

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE**

**INQUIRY INTO PAPUA NEW GUINEA AND THE
ISLAND STATES OF THE SOUTH-WEST PACIFIC**

SUBMISSION

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This submission by the Australia West Papua Association, Sydney, looks at three areas of concern.

1. West Papuan refugees in Papua New Guinea

It gives a brief historical overview, the present situation and gives reasons why we believe they will be more refugees fleeing to PNG in the future

2. West Papua

As the West Papuan refugees in PNG cannot be looked at in isolation. AWPAA also gives and update on the present situation in West Papua. We believe as a result of military policy, we can expect future flows of refugees fleeing persecution not only to PNG but possibility also to Australia.

3. Pacific Islands Forum

Reasons why we believe the Australian Government should support West Papua being granted observer status at the Forum.

Recommendations in relation to all three areas are given at the end of the submission.

1. West Papuan Refugees in Papua New Guinea

During the Dutch administration of what was known as West New Guinea, or West Irian, there were no border problems with the state of Papua New Guinea, administered by Australia. Border crossing occurred frequently by Papuan people largely unaware of artificial boundaries, practicing traditional activities. Following the Indonesian takeover of the administration of West Papua in 1963 a steady flow of refugees fled over the border into PNG to escape political persecution.

The number grew following the UN referendum, the so-called "Act of Free Choice" in 1969, in which 1025 voters chosen by the Indonesian authorities voted unanimously on behalf of 800,000 indigenous West Papuans to integrate with the Republic of Indonesia. Opponents to Indonesian occupation, including members of the Free Papua Movement (OPM - Organisasi Papua Merdeka), began seeking political asylum. The largest exodus took place in 1984, when over 11,000 West Papuans fleeing Indonesian persecution sought asylum in PNG. Although figures vary slightly approximately 11,600 remain in PNG today. The majority of these are living in unofficial camps along the West Papuan and Papua New Guinea border.

Another 3000 resided at an official refugee camp, East Awin, near Kuinga in the Western Province. The United Nations High Commission for Refugees (UNHCR) and the Papua New Guinea government recognised those in East Awin as official refugees and they have been granted "permissive residency". Those granted permissive residency, could either continue to reside in East Awin or relocate to other areas of the country. At the end of 2000 about 1,000 still resided at East Awin. The PNG government has said that those refugees granted permissive residency could apply for naturalization after eight years. Since the PNG government started granting "permissive residency" status in 1999, 2,457 residence permits have been granted and another 400 have been approved.

The more than 11,600 living in border camps are not recognised as refugees and have not been granted residence. They also receive no assistance for educational or medical purposes.. The only outside help is from the Kiunga Catholic mission and some Australian non-government organisations. Most of these refugees are fearful of returning to Indonesian-controlled territory, and although the PNG government and the UNHCR have a policy encouraging voluntary repatriation to West Papua, few of the refugees have accepted the offer of repatriation.

Recent Refugees

Shortly after the 1st December 2000, more refugees fled across the border into PNG. These latest refugees fled as a result of the Indonesian military cracking down on the West Papuan people who were celebrating their national flag day. (The 1st December is West Papua's national flag day and the flag, the 'Morning Star' was first flown in 1961) The people refused to lower their flags when ordered to by the military and as a result of the crackdown that followed, people were killed and over 400 refugees (the majority of whom are women and children) fled across the border into PNG.

In the Postcourier of the 16 May 2002 it was reported that these 400 border crossers camped near Vanimo might be considered for refugee status and permanently settled in Papua New Guinea. These may be the 400 referred to by the UNHCR above who have been granted "permissive residency" The article from the Postcourier is below as we believe it refers to some important points.

1. The Refugees had refused to return to West Papua saying they feared for their lives.

2. That refugee status was been granted ‘because there was no other solution’.
3. Funding from the UNHCR and the PNG Government was canceled late last year. (As one of its recommendations AWWA, Sydney urges the Australian government to offer aid to those organisations and church groups trying to assist the border crossers particularly in the fields of health and education).

‘Post Courier 16 May 2002

Solution for crossers

MORE than 400 West Papuan border crossers camped near Vanimo may be considered for refugee status and permanently settled in Papua New Guinea. Highly placed sources said the PNG Government and the United Nation High Commission For Refugees (UNHCR) had agreed to a compromise over the fate of the 400 border crossers who crossed into Vanimo in December 2000, and had refused to go back to their homes, saying they feared for their lives. Sources in Vanimo said the compromise had been reached because there was no other solution. The Vanimo Catholic Diocese has taken full responsibility for the care of the border crossers, spending almost K100,000 from its own funds. Funding from the UNHCR and the PNG Government was cancelled late last year. Some level of funding was also received from donor agencies’

Future refugees

Unfortunately due to the internal situation in West Papua itself. AWWA believes that it should be expected that there will be future refugees fleeing to PNG and possibly to Australia. Reasons for this are giving in the briefing paper on West Papua.

Refugees relationship with PNG citizens.

West Papuan refugees are accepted well by the people of PNG who sympathies with their struggle for self determination. However, there are some concerns over land and compensation remains a tense issue between some local landowners and refugees. Each of the border camps have a different informal arrangement with the local ‘big man’ which works very well but there are tensions developing , particularly over the use of sago trees.

There is also some fear from local villagers that the presence of West Papuan refugees near the border might result in Indonesian raids across the border targeting what the TNI believe to be OPM. Although the possibility of ‘hot pursuits’ after refugees fleeing across the border will depend on how much the internal security situation deteriorates in West Papua itself.

2. Briefing paper on West Papua

In 1883 the island of New Guinea was partitioned by three Western powers, the Dutch claiming the western half, while the Germans and British divided the eastern half into German New Guinea in the north and British Papua in the south.

The Republic of Indonesia was created in 1949 when The Indonesian people won their struggle for independence against their former colonial masters, The Dutch. West New Guinea however, due to its distinct Melanesian population and cultural characteristics, was retained as a colony by the Dutch and during the 1950s the Dutch government prepared the territory for independence. President Sukarno meanwhile consistently maintained Indonesia's claim to all former territory of the Dutch, and when his demands were not met armed conflict ensued from 1962.

Under pressure from the United States to come to terms with Indonesia, the Dutch agreed to secret negotiations. In August 1962 an agreement was concluded in New York between the Netherlands and Indonesia, under which the Dutch were to leave West New Guinea and transfer sovereignty to UNTEA (the United Nations Temporary Executive Authority), for a period of six years until a national vote was to be conducted to determine Papuan preference for independence, or integration with Indonesia.

Almost immediately however, Indonesia took over the administration from UNTEA, and the oppression of the West Papuan people intensified. A sham referendum was held in 1969, and the UN sanctioned a vote by 1025 hand-picked electors, coerced into unanimously choosing to "remain with Indonesia".

The UN Representative sent to observe the election process produced a report which outlined various and serious violations of the New York Agreement. In spite of the "duly noted" report and in spite also of testimonials from the press, the opposition of fifteen countries and the cries of help and justice from the Papuans themselves, West Irian was handed over to Indonesia in November 1969. The inhabitants of Papua New Guinea, across the border, achieved full independence in 1975.

It should also be noted that Chakravarthy Narasimhan, a retired UN undersecretary-general who handled the takeover said last year,

"Nobody gave a thought to the fact that there were a million people there who had their fundamental human rights trampled,"..... and "It was just a whitewash. The mood at the United Nations was to get rid of this problem as quickly as possible,"
(AP Report. Published in an article by Slobodan Lekic in the Sydney Morning Herald, 23/11/01 "Historic Vote was a Sham: Ex-UN Chiefs Admit")

Resistance to Indonesian rule.

Once Indonesian took over responsibility for administration of the province, they brutally repressed any West Papuan not accepting the takeover. Uprisings began to take place

against their brutal rule in various areas such as Biak Island and in the Central Mountains. The Indonesian military responded by exterminating entire villages. There is no exact figure on the number of West Papuans killed in the resistance, but it is believed to exceed 200,000.

Recent events

After Soeharto was forced to resign in 1998, the next two presidents of Indonesia, President Habibie and President Wahid both tried to initiate reforms in Indonesia and West Papua. During this short period of political openness, the West Papuan people for the first time since the Indonesian takeover were relatively free to express their opinion. In February 1999 100 leading Papuan leaders met with President Habibie to initiate a “National dialogue” on Papuan concerns. They basically told the president they wanted independence from Indonesia. This demand for independence shocked the President and the Indonesian government and was to lead to an end of the ‘National Dialogue’ with the Habibie Government.

When President Wahid came to power in October 1999, he also started reforms, allowing greater freedom of expression and permitting the flying of the previously banned West Papuan ‘Morning Star’ Flag. Much was achieved by the West Papuans under President Wahid's period of reform. The West Papuan people organised a new leadership structure and held two large important meetings. The first in February 2000, the Musyawarah Besar Papua 2000 (Papuan Mass Consultation) and the 2nd Papuan Congress in May-June 2000. Delegations from all areas of West Papua attended the Congress and formulated policy. President Wahid also helped fund the Congress.

Unfortunately President Wahid's opponents used his sympathetic approach to separatist movements against him. There was little support for the president's policy in the Indonesian parliament, particularly to any policy that might endanger the unitary state of Indonesia. The MPR (People's Consultative Assembly) rejected the president's proposal of allowing the Morning Star flag to fly and changing the province's name from Irian Jaya to Papua. It was the banning of the Morning Star flag which is of great symbolic importance to the West Papuan people, that was to lead to a series of incidents which led to scores of West Papuans losing their lives and a return to suppression as a way of solving the problems in the province.

The West Papuan people raise their flag as an act of protest and also of celebration. Incidents where violence and loss of life have occurred include Jayapura, Sorong, Merauke, Wamena, Abepura, Manokwari and Nabire. These incidents occurred at a time of confusion about the flying of the flag, with orders to lower the flag, by the police and military while seemingly receiving permission from President Wahid to fly it.

AWPA will not go into the incidents here but will supply a separate report entitled “Ongoing Human Rights abuses in West Papua including photographs of victims of arbitrary arrest, torture and death” which covers some of the above incidents.

This growing mood within West Papuan society for independence plus the success of the two West Papuan congresses, was so disturbing to certain members of the Indonesian government, police and military intelligence agencies that they conspired to launch a counter-intelligence operation to undermine and destroy all pro independence activities in West Papua. The plan was put into operation in June 2000, initially for a six-month period, to be followed by a second phase. Much that has happened in West Papua especially since October 2000 should be seen in the context of this secret intelligence operation.

The plan for this intelligence operation is set forth in a set of documents marked 'Sangat Rahasia' - Top Secret - which was leaked to human rights activists in Jayapura.

Below are some of the concerns that came from a meeting of interested parties (Indonesian intelligent organisations etc) to counter the growing support for independence, which was reported in the leaked document.

- “• that social/political conditions in Papua following the Papuan Congress had become very volatile and that agreement had been reached to take speedy, concrete actions to anticipate ever-growing support in Irian Jaya and more generally throughout Indonesia;
- the population right down to the villages were in a state of euphoria over the question of Independence, that a conspiracy of those in favor of Independence was becoming very solid and that efforts were underway to spread the results of the Papuan Congress to all corners of the territory, to the whole of Indonesia and even to the wider world.
- that agreement had therefore been reached to set up a special taskforce with a Work Program designed to handle political developments in Irian Jaya (Papua);
- that the work program of the taskforce should take careful account of the special characteristics of society in Irian Jaya - tribal and religious elements - in designing an overt and covert (clandestine) program of work”.

the document continues....

The response must be threefold, to change the state of affairs in the whole territory, to set up a network of communications and to carry out diplomatic activity as a counter to the pro-independence forces. The first objective aims to create more conducive conditions in Irian Jaya, improve the functioning of local government so as to win the hearts and minds

of the people in favor of remaining within the Unitary Republic of Indonesia and creating a situation that is attractive to investors.

The communications network should direct its attention towards people who are in a position to influence public opinion; this should be done within the territory as well as outside Irian Jaya to deal with efforts to win support elsewhere. The targets are identified as being traditional leaders, tribal chiefs, religious leaders, intellectuals, youth and students. Diplomatic activity is aimed at winning the support of the international community in favor of Indonesia's continued sovereignty over Irian Jaya. (The results of these efforts can be seen in the international pressure that was brought to bear on Nauru to refuse to allow Presidium Council representatives to attend the Pacific Islands Forum held in August this year, a complete reversal of the position adopted last year when PPC representatives were granted observer status.)

Agencies taking part in the operation include the departments of foreign affairs, of defense and security and of the interior, the police force, the armed forces, the Bakin and BAIS intelligence agencies and the regional government. The mass media must also be involved, along with Papuan community and religious leaders and local NGOs that support the Indonesian Government. The operation will be conducted at two levels, open or overt activities involving the general public and covert or clandestine activities involving intelligence operations and efforts to co-opt the services of certain individuals in positions of leadership in the community.” (In a Reuters report of 28 November, Indonesia's Minister of the Interior, Hari Sabarno, admitted that such an operation did indeed exist).

The assassination of the West Papuan leader, Theys Eluay by Kopassus troops is believed to be part of this secret operation.

Laskar Jihad a new concern.

Recent reports now indicate that large numbers of members of the Laskar Jihad are moving into West Papua (reports indicate that there are at least 3000 Jihad members in Papua). This is of great concern as the Laskar Jihad is blamed for the conflict between the Muslim and Christian communities in the eastern islands of Maluku, where large numbers from both sides have been killed. The presence of the Laskar Jihad in Papua has raised fears amongst West Papuans that the group may try to incite religious conflict in the province where previously all communities have lived in religious harmony. The Laskar Jihad could not operate in West Papua without the knowledge and approval of the Indonesian Government and military. We believe the military are using the Laskar Jihad in West Papua to counter the West Papuan people in their peaceful struggle for self determination.

To this end, the Laskar Jihad have been,

distributing pamphlets and videos depicting sectarian fighting in Maluku.

have set up military training camps, training people in combat skills (for pro Jakarta militias).

have intimidated human rights activists

distributing home-made guns and bombs

The Laskar Jihad has also been conducting religious activities in various areas of West Papua including Sorong, Fak Fak and Manokwari, areas which have large populations of Muslim migrants from other provinces. As the Jihad militias view Papuan Christians as pro independence, it is believed they are trying to spark hatred between Muslims and non-Muslims which could have grave consequence for both communities in the province.

Connection with Al Qaeda organization!

The following is part of a report from the Elsham News Service

“Elsham News Service reported on the 14 May that close to 50 Laskar Jihad members (Muslim Jihad Militias) jammed Sorong reGENCY Immigration Office on Tuesday, 14 May 2002, in their bid to defend their 8 Pakistani comrades who have been proved violating immigration procedures. Intimidating Laskar Jihad members arrived at Sorong immigration office demanding that the case should be handled with ease, playing down the legal aspects the case. Reports of fire arms possession and warfare trainings to local Aimas residents involving the 8 Pakistanis are surfacing. Luis Wanggai, a Sorong immigration officer, had requested to the Head of Sorong police (Kapolres) for their arrest. So far the Pakistanis are still free and now reported to be in Katapop district, about 70 kilometers south of Sorong. Pakistani origins constitute a great amount of memberships within Osamah bin Laden led Al Qaeda organization”. (Elsham News Service)

Autonomy package

President Megawati and the Indonesian Government approved this year a special Autonomy package for West Papua as well as allowing a name change for the province to “Papua”. It was hoped this autonomy package would dampen support for independence. Although the package appears generous in that the central government would return up to 70% of the province’s revenue, it has been rejected by the West Papuan people. This refusal at what appears to be a very generous package has surprised the central government (as did the result of the referendum in East Timor when the people voted for independence) who seem to have great difficulty believing the fact the West Papuan people want their independence/freedom.

This is unacceptable to the Indonesian Government (and military) at the present time. The West Papuan demand for their freedom will not go away and if no progress can be

seen in this direction in the coming years we can expect more vigorous protest from the West Papuan people for it. Unfortunately there is also the danger we will also see more oppression by the Indonesian military including the use of pro Jakarta militias (already in place), the use of the Lasakar Jihad, massacres and assassinations similar to the assassination of the West Papuan leader Theys Eluay earlier this year. Such oppression would also guarantee refugees not only fleeing to PNG but possibly also to Australia. Australia can do much to help avoid such a worst case scenario by promoting peaceful dialogue between all parties involved. AWPAs has also outlined recommendations at the end of the submission that we believe could be helpful to avoid this.

3. Pacific Island Forum

The Pacific Islands Forum represents Heads of Government of all the independent and self-governing Pacific Island countries including Australia. It provides member nations with the opportunity to express their joint political views and to cooperate in areas of political and economic concern. The Forum meets each year at Head of Government level. Immediately after this, the post-Forum dialogue is conducted at Ministerial level with Forum dialogue partners which include countries such as China, Japan, Philippines, the European Union etc. Indonesia was admitted last year as a post Forum dialogue partner. New Caledonia (Kanaky) has observer status at the Forum.

The criteria for observer status agreed by Forum Leaders is - “a Pacific Island territory on a clear path to achieving self-government or independence may be eligible for observer status at the forum, subject to the approval of Forum Leaders”. We believe this criteria fits an autonomous West Papua. As Indonesia is now a post Forum dialogue partner, we believe if West Papua was granted observer status, it would be an excellent arena for the West Papuan leadership and Indonesia representatives to discuss peaceful ways forward for the province. Below are the Forum Communique’s from the last two Forum meetings in relation to West Papua.

Thirty-second Pacific Islands Forum. Republic of Nauru 16 - 18 August 2001
Forum Communique

20. Forum Leaders expressed continuing concern about violence and loss of life in the Indonesian province of Irian Jaya (West Papua). They encouraged the Indonesian Government, the sovereign authority, to ensure that the voices of all parties in the province are heard in order to achieve a peaceful resolution of their differences. Forum Leaders welcomed the recent presentation of special autonomy proposals to Indonesia’s Parliament.

They also urged all parties to protect and uphold the human rights of all residents in Irian Jaya (West Papua). Forum Leaders agreed to follow closely developments in the province.

Thirty -first Pacific Islands Forum Republic of Kiribati 27-30 October 2000
Forum Communique

17. Forum Leaders expressed deep concern about past and recent violence and loss of life in the Indonesian province of Irian Jaya (West Papua). They called on the Indonesian Government, the sovereign authority, and secessionist groups to resolve their differences peacefully through dialogue and consultation. They also urged all parties to protect and uphold the human rights of all residents of Irian Jaya (West Papua).

18. Leaders would welcome closer dialogue with the Government of Indonesia on issues of common concern.

It should be noted that West Papua has always been considered a part of the Pacific Community and was a former member of the South Pacific Commission (SPC). A West Papuan leader Mr. Marcus Kaisiepo attended the first SPC Conference held in Fiji in 1950 and West Papuans continued to participate in the SPC meetings until the Dutch ceded its authority to the United Nations Temporary Executive Authority (UNTEA) in 1962. Nauru and Vanuatu have also raised the issue at the United Nations.

Recommendations

In relation to refugees in PNG

The Australia West Papua Association, Sydney, calls on the Australian Government to,

1. offer aid to those organisations and church groups trying to assist the border crossers particularly in the fields of health and education.
2. encourage the PNG Government to treat all West Papuan border crossers as genuine refugees fleeing persecution (as is their right under UN Convention) and to grant “permissive residency” to those refugees living in the border area as has been granted to the refugees living in East Awin.

In relation to West Papua

3. use its good offices to communicate to the Indonesian Government the Australian Government’s concern about the Human Rights abuses which are presently occurring in West Papua.

4. urge the Indonesian government to take up the issues of peaceful dialogue again and as an expression of this (and to promote trust in the West Papuan people), release all political, prisoners.

5. recall the thousands of extra troops sent to the province and ensure that ongoing local troops be returned to barracks as a way of easing tensions in the province.

6. urge the Indonesian government to do all in its power to protect human rights defenders in the province.

7. urge the Indonesian Government to control its military in West Papua.

8. to use its good offices to communicate to the Indonesian Government the Australian Government's concern about the dangers the Laskar Jihad pose for stability as stability and mutual trust are essential to promote peaceful dialogue between all parties wishing to solve the problems in the province.

9. to send a fact finding mission to the province to investigate the human rights situation in West Papua.

10. offer aid directly to local and overseas NGO groups working in West Papua for capacity-building programs to manage the increased revenues under Special Autonomy, including English language programs as many capacity-building programs are offered in various English speaking Pacific Island countries.

11. also there is concern about the spread of HIV/AIDS in West Papua. Australia has much expertise in this field and we encourage the Australian government to fund HIV/AIDS awareness programs in West Papua.

In relation to the Pacific Islands Forum

12. Urge the Australian Government to support West Papua being granted observer status with the Forum and

13. encourage the Indonesian government to use the forum as a venue where peaceful dialogue with the West Papuan leadership can be conducted to help solve the many issues of concern in the province.

