

DEWAN ADAT PAPUA (Papua Customary Council)



PERNYATAAN 12 AGUSTUS 2005

COMMUNIQUE

BY THE PAPUA INDIGENOUS PEOPLES

On

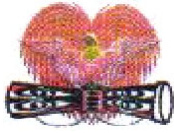
*The non-commitment of the Government of Indonesia
in Implementing the Special Autonomy Law for Papua Province
as mandated by the people of Indonesia.*

The leadership of the Papua Provincial Parliament (DPRP) and the President of the Republic of Indonesia;- surrounded with thousands of Indonesian soldiers and police, the indigenous peoples of Papua are under threats and intimidations of security forces, we pray and appeal:

*Special Autonomy of Papua has failed!
Lives of peoples in Papua threatened!*

The traumatic historical events of the people of Papua are an accumulation of experiences, which threaten their existence and their right to life as Papuans and as creatures of God Almighty. Since the agreement between the Netherlands and Indonesia on the 15th of August 1962, Papuans have never enjoyed their self-respect as people/human beings equally to other human beings, or as citizens equal to Indonesian citizens or any other citizens. Up till today, the Papuans are continuously struggling for recognition of their humanity and their basic rights for which they have paid even with loss of lives.

This accumulation of sufferings is the basis for the decisions taken by the 3rd Meeting of the Dewan Adat Papua (DAP - Papua Traditional Council) in Manokwari, after considering the non-commitment of the government of Indonesia to the implementation of the Special Autonomy Law for Papua, which was claimed by the Government as the final, full and comprehensive solution for all issues in Papua. At the national level, the government shows a lack of political will to implement Law 21/2001, meaning that the government has failed to implement the mandate of the Indonesian people in accordance with TAP MPR No.IV/1999 and TAP MPR No.IV/2000.



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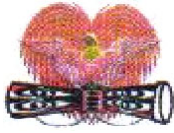
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Related to this, the Plenary Open Meeting of the Dewan Adat Papua – 6 till 8 August 2005 at the “I.S. Kijne” Theological College in Abepura, Jayapura, West Papua - has concluded as follows:

“Special Autonomy has not yet guaranteed the right to life of the Papuan peoples and has shown lack of genuine willingness by the government to implement that law as mandated by the people of Indonesia. The government has failed to execute its commitments to solve the issues in Papua.”

Above-mentioned situation can be indicated with the following facts:

1. That in Papua there exist laws without any legal basis (Illegal Law). The numerous laws and regulations issued by the government of Indonesia at the national and provincial levels have the effect of propaganda creating conflicts. Law 21/2001 on Special Autonomy for Papua province, Presidential Decree No.1/2003, Government Regulation 54/2004 on the Papua Consultative Assembly (MRP) and the Governmental Regulation for Papua province regarding the MRP, reflect not only that the laws are not in accordance with the basic human rights and the Constitution of the Indonesian republic but also that they are a produce of essential contradicting differences. This is also illustrated by the illegal verdict concerning Rev. Obeth Komba and friends, through which the nine political opponents were forcibly removed from Wamena prison in Papua to Gunung Sari prison in Makassar (Sulawesi), by the human rights abuses that until today have not been addressed, and on top of all by the existence of West Irian Jaya province that is still functioning while the legal foundation has been taken away.
2. That the Papua Consultative Assembly (MRP) that will be established based on Government Resolution No.54/004 as cultural representation, is an enthusiastic promoter of Special Autonomy for Papua, which so often has been postponed, in reality is not representing in full the 253 Papua Indigenous communities. That only 14 people or only 1/18 will represent the 253 tribes means an inadequate representation. This situation shows the deliberate policy of the government to enable civil society (not communities but elements of society at large) to dominate the decision-making process in Papua.
3. That related to the right to life of the people in Papua, the experiences in Indonesia today show that all military approaches have been unsuccessful in



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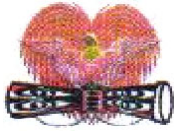
dealing with the issues in Papua. Therefore the Papua indigenous peoples conclude that: (1) the Papua Provincial Parliament (DPRP) does not have the authority and power to control and regulate the presence of military personnel in Papua, (2) because of the understanding of Papuan history many human rights abuses have occurred in Papua. As indicator are the political motivated facts in the various human rights abuses that have been compiled in the period 1995-2004 by the Democratic Alliance for Papua (ALDP) in human rights investigations in five districts: Jayapura, Biak, Manokwari, Merauke and Jayawijaya. More tragically is the assertion by many parties that at least 100,000 Papuans have lost their lives since the forced integration into the republic of Indonesia through the Act of No Choice in 1969. Several reports also show that a repressive regime in Papua has resulted in terror, intimidation, rapes and harassments conducted during military operations, and has provoked conflicts because of the interests related to natural resources as well as exploitative forms of development. This situation reminds the indigenous people of Papua of the declaration made by Ali Murtopo in 1967 that the government is attracted to the rich natural resources in Papua rather than caring about the Papuans. The Yale University in US reported that there are strong indications of a process of ethnic cleansing in Papua (genocide). Therefore, let us humbly, peacefully and correctly ask the question to all parties involved in our Papua history: "Who is morally responsible for the right to life of the people of Papua?"

4. There are no signs that the living standards in Papua are significantly improving as a result of the implementation of the special autonomy for Papua if we consider the allocated funds that are enormous, the responsibilities and schedules and compare these with the living standards of the indigenous Papuans with a population of no more than 1.4 million people.

We, therefore, as indigenous peoples of Papua urge the Papuan Provincial Parliament and the Provincial Authority to return the Special Autonomy Law for Papua to the government of the Republic of Indonesia.

As consequence of this declaration, the Dewan Adat Papua through its Open Plenary (Pleno Terbuka) Resolution No: 3/TAP/Pleno Terbuka DAP/VIII/2005 relays the demands of the indigenous peoples of Papua to the government of Indonesia as follows:

1. Urge the Papua Provincial Parliament (DPRP) and the Provincial Authorities to stop all processes regarding the establishment of the Papua Consultative



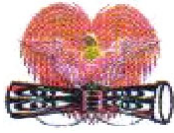
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Assembly (MRP) which fails to reflect the Papua Cultural Representation and urge the Central Government to undertake (a) a comprehensive evaluation of the implementation of Special Autonomy and (b) immediately enter into a peaceful and just dialogue for Papua within a framework agreed upon by all sides.

2. Via the Papua Provincial Parliament, call on the Indonesian government, the Kingdom of the Netherlands and the United Nations to immediately provide a clarification of the history of West Papua, so as to assure that Papuan indigenous people no longer be victimized by human rights abuses and by violations to their right to life resulting from military repressive measures because their understanding of the Papuan history differs fundamentally from that of the government, as is evidenced by the kidnapping and assassination of Theys Hiyo Eluay on November 10, 2001 by members of Kopassus, and the imprisonment of brothers Filep Karma and Yusak Package after they raised the Morning Star flag on December 1, 2004. All parties must base the clarification on a commitment to a moral responsibility for the related traumatic history of the Papuan people.
3. In order to protect the right to life of the indigenous peoples of Papua, the deployment of soldiers shall only take place with the approval of the Papua Provincial Parliament (DPRP), except in cases of emergency. This policy should be set down in a government regulation that also regulates the powers of the DPRP in handling and exercising control over the military and the police.
4. With full respect for the meeting (“dialogue”) undertaken by the president and vice-president of Indonesia on the 9th of August 2005, the indigenous peoples of Papua consider it important to call upon all parties involved to adopt a framework for dialogue which is to be composed by traditional and religious representatives in consultation with the DPRP and which is to be collectively deliberated within a Great Consultation of Papuans as a collective platform, in order to get to a process of peaceful, just, democratic and respectful dialogue to settle the Papuan issues profoundly and comprehensively.
5. The honourable president of Indonesia should immediately grant permission for an investigation into the Governor of Papua and all his servants who are



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responsible for handling and utilising the money allocated to Special Autonomy. The indigenous peoples of Papua urge the president of Indonesia to call upon the National Police, the High Court and the Commission to Combat Corruption to immediately investigate the people suspected of corruption related to the Special Autonomy funds which are meant for the people, so that the indigenous peoples of Papua experience justice instead of impunity concerning the use of the funds in a non-transparent manner by the governor and his civil servants.

6. Urges the Papua Provincial Parliament to reach agreement with the indigenous peoples of Papua on a timetable to settle the aforementioned demands.
7. Dewan Adat Papua urges all parties involved to discuss and study the results of the Open Plenary, which was held from the 6th till the 8th of August 2005 in Jayapura, especially the recommendations at the mentioned Plenary.

May the Lord, Creator of Papua Land direct His Spirit towards the DPRP leadership, the President of the Republic, every indigenous person in Papua and all human creation so that all may pray and work for Justice in Papua.

This communiqué of the indigenous peoples of Papua has been made public for you and for your receptive reaction.

Jayapura, 12 August 2005.

DEWAN ADAT PAPUA

LEONARD JIMBARO
Secretary General

FORKORUS YABOISEMBUT, S.PD
Member Plenary Dewan Adat Papua
Chairman Dewan Adat Mamta