violence on this occasion.

However, our delegation was told that a man in his 30s who was travelling to the meeting from the town of Timika was confronted by operatives from Indonesian intelligence (BIN) and, when they discovered he was going to the KNPB gathering, they proceeded to beat his arms with ironwood, leaving him with both arms broken.

The delegation was also told that people do not go out at night for fear that they will be taken by members of the security forces and beaten or killed. Their fears are not imaginary. They reported that two men had been found dead in the town in the past year – one was found dead in the street with his scooter helmet still strapped to his head and another was a young man who is the son of a prominent pastor who is a strong advocate of the rights of the Papuan people.

They also reported that out of uniform soldiers would sometimes ride motor cycles into the stalls of Papuan women in the local markets to destroy their capacity to make a living.



A drummer leads a procession celebrating the arrival of the Gospel to West Papua in 1855.
Pasifika collection

¹⁰ Densus 88, or Special Detachment 88, is trained, armed and funded by the Australian, UK and US governments working in cooperation with the Indonesian government.

As Australians, members of our delegation felt greater distress knowing that the Australian Government assists the Indonesian Army and police, including Densus 88, with funding and training.

In April 2016, the Coordinator of the prominent Indonesian human rights organisation, the Commission for the Disappeared and Victims of Violence (KONTRAS), Haris Azhar, asserted that human rights violations in West Papua had continued to worsen since the election of President Widodo in September 2014. He referred to data on his organisation's records indicating that there had been over 1,200 incidents of harassment, beatings, torture and killings of Papuans by Indonesian security forces in the last year.¹¹

There were many other reports of human rights violations by Indonesian security forces of which we were advised. These include:

- In January 2016, 27 tribal leaders in Merauke were beaten severely by soldiers after complaining about not being paid for two months by an oil palm company for which they worked.
- Public demonstrations by KNPB members and other Papuans in Merauke were broken up by police and leaders were arrested and interrogated.
- A prominent man in one village in Merauke who provided a report to Indonesian authorities on the impact of repeated land grabs of traditional tribal land had his computer confiscated and subsequently returned after being disabled.
- While security forces in Merauke seemed to have stopped beatings and torture of prominent activists in recent years, they are now picking up Papuans who are intoxicated in public places and beating them.
- Apart from the violations in Timika and the Highlands already mentioned in this report, our delegation received disturbing reports of the mysterious deaths of a number of prominent supporters of the rights of the Papuan people and of the independence movement. A young businessman in Timika, John Haluk died suddenly in 2015, presumably from poisoning. He had paid for the building of the KNPB office in Timika and donated a very large sum of money to support the conduct of the unification talks in Port Vila in December 2014 which led to the formation of the ULMWP. A West Timorese Catholic priest, Fr. Amandus Fahik, who had served in Paniai since 1996, died in November 2015. He had attracted the attention of Indonesian security forces because he constantly encouraged the

¹¹ See <http://www.radionz.co.nz/international/pacific-news/301234/indonesian-rights-body-notes-rampant-rights-abuses-in-papua>

Papuan people to protect their land. Many Papuans believe he was poisoned by members of the security forces.

- In Sorong, young activists who had organised a public demonstration to draw attention to the lack of access of Papuans to education were arrested and interrogated.
- In 2014, the body of KNPB leader, Martinus Yohame, was found floating in a bag off Nana Island after he called for a demonstration to coincide with a visit of President Yudhuyono to Sorong in 2014.¹²
- Conflict between young Papuans and Indonesians is increasing and police do not stop fights except to protect Indonesian youths. Young Papuans involved in these conflicts are often targeted for police action subsequently. In one instance in 2013, police randomly rounded up a large group of teenagers and young Papuan men in their early 20s and interrogated them over a particular incident with Indonesian youths. Two of the older youths were tortured by having their toenails removed. The two young men were subsequently charged with offences, convicted and sent to jail.
- Papuans engaged in hunting in traditional lands are sometimes shot at by soldiers in the forest who automatically assume that the Papuans are members of the armed resistance.

Everywhere our delegation went in West Papua, soldiers, police and intelligence operatives were clearly visible. At one of the towns our delegation visited, the priest who hosted our visit was asked to attend the police station to answer questions on the reasons for the delegation's presence in the community.

In several places, Papuans reported that significant numbers of military personnel were being brought into the area ostensibly for non-military purposes such as undertaking audits of places of cultural significance, but locals believe their presence is intended to reinforce the capacity to monitor and control the activities of those promoting independence.

Our colleagues in various parts of West Papua assert that the security forces are often involved in businesses such as brothels and logging. If not involved as owners, they obtain income by providing security for these businesses. They also supplement their income by compelling local government authorities to employ soldiers as security or drivers.

The Commission continues to receive reports of violations by Indonesian security forces after our departure from West Papua.

¹² According to KNPB leaders with whom the delegation spoke in 2016 and with whom members of the 2015 pilgrimage also spoke, 28 KNPB members have been summarily executed by Indonesian security forces between 2012 and 2016.

After the opening of the ULMWP office in Wamena on 15 February, attended by 5,000 Papuans, police put two of the organisers, Markus Haluk and Edison Waromi, on notice that they faced charges of treason for being the central figures in arranging the launch. Seven others, including prominent human rights activist and Catholic priest, Fr John Jonga, were ordered to present themselves for questioning about the event. To date, despite several public statements by police suggesting that Markus Haluk and Edison Waromi have not been arrested.¹³ Despite the fact that the ULMWP is recognised as an observer by the Melanesian Spearhead Group of which Indonesia is an associate member, Indonesian security forces continue in their attempts to suppress ULMWP activity in West Papua by this sort of harassment and intimidation.

A report provided to the Commission by a Catholic seminarian indicates that, on 5 April, the Timika Branch of KNPB held a prayer meeting to pray for the granting to the ULMWP of full membership of the Melanesian Spearhead Group. The prayer meeting took place in the Golgota GKI Church. A group of soldiers, police and members of Detachment 88 arrived at the meeting and removed some KNPB material and destroyed a stage constructed for the gathering. When they arrived, the KNPB leader in Timika, Steven Itlay, said the prayer meeting would continue. However, the contingent of soldiers and police decided to break up the meeting. They beat members of the community and arrested Steven Itlay and eight other KNPB members. They were kicked and beaten with rifle butts during the arrests.

Another report provided to the Commission by the Legal Aid Institute of Jakarta (LBH) indicates that, on 13 April, Papuans demonstrated in their thousands and made their wishes heard in Port Numbay, Sorong, Wamena, Biak, Kaimana, Timika, Merauke, Yahukimo, Manokwari, Fakfak and all over West Papua as well as in several Indonesian cities. In Port Numbay, over 5,000 Papuans participated. Over 800 Indonesian police patrolled the streets and footage of police smashing a taxi carrying people to the demonstration has recently been released. 11 were arrested in Port Numbay, 3 in Sorong, 13 in Kaimana and 14 in Merauke. The day before, six Papuans were arrested in Yahukimo for distributing leaflets urging people to come to the demonstration. The six arrested were tortured with a hammer and one of the torture victims is reportedly in a serious condition.¹⁴ The people of West Papua have made their wishes very clear: ULMWP for full MSG Membership. Indonesia out of the MSG. Referendum for West Papua!

¹³ ULMWP leaders and Church workers inside West Papua continue to provide direct reports on developments in this case to the Commission and other supporters internationally.

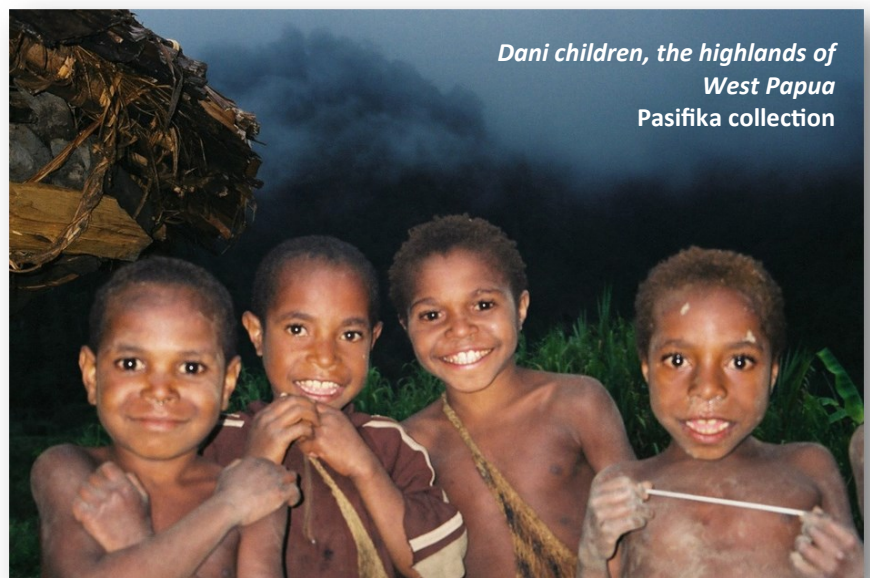
¹⁴ Note that this latest example of Indonesian security forces breaking up peaceful demonstrations in support of the ULMWP is part of a pattern of behaviour of security forces in response to public political demonstrations in recent years.

West Papua is a highly militarised zone in which members of the security forces use violence, harassment and intimidation to maintain a state of constant tension and fear within the Melanesian population. There is no evidence to suggest that human rights violations committed by the Indonesian security forces have declined in recent years. Indeed, the increasingly vigorous public action of nonviolent resistance by groups such as the KNPB make it inevitable, given the Indonesian Government's unwillingness to move away from a militaristic approach to addressing the conflict in West Papua, that the level of human rights violations in West Papua will stay the same or even grow.

Declining Economic and Social Rights

Our Papuan hosts are just as much concerned about their growing economic and social marginalisation as they are about the violence of the security forces. Without a doubt, the single most important factor for them in this regard is the rapid demographic changes which have resulted from the extremely high rate of migration into West Papua from Java, Sumatra, Flores, West Timor and other Indonesian islands. As visitors, the dramatic demographic shift is readily observable. Indonesian faces are as common as Melanesian faces, if not the majority, in many places our delegation visited in West Papua. In the main towns we visited – Port Numbay (Jayapura), Timika, Sorong and Merauke – they are already the majority. Along with the influx of Indonesian migrants have come changes in language, food, dress, religion, music, art and much more.

Papuans have seen themselves pushed to one side by often more aggressive Indonesian migrants who have taken over land, the economy and cultural spaces. Our hosts, to a person, worry most about this rapid transformation in the life of West Papua. Many spoke as if they are endangered in their own land. They see their proportion of the



population declining rapidly and with that numerical decline and the cultural, economic and social colonialism of the Indonesian migrants, they fear that as a people they will become a small minority with the status of an anthropological museum exhibit of a bygone culture.

Dr James Elmslie's demographic projections for Melanesian people in West Papua present a stark picture. Since 1971, he estimates the Melanesian proportion of the population in West Papua has declined from around 96% to a present day minority of 48.73%; and he projects the proportion will decline to 28.99% in four short years in 2020.¹⁵ It is no wonder that Papuans, seeing the rapid changes around them, believe their situation is desperate. It is also the reason why the ULMWP leadership claims that "We will lose everything!" unless there is a dramatic shift in the political situation in West Papua in the next few years.

In all the places our delegation visited, Papuans criticised the seizure of their traditional lands. Much of it has been taken to provide living space for the Indonesian migrants and for the infrastructure needed to service a rapidly growing population. Large parcels of land are also being seized for economic development by Indonesian and multi-national corporations. Large tracts of land have been taken for oil palm and sugar cane plantations and for other purposes. The Merauke Integrated Food and Energy Estate (MIFEE) has seen as much as 1.2 million hectares of traditional lands assigned for development by these corporations. The Palm Oil Atlas written by Franky and Morgan lists the palm oil concessions granted across all of West Papua. The total area covered by these concessions is almost 2.7 million hectares and, as at 2015, almost 0.5 million hectares are already operating as plantations.¹⁶ In one village our delegation visited in the Merauke district, it was estimated that tribal groups have lost over 50% of their lands for migrant accommodation and acacia and eucalyptus plantations since the 1980s.¹⁷

Church workers and villagers reported that tribal owners are never on equal footing with the corporations in negotiations for their land. The Indonesian state refuses to recognise customary land ownership or Papuans as indigenous people. Corporate representatives generally come with a permit from the local government and explain the proposed memorandum of understanding. If the tribal owners are not willing to agree, the corporate representatives return with a contingent of police to intimidate them into agreeing. Military officers are often on the boards of the companies seeking to use tribal lands and this worsens the intimidation tribal groups feel. A small amount of money may be paid to the tribal group initially and some employment of members of the tribe may occur in the first stages of development, but long term agreements on continuing employment for tribal members and profit sharing are never a feature of memoranda of understanding. Church workers supporting tribal groups in their negotiations

¹⁵ Elmslie, James, *West Papuan Demographic Transition and the 2010 Indonesian Census: "Slow Motion Genocide" or not?*, CPACS Working Paper No. 11/1, University of Sydney, 1 September 2010.

¹⁶ Franky, Y.L. dan Morgan, Selwyn, *Atlas Sawat Papua: Dibawah Kendali Penguasa Modal*, Pusaka, Jakarta, 2015.

¹⁷ Information on the loss of tribal lands in the village are contained in an unpublished report written by one of the village leaders in 2009.

indicated that the tribal groups are often left with a small amount of land on which to live once development begins. In the case of one company, they claimed that the tribal group lost all their land to development and were left with nowhere on their traditional lands to live.

They also advised us that an alternative method of negotiation is to take tribal leaders to Jakarta where they are wined, dined and bribed into signing an agreement whose terms are invariably overwhelmingly in favour of the corporation and to the gross disadvantage of the tribal owners.

Economic opportunities for Papuans are poor¹⁸. The Merauke village we visited is struggling because of the loss of over half of its traditional lands, but also because growing beach erosion has ended their capacity to obtain income through sand mining. We stood on the foundations of the village's Catholic church which was destroyed by rising seas some years earlier. The village community has developed plans for cultural and religious festivals as a means of attracting tourists and bringing income into the community, but the economic situation for the community is very difficult.

Many Papuans miss out on opportunities for good jobs because of poor education outcomes. Several community activists in several towns told our delegation that all Government and private schools impose both an admission fee and monthly tuition fees for all students. Many families find it so difficult to earn sufficient income to pay for admission and tuition fees for their children. While education is compulsory, an inability to pay fees prevents children from attending school. It is a vicious circle – Parents cannot pay fees because they cannot earn an adequate income, so children do not go to school and do not obtain a good education. The children, thus, do not gain the qualifications they need to get well paying employment. The exclusion of Papuan children from education is an enormously significant contributing factor in the growing economic marginalisation of Papuans.

Our delegation met some young people who organised a public demonstration to draw attention to the lack of access to adequate education by Papuans, but the police broke up the demonstration, arrested the organisers and interrogated them before releasing them. It is as if the Indonesian authorities want to ensure that Papuans remain poorly educated and have little access to good employment.

Papuan women, particularly, struggle economically. Many women rely on selling produce they grow and traditional food items and craftwork they make. Many women told us they struggle to find a place to sell

¹⁸ A recent report indicates that Papua and West Papua have the largest income equality gap in Indonesia. See <http://www.thejakartapost.com/news/2016/04/18/papua-named-worst-region-for-income-equality-babel-the-best.html>



their wares in established markets as they cannot afford the cost for leasing space in the markets. The established markets are dominated by migrants. Often, the migrants' produce is of a higher quality because they can afford more resources to grow better produce. That often results in consumers giving preference to migrant retailers.

Women retailers in the major market in Port Numbay, known as *Mama Mama*, complain about the poor standard of the market facilities provided for them to sell their produce. They complain that migrants are opening well outfitted stores in the neighbourhood and these are taking potential customers away from them. Migrants are also employing aggressive marketing tactics to attract customers and reduce the market share of the Papuan women in the markets. The women have urged the Indonesian Government to construct a modern covered market with good facilities and to offer them training to improve their marketing and retail skills, but, despite many promises from the President, this is still a dream for the women.

While in Merauke, we met a number of women selling fruit and vegetables on the street. They rent a car and drive in from their homes in another district with their produce and their children for three days a week. They spend long hours, day and night, on the street with their children selling their produce. At night, they and their children sleep in their rented cars, if indeed they have access to vehicles (many do not). Their income is poor and they and their children are vulnerable on the streets. The children are also missing out on schooling.

Village communities in the region surrounding the Freeport Indonesia copper and gold mine in the Timika district reported to us that they have mixed success in negotiating with the company for support for community development projects. Some villages also report that tailings from the mining project are affecting local fish and produce. They are worried about harmful health effects.

Foreign and Indonesian management and workers in the main receive good incomes and are provided with excellent accommodation and facilities. We visited a beautiful golf course and club set in the lush tropical forests of Kuala Kencana. Papuans could only dream of having access to such luxury facilities. Instead, every community we visited expressed concerns about the disillusion of young Papuans who turn to alcohol, drugs and promiscuity to try to escape from a life of limited opportunities and marginalisation.

In a land where unprotected sex among young Papuans is high, the rate of HIV infection is also high.

Church workers and gatherings of a number of Catholic congregations in a number of locations told our delegation that the HIV problem is worsened by infected sex workers being brought in, often by the military. Many Papuan men who do have well-paying jobs get infected with HIV when they visit brothels and, then, spread the infection to their partners at home. It was with immense sadness that delegation members learned of the death of a young Papuan journalist from AIDS complications on the day of their arrival. They also learned that a young professional woman well known to them was seriously ill after being infected with the virus.

Apart from the rate of HIV infection, health standards for Papuans are poor. Life expectancy is low and infant mortality rates are high. Health services in many of the more remote areas are poor.

Many Papuans we met also complained about the loss of traditional culture. Apart from the loss of much of their traditional lands, with all their cultural and spiritual significance, to migrants and big business, Papuans also pointed to the prohibition of the wearing of traditional dress and other cultural expressions as a deeply concerning development. Their languages and cultures are being swept away in favour of Indonesian language and cultures.

In a similar way, the influx of Indonesian migrants has meant the rapid growth of Islam in a land where Christianity was overwhelmingly the majority religion. It is ironic that a land which is fast becoming majority Muslim, February 5 is celebrated as a public holiday to mark the coming of the Gospel. Many mosques have sprung up in recent years. Near one Catholic Church we visited, three mosques have been built in the last few years. It is predictable that, where the religious mix has altered significantly in a short period of time, tensions can easily develop. That was the case in Tolikara in 2015 when a dispute over the use of loud speakers at a local musholla led to a fire and death. Christian Papuans, for the most part, are willing to live in peace with Muslim neighbours, but tensions have also arisen as a result of proselytism by some Muslim groups from Indonesia. Some Christian leaders have also expressed concerns about what they perceive as bias towards Muslim migrants in disputes with Papuan Christians.

President Widodo's commitment to enhance development of West Papua by developing a road and rail network is greeted with fear by Papuans. Many told us they fear it will only hasten the takeover of land and economic opportunities by Indonesian migrants. They fear it will only expedite their marginalisation at every level.

The combined effect of the loss of opportunities for economic and social participation and of culture is that Papuans feel like strangers in the land that has been theirs for countless generations.

Recommendations

In the light of our delegation's findings, the Commission recommends the following:

- Governments in the Pacific, including the Australian Government, should seek intervention at the United Nations Human Rights Council and the United Nations General Assembly to initiate a credible, independent investigation into human rights violations in West Papua;
- Governments in the Pacific should also pressure the Indonesian Government directly and seek the intervention of the United Nations to establish a dialogue between the Indonesian Government and the acknowledged leaders of the people of West Papua, the United Liberation Movement for West Papua in order to identify a credible pathway towards genuine self-determination for the people of West Papua;
- Churches and civil society organisations in the Pacific should continue to build a network of solidarity with their counterparts in West Papua in order to support advocacy and action on human rights violations and the pursuit of self-determination by the people of West Papua and their leaders, the United Liberation Movement for West Papua;
- The Australian Government should urgently consider the mounting evidence of involvement in human rights violations in West Papua by members of the Indonesian military, police force, including Detachment 88, and intelligence service. Based on this investigation, it should review any support, training and funding of any units involved in human rights violations in West Papua with a view to suspending such support until policy changes to end violations are implemented by the Indonesian Government.

Suara Jangkrik – Suara Bangsa Papua

The Voice of the Cricket – The Voice of the Papuan People

When in Port Numbay, our delegation met with about twenty Catholics at a spot overlooking Humboldt Bay. While they spoke about their concerns about growing marginalisation, we could see a white ferry in the distance delivering another load of migrants from Indonesia. As they lamented how much they had lost since Indonesian security forces occupied their beloved land, many told us, without prompting, that the only solution to their problems is freedom and independence.

At various times throughout our dialogue, our conversation was accompanied by a choir of crickets, known as *jangkrik* in Indonesian, singing loudly. It was as if they were echoing the unquenchable thirst for freedom for which our Papuan friends longed. Despite all the hardship, violence and loss they have suffered, like the crickets at Port Numbay, Papuans still long for their freedom. Listen to them sing the songs which express their love for Tanah Papua, the land of Papua, and you will hear the deep emotions welling up in their hearts.

They know that the Indonesian Government took control of West Papua through violence and by denying Papuans a free and democratic say in their fate. They know that other countries, including Australia and the USA, either turned a blind eye to Indonesia's ruthless determination to take control of West Papua at any cost or actively assisted them. They have resisted Indonesian occupation for over five decades at great cost to themselves. Their leaders are now pricking the consciences of the family of nations and urging them to make amends for the great injustice of the so-called 'Act of Free Choice'.

Successive Australian Governments have repeatedly declared that they recognise Indonesia's sovereignty over West Papua. Our Commission has heard this many times in letters from a succession of Foreign Affairs Ministers. Australia, along with other states, must stop ignoring the scandalous behaviour of the Indonesian Government in the 1960s. It should support a genuinely free and fair act of self-determination in West Papua.

We have also heard repeatedly from the Australian Government that the human rights situation in West Papua has improved in recent years. Our investigations through visits to West Papua and by study of reports from credible witnesses and authorities make it clear that this claim is simply untrue. What makes this claim even more outrageous is the fact that the Australian Government assists with the training of special army units like Kopassus and special police units like Densus 88. Far from teaching members of the Indonesian security forces how to respect human rights in their work, Australia is helping them to be more efficient killers of innocent people and violators of human rights. The Australian Government and other Governments must stop training and funding security forces units engaged in gross human rights violations in West Papua.

From the first day of Indonesian occupation of West Papua to the present, its treatment of the people of Papua smacks of institutional racism. The contempt and discrimination shown towards Papuans and the influx of large numbers of Indonesian migrants has led to a significant loss of culture and ever-increasing economic and social marginalisation.

The violence and intimidation of soldiers and police, the pervasive presence and activity of intelligence operatives and informants, the fear and distrust that this sows within the community, the loss of culture, and the ever growing economic and social marginalisation of Papuans represent a multi-layered repression of the people of West Papua.

Papuans are right to be concerned about their future. They are in great danger of losing everything that makes them a people. The international community must act to stop security forces violence and increasing marginalisation of the First Peoples of West Papua. It must act to stop what many Papuans have called a slow motion genocide. The arrogance and contempt with which the Indonesian Government dismisses these concerns must be challenge. Otherwise, the decades long conflict in West Papua will continue unabated. Indonesia must be encouraged to participate in a dialogue with the United Liberation Movement for West Papua so that there can be an end to the violence and the suffering and so that the Papuan people can, at last, determine their future freely.

For too long, geo-political considerations have dominated the thinking of Governments on West Papua. It is time that the human rights of the Papuan people are no longer subordinated to these geo-political considerations. It is high time that over five decades of gross injustice in West Papua is ended. It is time that the people of West Papua enjoyed the sweet taste of justice. The *jangkrik* of Port Numbay sing of their freedom on the coast of the land of Papua; the *cendrawasih* (birds of paradise) of the tropical rainforests also sing of their freedom; may the proud *and* beautiful people of the land of Papua soon join them in singing a joyous song of freedom.

The Commission wishes to express its appreciation to the many Church workers and representatives of civil society groups inside West Papua who helped us to organise and conduct the fact-finding mission. We also thank ULMWP leaders, especially Secretary-General, Octovianus Mote, for their support and assistance. We are indebted to Sister Susan Connelly rsj for her participation in the delegation and her invaluable practical assistance and passionate commitment to justice during the mission and afterwards. We also thank the Sisters of St Joseph for their enthusiastic support of Susan's participation and their financial support. We owe much to Dr Jason Macleod for his support in translation of documents, expert advice and assistance and for editing of the report. We are immensely grateful to Ms Percy Pamo Lawrence for her work in designing and publishing this report. Finally, we give our thanks to the people of Tanah Papua who teach us so much about the struggle for justice. They are a constant inspiration to us.