

STATEMENT CONCERNING THE RIGHT OF SELF-DETERMINATION OF THE
WEST PAPUAN PEOPLE

To: THE WORKING GROUP ON INDIGENOUS POPULATIONS
FIFTH SESSION, AUGUST 1987
GENEVA

Agenda item: 1

Madame Chairperson,

We thank you for giving us the opportunity to talk about our case: the denial and withholding of the Right of Self-Determination to the People of West Papua.

At the same time we want to express our feeling that we ought not to be here. We the West Papuan people belong, like the people in Papua New Guinea (PNG), to the Melanesian people. We are ethnically, culturally and geographically related to the peoples of PNG, Salomon Islands, Vanuatu, Kanaky and Fiji. At present we are, like the Kanaky, a discriminated minority under Indonesian, respectively French, colonial rule. We are determined to continue fighting for a Free and Independent West Papua.

We would sincerely hope that you would ~~consider our demand for External Self-Determination by putting it forward into the Subcommittee on Prevention of Discrimination and Protection of Minorities, into the Commission on Human Rights, and into the Trusteeship and the Committee of 24 concerning decolonisation.~~ *take note of West Papuan aspirations for*

Madame Chairperson and distinguished members of the Working Group,

In this paper we want to elucidate our statements that:

1. The people of West Papua ~~have never executed the Right of Self-Determination;~~ *are now engaged in a struggle for*
2. West Papua is administered by Indonesia as a neo-colony.

Ad 1.:

The United Nations has, after having transferred control of West Papua from a colonial power (the Netherlands), handed over our country to another colonial power (Indonesia).

The people of West Papua who were already on their way to External Self-Determination, to be realized by the year 1970*, were subjected to the Indonesian claim of becoming a part of the Republic of Indonesia, as proclaimed by the then-president Sukarno in 1963.

The instruments used for the conveyance of our country to Indonesia were the New York Agreement (1962, between the Netherlands and Indonesia) and the Act of Free Choice (1969).

The Act of Free Choice was a farce: what should have been an one-person one-vote consultation of the Papuans about their future status of their nation, became an Indonesian steered mockery of the United Nations policy on decolonisation and self-determination. On this place we limit ourselves to recalling the violations of the Articles XVI (presence of a UN-mission), XVIII (method of the Act of Free Choice) and XXII (rights of the inhabitants) of the New York Agreement.

In 1969 the present Indonesian president Suharto used the Act of Free Choice to legalize the incorporation of our country into Indonesia.

The incorporation was subsequently endorsed by the General Assembly of the United Nations as a valid exercise of self-determination consistent with the United Nations Declaration on Colonies.

Examining the procedure of the conveyance of our country to Indonesia and the procedure agreed upon in the New York Agreement, we can only but conclude that the United Nations has made a serious error in its endorsement of the incorporation. Especially when compared to the case of South Africa's claim on Namibia, which was rejected by the United Nations, we are convinced that we have been the victim of the use of double standards.

*The West Papuan people as an ethnic unity has the right to determine its own destiny according to point 2 of the decolonisation-resolution 1514(XV). The New Guinea Council, partly elected by the West Papuan people in 1961, had already visualized how the Right of Self-Determination should be executed.

Ad 2.:

The Indonesians have never been interested in the people of West Papua but only in the vast lands and natural resources. The minerals in our soil and the timber in our forests are exploited on a large scale by Indonesian and multinational companies. The amount which the Indonesian government spends on education, health and other services for the Papuans, is only a trifle compared to the capital exported from our country. The revenues of the exploitation of our national resources end up in Jakarta.

With respect to the Papuans, Indonesia is only concerned about "civilizing those primitives", so we will fit in the image of a modern Indonesian state.

Bearing in mind that the right of self-determination should be a continuous process, it is clear that not only in 1969 we were denied this right; since the beginning of the Indonesian domination in 1963, Papuan voices whether it concerns land rights, human rights, cultural rights or nationalistic feelings, are systematically suppressed in a brutal way.

Indonesian tactics to conquer the richness of West Papua and to subject the Papuans are 1)transmigration of Javanese into our country, 2)militarization, and 3)intimidation and brutal violation of human rights.

For many Papuans the only way to safeguard themselves from an oppressive regime they do not recognize as legitimate, is to abandon their homelands and seek refuge in Papua New Guinea.

1. TRANSMIGRATION

Transmigration is the name of Indonesia's ambitious project to resettle millions of people from the crowded Inner Islands of Java, Madura, Lombok and Bali, to the more sparsely populated Outer Islands.

Officially sponsored Transmigration into our country commenced in 1966, even before the "Act of Free Choice".

The Jakarta government no longer gives overpopulation as the principal reason behind Transmigration. The government lists 7 goals for its Transmigration program: to promote national unity, national security, an equal distribution of the population, national development, the preservation of nature, help to the farming classes, and improvement of the condition of local peoples (Survival International Bulletin, March 2,1985).

"What Transmigration has actually accomplished is very different:

The spread of poverty; forced displacement of indigenous populations from their homes, communities and lands; deforestation and soil damage at the rate of some 200,000 hectares per year; destruction of local governments, economies, means of sustainable resource use; forced assimilation programs; widespread use of military force to "pacify" areas and to break local resistance by bombing and massacres of civilians." (Bernard Nietschmann, Fourth World Journal Vol.1, No 2, 1985)

In our view Transmigration is no less than an invasion program. The Papuans are forced to leave their ancestral homelands to make room for the transmigrants.

In alienating us from our traditional lands, it is not only undermining our economies, but jeopardising our entire cultural identity, which is built up on the relation between our society and our ancestral lands.

In many cases our people are threatened, and when they agree to hand over their land it is out of fear rather than desire. For instance, in Arso the people were told that those not releasing their lands would be considered as members of the Organisasi Papua Merdeka - OPM, the guerilla force of West Papua.

In Tembagapura a part of the Amungme tribe was forcibly relocated by the military into the malaria-infested lowlands. Those who fled back to their ancestral lands were arrested and again the military transported them to the lowlands. As a result of malaria and starvation women and children were the first to die.

When the Papuans finally give up their lands they are confronted with the Indonesian government's reluctance to pay compensation to the traditional landowners.

Due to discriminatory laws and due to all-pervading corruption in the Indonesian administration, compensation for loss of ancestral lands turns out to be trifling. The Irian Jaya Community Development Foundation has carried out two detailed studies of transmigration sites which are incorporated into the Smallholder Nucleus Estate Program:

"No provisions have been made for those local people who are not accepted for the program and yet whose lands have been expropriated by the projects; insufficient land remains in the hands of the local tribal people to allow them to practise their traditional system of shifting cultivation." (G.J. Aditjondro, No.3 LLAP/YPMD/IV/1986)

Moreover job opportunities outside the traditional Papua communities are scarce for the Papuans. Employers, whether it be the government or private business, prefer Indonesians above Papuans. Thus where the Transmigration may bring new economic activities to our country, we the original inhabitants of West Papua, lose our land, lose our cultural identity, are about to become a minority in our own country, and on top of this all: we are being marginalized in a society we did not choose for.

But how can we expect the Indonesian government to bother about us, not to mention our involvement and say in the settling of foreigners in our country, when it is evident that the Transmigration Program has a military aspect. In his book the former eastern region territorial commander Lt.-Gen. Kaphi writes:

"Thus the government must plan transmigration more carefully remembering the great importance that the program has in overall development in Irian Jaya. Especially in strategic areas such as the border regions, it is obvious that ex-soldiers or soldiers be settled as transmigrants as a 'buffer-zone'." (Kahpi, The challenge and the struggle in the land of the bird of paradise, 1985)

2. MILITARIZATION

ARMED ~~Resistance~~ Warfare

The oppression of the West Papuan people started immediately after the Dutch left, in 1962. The then-governor Eliezer Bonay, who is also with our delegation, recalls that the prisons everywhere were full. UN officials reported, discretely, that the local people were "treated badly".

After 1962 the conflict between the new rulers and the Papuans only increased. The Indonesian authorities, having failed to subject us within a short period of time, are increasing their military activities and in a more brutal way, in an effort to gain control by sheer military force.

As an example the latest Indonesian military offensive will be described.

In the last quarter of 1986, under the code-name "Operasi Saté" (Operation Skewered Meat), an offensive was launched to wipe out the Organisasi Papua Merdeka (OPM). During this offensive the Indonesian military executed aerial bombardments, raids and house-to-house searches, gunfire attacks from naval vessels... (TAPOL, Dec., 1986).

*Because of aerial bombardments around the Wissel Lakes, in the well-populated central highlands in Wagate and Enarotali districts, many houses, churches and schools were destroyed; many people were killed and the survivors fled into the bush.

*Raids and house-to-house searches along the north coastal strip, from Ormu through Sarmi to the Memberame River, have been accompanied by arrests, disappearances, beatings and rapes.

Because the Papuans have to make room for the transmigrants and logging and mining operations, the Indonesians use brutal force against Papuan civilians. The military actions against the people of West Papua are the last desperate efforts of a regime that in the eyes of the people has no legitimacy. Unable to get hold of the organized resistance, the Indonesians resort to attacking whole villages and

killing unarmed civilians.

Like in Operasi Saté, the targets of the military attacks are quite deliberate. People are scared because they do not know whether they will be the next victim. Being a Papuan seems to be a reason to be treated as a dangerous enemy.

Biological Warfare: x →

3. HUMAN RIGHTS VIOLATIONS

The human rights situation in our country is a matter of grave concern. Amnesty International, the Anti-Slavery Society, TAPOL etc. continue to receive reports on violations of the human rights. The following examples, as reported by Amnesty International, reflect the alarming increase in extra-judicial executions, torture and ill-treatment and detention without charge or trial.

Extra-judicial killings

Arnold Ap, a distinguished anthropologist who was very popular among us because he promoted our culture, was arrested on 30 November 1983. He was held and tortured in the notorious Panorama Bar in Jayapura. Medio April 1984 the military staged an escape for Arnold Ap and his companion Eduard Mofu. Few days after, on the beach of Base-G both of them were subjected to severe tortures before they were murdered.

After having reported back to the headquarters as the only survivor of an attack on a military post by the OPM, Wilhelmus Inday, a Papuan sergeant with the 753-battalion of the Indonesian army, was killed by the military.

Because of the killing of 2 Indonesian soldiers in Waena by the OPM, the Indonesian military conducted a house-to-house search on 14 April 1986. Wantonly they chose Martin Sani and his wife Sarinah Zoani to blame; the couple was killed.

Torture and ill-treatment of prisoners

The 12 refugees who were forcibly deported from PNG to West Papua in October 1985, have been imprisoned and subjected to torture. One of them, Elias Kareni, had a nail driven through his toe during interrogation. Isak Waromi, who was suffering from gastric ailments and fluid in his lungs did not receive any medical attention.

Prisoners held incommunicado

17 Papuan prisoners who were held in the Abepura prison near Jayapura, are reported to be missing. Eyewitnesses declared that, in the night of 26-27 Januari 1986, 11 of them were whisked away in a Hercules airplane. It is believed that they are held incommunicado in the Kalisoso prison near Surabaya on Java.

About the disappearance of the other 6 prisoners is no information at all.

4. REFUGEES*

Because of the events mentioned above (transmigration, militarization and violation of human rights) many Papuans have left their homes to seek refuge in PNG.

Since 1962, the escalation between nationalist Papuans and the Indonesian army has caused a steady stream of refugees to leave West Papua. By 1979 an estimated 10,000 West Papuans had crossed into PNG. By now most of them have been naturalized to PNG-citizens.

*Initially our delegation should be accompanied by two countrymen who recently fled away from West Papua and who are now residing in a refugee camp in PNG. Unfortunately, it appeared impossible to get permission from the PNG authorities to let them have the necessary travel documents.

Since early 1984 the situation in our country has deteriorated markedly. Following an attempted uprising in Jayapura by Papuan nationalists in Februari 1984, and subsequent repressive actions by the Indonesian military, a flood of refugees has poured across the border. By mid '86 there were about 12,000 refugees in 16 camps along the border; they fled their homes because of Indonesian atrocities. In August 1986 some 750 new refugees arrived. They had come from the border village of Kivirok, 2 days walk from the PNG village of Yapsi. The refugees told that the Indonesian troops had beheaded Tuborius Uropdane a catholic catechist in their village. Others reported the rape of a number of women, arrests and beatings of men in their village (PNG Times, 5 Sept. '86).

Not all of those reaching PNG are just from the border region. Some refugees spent up to 5 weeks trekking to reach the frontier. Many of the refugees have suffered severely on the way and some even died while on trek.

The refugee population has at a time peaked at approximately 14,000 people. Over the past 12 months the figure declined because refugees returned to their country. As a result of the "discouragement policy" of the PNG government several groups of refugees returned "voluntarily" under the auspices of the United Nations High Commissioner on Refugees (UNHCR). For the refugees the situation in the camps is without any perspective: they are not allowed to participate in the PNG society, in the camps food provision and medical care are insufficient (more than 180 people have died of hunger and hunger-related diseases), and the children cannot go to school (some already since 1984).

According to the UNHCR 2000 people have gone back to West Papua, mainly to Merauke and Mindiptanah regions in the south. They were transported in aeroplanes and put in so-called relocation camps. Reports have been coming to PNG of West Papuan refugees who repatriated and were subsequently tortured to death by the military. In September 1986, Ancelmus Katua, headmaster of Mindiptana highschool, and Clemens Andomenen, community school teacher of Inko village, were arrested by the military KODIM 1707 and subjected to electric shock torture until they died.

Once they are back in West Papua the refugees are no longer a case for the UNHCR. But since the UNHCR is worried about their fate, the churches are asked to monitor and help.

The situation of the refugees, whether they are repatriated or not, is serious. We are grateful to the UNHCR, the International Red Cross and others for bringing some relief. However, when nothing is changed in West Papua itself, people will continue to cross the border, risking an uncertain living in refugee camps.

5. CONCLUSION

In April 1961, the New Guinea Council, partly elected by the West Papuan people, was installed. The first deed of the council was to declare that they would work towards independence. The council came out with proposals how the process of self-determination should be executed in accordance with point 2 of the decolonisation resolution 1514(XV) and Article 73 of the Charter of the United Nations.

It was in this period that political consciousness developed among the West Papuans on a national level: the West Papuans should determine their own future as a free and independent nation.

The shift of colonial rule from the Netherlands to Indonesia, however, has abruptly broken off the fulfilment of our aspirations.

By means of harsh measures the Indonesian government is still trying to subject the people of West Papua. Transmigration, militarization, human right violations and the exodus of refugees: these are all signs of the lack of legitimacy of the Indonesian authorities among the West Papuan people.

We are determined to continue resistance against Indonesian domination.

The Indonesian authorities are becoming more and more brutal in order to impose colonial rule.

When this proces is not stopped, a genocide may be completed: the obliteration of the West Papuans as a people.

6. DEMANDS

On the above mentioned grounds, we the people of West Papua demand that it is acknowledged that our country is administered as a neo-colony, and therefore should be taken up as a case in the Trusteeship and in the Committee of 24 concerning decolonisation.

We, the people of West Papua, are fighting for our right to determine our own future, a future without foreign domination and oppression.

WE DEMAND OUR RIGHT TO EXERCISE EXTERNAL SELF-DETERMINATION.

*Tekst van de geheime brief van President Kennedy
dd. 2 april 1962, waarin hij de aanvaarding van het
plan-Bunker aanbeveelt.*

THE FOREIGN SERVICE OF THE
UNITED STATES OF AMERICA

SECRET

April 2, 1962

Dear Mr. prime Minister,

I have been intimately concerned in recent weeks with the problems facing your Government in arranging an honorable solution to your dispute with Indonesia over the disposition of Netherlands New Guinea. I was disturbed by the cessation of the secret talks between your representatives and those of Indonesia. However, I am convinced that a peaceful solution is still possible, provided the two parties are prepared to resume negotiations in good faith.

The Netherlands Government has made a statesmanlike effort to meet this problem first through the United Nations and, when that failed, through direct secret negotiations with the Indonesians. I am appreciative of the heavy responsibilities which the Dutch Government supports in protecting its citizens in New Guinea and understand why you felt it necessary to reinforce your defense establishment in that area. However, we face a danger that increasing concentrations of military forces will result in a clash which will be a prelude to active warfare in the area. Such a conflict would have adverse consequences out of all proportion to the issue at stake.

This would be a war in which neither The Netherlands nor the West could win in any real sense. Whatever the outcome of particular military encounters, the entire free world position in Asia would be seriously damaged. Only the communists would benefit from such a conflict. If the Indonesian Army were committed to all out war against The Netherlands, the moderate elements within the Army and the country would be quickly eliminated, leaving a clear field for communist intervention. If Indonesia were to succumb to communism in these circumstances, the whole non-communist position in Viet-Nam, Thailand, and Malaya would be in grave peril, and as you know these are areas in which we in the United States have heavy commitments and burdens.

408

The Netherlands position, as we understand it, is that you wish to withdraw from the territory of West New Guinea and that you have no objection to this territory eventually passing to the control of Indonesia. However, The Netherlands Government has committed itself to the Papuan leadership to assure those Papuans of the right to determine their future political status. The Indonesians, on the other hand, have informed us that they desire direct transfer of administration to them but they are willing to arrange for the Papuan people to express their political desires at some future time. Clearly the positions are not so far apart that reasonable men cannot find a solution. Mr. Ellsworth Bunker, who has undertaken the task of mediator in the secret talks between The Netherlands and Indonesia, has prepared a formula which would permit The Netherlands to turn over administrative control of the territory to a UN administrator. The UN, in turn, would relinquish control to the Indonesians within a specified period. These arrangements would include provisions whereby the Papuan people would, within a certain period, be granted the right of self-determination. The UN would be involved in the preparations for and the exercise of self-determination.

My Government has interested itself greatly in this matter and you can be assured that the United States is prepared to render all appropriate assistance to the United Nations when the Papuan people exercise their right of self-determination. In these circumstances and in light of our responsibilities to the free world, I strongly urge that The Netherlands Government agree to meet on the basis of the formula presented to your representative by Mr. Bunker.

We are of course pressing the Indonesian Government as strongly as we can for its agreement to further negotiations on the basis of this same formula.

I have written to you in the spirit of frankness and trust which I hope is appropriate to the relation of our countries as friends and allies. What moves me is my conviction that in our common interest the present opportunities for peaceful settlement in this painful matter must not be lost.

Sincerely,

/s/ John F. Kennedy

His Excellency Dr. J. E. de Quay
Prime Minister of the Netherlands,
THE HAGUE.

409