

# **Australia West Papua Association (Sydney)**

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Committee Secretary  
Joint Standing Committee on Foreign Affairs, Defence and Trade  
Department of the House of Representatives  
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Canberra ACT 2600

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The Australia West Papua Association (Sydney) welcomes the opportunity to make a submission to the Joint Standing Committee's "Inquiry into Human Rights Mechanisms and the Asia-Pacific".

## **About the Australia West Papua Association ( Sydney)**

The Australia West Papua Association (AWPA) is a human rights organisation focusing on the territory of West Papua<sup>1</sup>. AWPA's role is to raise concerns about the human rights situation in West Papua and we note the connection between human rights, health and the environment. The West Papuan people face great challenges including ongoing human rights abuses, the exploitation of their natural resources with little or no benefit to themselves, the danger of becoming a minority in their own land as the result of migrants arriving daily and a HIV/AIDS epidemic. AWPA supports the right of the West Papuan people to self-determination.

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<sup>1</sup> AWPA (Sydney) uses the name "West Papua" to refer to the whole of the western half of the Island of New Guinea. However, "West Papua" at this time is divided into two provinces, Papua and West Papua.

## **Background**

West Papua is one of our nearest neighbours. It is the one issue that could cause major friction between Australia and Indonesia and in its own interest, Australia should be addressing the question of how to solve the many issues of concern in the territory. It is in the interests of the Australian Government to have a stable region to our north but the policies of the Indonesian Government, compounded by the actions of the Indonesian security forces in West Papua will lead to the very instability the Australian Government is trying to avoid.

Jakarta has made great progress towards democracy in recent years but unfortunately this has not translated to an improvement in the human rights situation in West Papua. We will not document the ongoing human rights abuses in West Papua except to point out that as recently as 8 January 2009, 11 West Papuan men were sentenced to three or three and a half years jail by the district court in Manokwari, having been found guilty of subversion. The men were arrested in March 2008 simply because they took part in demonstrations where the West Papuan national flag was displayed.

The sensitivity to Indonesia of the West Papua issue can be seen by the harsh jail terms given to five Australians over a visa issue. The pilot of a light plane who flew into Merauke last September received a jail sentence of three years while his four passengers received two years each. They were also fined \$3,400 each. They were found guilty of entering Indonesian territory without the proper documents.

The Australian Government needs to dialogue with Jakarta over the human rights situation in West Papua and not simply hope that by ignoring what is going on the issue will disappear.

## **Recommendations**

### **Bilateral mechanism**

Since the present government has come to power there has been a large number of bilateral visits between Australia and Indonesia. AWWPA believes that these bilateral visits present an opportunity for an open and frank exchange on how to improve the human rights situation in West Papua. At the 9th Australia-Indonesia Ministerial Forum (AIMF) held in Canberra in November 2008, there were twelve joint Working Groups reporting to the AIMF on,

Agriculture Food and Forestry Cooperation, Education and Training, Energy and Minerals, Environment, Health Cooperation, Immigration Cooperation, Legal Cooperation, Marine Affairs and Fisheries, Science and Technology, Social Security, Trade Industry and Investment and Transport and Tourism. The obvious omission is Human Rights.

We recommend that at future Australia-Indonesia Ministerial Forums there should be a working group reporting on the human rights situation in West Papua.

### **Non-Governmental Organisations**

There are a number of Indigenous human rights NGOs in West Papua and the Australian Government can strengthen the human rights situation in West Papua by supporting these organisations with financial aid, capacity building and education.

We recommended that human rights defenders working in human rights organisations in West Papua be funded to attend human rights courses in Australia. There are a number of programs in Australia which can advance human rights and empower civil society in West Papua and the Asia Pacific region, through education, training and capacity building. These programs are suitable for individual human rights defenders and community advocates.

### **Health and Human Rights**

Health is recognized as a human right by the United Nations as “ a state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity”. This is accepted by the 191 World Health Organization (WHO) Member States. This is the original agreement and since its inception it has been elaborated and practical approaches and accountabilities have evolved. The right to the highest attainable standard of health transcends virtually every other right. It is also true to say that other rights such as the right to freedom of association, information, education, food and nutrition, equality, non discrimination, participation etc have an effect on health and it is the subjugated and those subject to discrimination on the basis of race, gender, religion etc who have the poorest health. Health is determined by these human rights. For example one of the strongest determinations of a child’s health is the education of the mother. Literacy and education means information and confidence in demanding what is best for one’s child.

We urge the Australian Government for more aid-funding to support health programs and medical organizations (local and international) working on the ground in West Papua and in the long term to support the training of the West Papuan people themselves as health professionals.

### **A regional human rights mechanism**

At the moment there is no regional human rights mechanism in the Pacific region. However the Pacific Islands Forum (PIF) in its Pacific plan which was endorsed by Leaders at the Pacific Islands Forum meeting in PNG in October 2005, called for a strengthening of human rights mechanisms within the region. The following is an extract

from the PIF Leaders vision “We seek a Pacific region that is respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values and for its defence and promotion of human rights”.

As a PIF member Australia should be supporting the Forum financially to set up a mechanism to improve the human rights situation in the Pacific region.

Many of the PIF countries are concerned about the human rights situation in West Papua and have raised their concerns in a number of the official Forum’s Communique’s<sup>2</sup>. In cases where it might be difficult for Australia to raise the human rights situation in West Papua with Indonesia, there is an active role for international and regional governments to do so. A collective PIF regional human rights mechanism would be an acceptable way.

Joe Collins  
AWPA (Sydney)

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<sup>2</sup> The Melanesian people of West Papua have always been considered part of the Pacific Community. Netherlands New Guinea, as West Papua was then known, was a member of the South Pacific Commission (SPC) and Papuan leaders continued to participate in the SPC meetings until the Dutch ceded their authority to the United Nations Temporary Executive Authority (UNTEA) in 1962.