

Submission 24
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BY: 

**Christians for a Democratic West Papua
(Australian Chapter)**

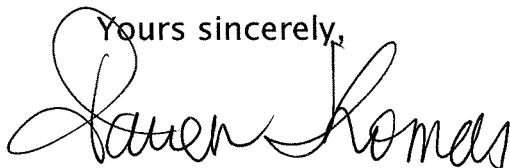
PO Box 10
Ivanhoe 3079
21 February

Mr James Rees
Committee Secretary
Joint Standing Committee on Treaties
House of Representatives
PO Box 6201
Parliament House
Canberra ACT 2600

Dear Mr Rees,

The Australian Chapter of Christians for a Democratic West Papua wishes to place before the JSCT the enclosed submission on the Agreement between the Australian Government and the Republic of Indonesia on the Framework for Security Co-operation.

Yours sincerely,



Warren Thomas
Secretary
Australian Chapter

**Submission to the
Joint Standing Committee on Treaties
of the
Parliament of Australia
concerning
the Agreement between
Australia and The Republic of Indonesia
On
The Framework for
Security Co-operation.**

February 2007

While we are generally supportive of Australia being in a co-operative and supportive relationship with the government of Indonesia we believe that this should not be an uncritical or unqualified relationship.

Our personal knowledge of the situation in West Papua supported by a wide variety of reliable reports from agencies such as *The International Committee of Jurists* and others, [1, 2, 3, 4] lead us to be deeply concerned about the continuing widespread abuse of the human rights of indigenous West Papuans by the military, para-military and other officials of the Republic of Indonesia within West Papua.

These abuses include summary arrest, imprisoning without due process, killing and intimidation of Christian leaders and the destruction of Church property. Just recently, December 2006, we have reports of military occupation of the Kingmi GKI church. [5.] As the vast majority of indigenous West Papuans are Christians this is deeply disturbing.

The experience of East Timor leaves us with no confidence in the ability of the Indonesian Government to control the Army. United Nations investigations have found that elements within the TNI were complicit in supporting and arming pro-Indonesian militia within East Timor during 1998-99, and as a consequence considerable loss of life occurred. Therefore we have deep concerns about Article 3 "Defence Cooperation".

Until the TNI and the other elements of the Indonesian security apparatus actually see themselves as servants of the Republic of Indonesia and its parliament and not as free agents operating without reference to established notions of human rights and the rule of law, we are very concerned about entering an agreement which assumes a similar relationship between the government and parliament of Australia and the Australian army, where the Army is quite obviously subservient to the wishes of the Parliament.

We are similarly concerned with the massive build-up of Indonesian military within West Papua following the agreement for autonomy in Aceh and the presence of Islamic extremist organizations within West Papua who have previously been present in the anti-Christian riots in Sulawesi in 2001-2002.

Currently according to Davies [6] there are just under 24,000 POLRI (police) and TNI personnel in West Papua. If the higher population estimate of 1,200,000 for West Papua is accepted then that represents a ratio of 50 citizens for each police or army member.

We do not believe that this level of oppressive surveillance, which has been reported on by citizens of West Papua who have been granted Temporary Protection Visas in Australia and recent visitors to West Papua, is conducive to the development of a civil society based on the tenants of the Universal Declaration of Human Rights.

We have grave doubts about the ability of the government of the Republic of Indonesia to actively ensure that elements of the TNI are not supporting Jemiah Islamiah which is reported to have infiltrated itself within West Papua. For Australia to be undertaking such a wide ranging 'defence co-operation' agreement with one of its neighbours whose army has consistently demonstrated its resistance to parliamentary control and accountability for its human rights abuses is of grave concern to us.

We are also concerned with the overwhelming swamping of Melanesian culture by the massive Indonesian program of transmigration of Javanese people from Indonesia to West Papua.

Therefore we do not believe that the Treaty, in its present form, should be ratified by Parliament. We believe that certain clauses need to be modified and a new clause on respecting and monitoring human rights be included.

We are deeply concerned about Article 2 Principle 3. Does this principle limit or preclude our democratic right in Australia of freedom of speech and assembly to discuss and comment on the affairs of the respective parties, including the rights and wrongs, merits or otherwise of such ideas as self determination or "separatism" for indigenous people? If the answer is 'Yes' then this clause must be re-drafted so it is not in conflict with our rights in Australia.

New Clause

New clause to be inserted in "Article 2 Principles" after clause 5. (Clause 6 to become 7.) The clause to read:

"6. The parties shall uphold human rights as defined by the United Nation Charter and monitor and report on any abuses of these rights particularly by military and security personnel and be committed to exercising accountability for any breaches of such rights."

Submitted by:

The Rev Peter Corney O.A.M. (Committee Chair)
Mr Warren Thomas (Secretary)

Committee of "Christians for a Democratic West Papua."
PO Box 10, Ivanhoe, Victoria, 3079

References

- 1 International Commission of Jurists - Australia Position Paper on West Papua 12 April 2006
- 2 Peter King and John Wing: *"Genocide in West Papua The role of the Indonesian state apparatus and a current needs assessment of the Papuan people?"* A report prepared for the West Papua Project at the Centre for Peace and Conflict Studies, University of Sydney, and ELSHAM Jayapura, Papua, August 2005
- 3 Elizabeth Brundige et. al: *Indonesian Human Rights Abuse in West Papua: Application of the Law of Genocide to the History of Indonesian Control: A paper prepared for the Indonesian Human Rights Network by the Allard K. Lowenstein International Human Rights Clinic, Yale Law School, April 2004*
- 4 John Saltford: *The United Nations and the Indonesia Takeover of West Papua, 1962-1969: The anatomy of betrayal*
- 5 Transcript from PM - Wednesday, 17 January , 2007 Reporter: Jennifer Macey - Australian Broadcasting Corporation
- 6 Matt Davies: *TNI Operations in Papua: Restructuring and Reasserting Sovereignty.* April, 2006, Australian National University