

The need to persuade U.S. House and Senate over Papua ¹

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The government is beginning to pay the price for its reluctance to honor its commitment to fully implement Law No. 21/2001 on special autonomy for Papua. And if the government does not take measures to prevent more damage from its blunders in Papua, it will face more international pressure about the country's easternmost province. So far the government has made little progress on the special autonomy implementation, while resentment against the central government continues to grow in the province.

The government should learn from East Timor and also from Aceh. It cannot just say that foreign countries have no right to interfere in Indonesia's domestic affairs, while continuing to violate the rights of locals. Papua, like it or not, could become an international issue unless the government takes substantial measures to win the hearts and minds of local people, something that has been ignored for decades.

The Committee on International Relations at the U.S. House of Representatives has already included the Papua case in a bill (H.R. 2601) on the State Department Authorization Act for 2006. The bill was passed by the committee on June 9 and still needs to be approved by the Senate. The bill highlights 10 points about Papua.

First, Papua, a resource-rich province whose indigenous inhabitants are predominantly Melanesian, was formerly a colony of the Netherlands.

Second, while Indonesia has claimed Papua as part of its territory since its independence in 1945, Papua remained under Dutch control until 1962.

Third, on Aug. 15, 1962, Indonesia and the Netherlands signed an agreement in New York (commonly referred to as the New York Agreement), which transferred administration of Papua first to a United Nations Temporary Executive Authority (UNTEA), and then to Indonesia in 1963, pending an "act of free choice ... to permit the inhabitants to decide whether they wish to remain with Indonesia".

Fourth, in the New York Agreement, Indonesia formally recognized "the eligibility of all adults (in Papua) ... to participate in [an] act of self-determination to be carried out in accordance with international practice", and pledged "to give the people of the territory the opportunity to exercise freedom of choice ... before the end of 1969".

Fifth, in July and August 1969, Indonesia conducted an Act of Free Choice, in which 1,025 selected Papuan elders voted unanimously to join Indonesia, in circumstances that were subject to both overt and covert forms of manipulation.

Sixth, in the intervening years, indigenous Papuans have suffered extensive human rights abuses, the exploitation of their natural resources, environmental degradation, and commercial dominance by immigrant communities. Some individuals and groups estimate that more than 100,000 Papuans have been killed during Indonesian rule, primarily during the Sukarno and Soeharto administrations.

Seventh, while the U.S. supports the territorial integrity of Indonesia, Indonesia's historical reliance on force for the maintenance of control has been counterproductive, and long-standing abuses by security forces have galvanized independence sentiment among the majority of Papuans.

Eighth, while the Indonesian legislature passed a special autonomy law for Papua in October 2001 that was intended to allocate greater revenue and decision making authority to the Papuan provincial government, the promises of special autonomy have never been realized.

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The government then broke its own promise by dividing Papua into three provinces, which is against the law on special autonomy. And the government made the change without the consent of the provincial authorities in Papua.

Ninth, rather than demilitarizing its approach, Indonesia has reportedly continued to send thousands of additional troops to Papua. Military operations in the central highlands since 2004 have displaced thousands of civilians into very vulnerable circumstances, contributing further to mistrust of the central government by the majority of Papuans.

According to the bill, the secretary of state is requested to report on two things.

The first report is on special autonomy for Papua. The bill states that no later than 180 days after the date of the enactment of this act and one year thereafter, the secretary of state shall submit to the appropriate congressional committees a report detailing implementation of special autonomy for Papua and Aceh.

Such a report shall cover five aspects. They include an assessment of the extent to which each province has enjoyed increased allocations of revenue and decision making authority, a description of access by the international press and non-governmental organizations to each province, and an assessment of the role played by local civil society in governance and decision making.

The second report is on the 1969 Act of Free Choice (AFC) in Papua. The bill (H.R. 2601) clearly states that no later than 180 days after the date of enactment of the act, the secretary of state shall submit to the appropriate congressional committees a report analyzing the 1969 AFC.

Nevertheless, Indonesia still has time to persuade the U.S. Congress that the bill is not necessary. The government must be able to provide concrete evidence that it has and will continue to implement Law No. 21 on special autonomy for Papua.

In Jakarta, the government should support this diplomatic effort by demonstrating its consistency in implementing the Papuan autonomy law. Many foreign countries have reiterated their support for Indonesia's territorial integrity on Papua, especially since Indonesia promised to provide more autonomy for the province. However, breaking this promise will make it more difficult for those countries to continue their support for Indonesia.