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# WEST PAPUA AND THE PARADOX OF PLENTY

A case study of one of the world's least known conflicts

Author: Jamie Johansson  
Supervisor: Sara de Vido

## ABSTRACT

*The conflict in West Papua is frequently described as one of the world's most forgotten conflicts. This thesis is made up of two research questions. The first question aims to understand if the conflict in West Papua has simply been forgotten by the international community or if it is instead more deliberately ignored. The subsequent research question looks to find the causal factors behind the conflict being either forgotten or ignored. The study was carried out through a qualitative case-study combining document based research with semi-structured interviews with West Papuan experts. The combined data was analysed according to Virgil Hawkins theory on what makes stealth conflicts, with the purpose of seeing to what extent the findings of the study correlate to Hawkins theory. The study found that even though the conflict can be considered to never have been known in some parts of the world, the conflict is more deliberately ignored by the international community at large. The conflict in West Papua largely fit Hawkins formula on what makes a conflict be a stealth conflict, with the number one factor behind the conflict in West Papua being largely ignored deriving from the national/political interest of the states making up the international community not acknowledging the conflict. This case study of West Papua shows a severe infringement of the international system, resulting in the victims of 'forgotten' conflicts not getting the protection they are entitled to.*

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## **LIST OF ABBREVIATIONS**

CJPCB	The Catholic Justice and Peace Commission of the Archdiocese of Brisbane
DRC	Democratic Republic of Congo
EEAS	The European External Action Service
EU	The European Union
EP	The European Parliament
Freeport	Freeport McMoRan Copper and Gold
GoI	The Government of Indonesia
HRW	Human Rights Watch
ICBS	Integrated Community Based Security strategy
ICP	International Coalition for West Papua
ICESC	The United Nations International Convention on Economic, Social and Cultural Rights
IRIN	Integrated Regional Information Networks
MIFEE	Merauke Integrated Food and Energy Estate
MEPs	Members of the European Parliament
MSG	The Melanesian Spearhead Group
NGOs	Non Governmental Organisations
OPM	Organisasi Papua Merdeka
PCA	EU Partnership and Cooperation Agreement
PNG	Papua New Guinea
ULMWP	The United Liberation Movement of West Papua
UK	The United Kingdom
UN	The United Nations
UNGA	General Assembly of the United Nations
UNTEA	The United Nations Temporary Executive Authority
US	The United States of America
UPR	Universal Periodic Review

## ***WEST PAPUA – WHAT IS BEHIND THE NAME?***

*The Indonesian territory of West Papua is made up of two provinces; Papua and West Papua.*

*During the period of Dutch colonisation the region was referred to as either ‘West New Guinea’ or ‘Netherlands New Guinea’.*

*Throughout the larger part of the Suharto era West Papua went under the name ‘Irian Jaya’ or ‘West Irian’; names that came to be quite well known in the international community.*

*After the fall of Suharto president Abdurrahman Wahid announced in 1999 that the territory officially should be called Papua. In 2003 the area was divided into two provinces that confusingly were given the names ‘Papua’ and ‘West Papua’. Thus in Indonesian the name ‘West Papua’ refers to the western province while in English it is often associated with political claims for independence for the whole region.*

*For the purpose of this study the name ‘West Papua’ will be used when referring to the entire territory, as this is what most Papuans traditionally call their homeland.*

*When speaking of the western province the study will use the Indonesian name of ‘Papua Barat’ and in situations speaking about the eastern province the term of simply ‘Papua’ will be used.<sup>1</sup>*

*‘Papuans’ are the indigenous inhabitants living in West Papua, with one or both parents being indigenous Melanesian from West Papua*

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<sup>1</sup> MacLeod, 2015a, Loc.91–135 & Leith, 2003, p.xxv

# 1. INTRODUCTION

In the eastern most part of Indonesia, about 300 kilometres from the northern tip of Australia, we find the region known as ‘West Papua’. Its indigenous people, the Papuans, are mainly Christian and have Melanesian roots, which makes them culturally, ethnically and spiritually similar to their counterparts in neighbouring Papua New Guinea (‘PNG’). The main difference is however that while the people of PNG have enjoyed their independence since 1975, the Papuans have been under Indonesian rule since a disputed vote for independence took place in 1969. With a feeling of having been robbed of their land, many Papuans have been calling for self-determination for half a century;<sup>2</sup> this makes West Papua the site of one of the Pacific regions longest running anti-occupation and secessionist struggles.<sup>3</sup>



*Figure 1. Map Over West Papua* <sup>4</sup>

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<sup>2</sup> Harvey, 2015, pp.171-173.

<sup>3</sup> MacLeod, 2015, p.45.

<sup>4</sup> Harsono & Phelim, 2015, p.11.

West Papua is extremely rich in natural resources, with companies from all over the world active in the area. The Papuan wealth of gold, nickel, coal and gas keeps lining the pockets of wealthy Indonesians and foreign investors.<sup>5</sup> Despite this, West Papua is one of the poorest regions in Indonesia with the Papuans having the lowest incomes and highest mortality rate in the country.<sup>6</sup> Everyone seems to profit from West Papua except the Papuans themselves; many Papuans thus see their resources as a curse rather than a blessing.<sup>7</sup>

The Indonesian state is keeping a tight grip on the region, with Papuans being routinely arrested and imprisoned for peaceful activities such as attending demonstrations and public events to express their political ambitions. West Papua has been reported to host one of the highest concentrations of security forces in the world, and these forces are continually violating the human rights of the Papuans with cases of torture and extrajudicial killings being frequently reported.<sup>8</sup> There is no verified number on how many Papuans have been killed since the Indonesian takeover, but the most common cited figure is 100,000. Some sources even allege the number to be as high as 500,000.<sup>9</sup> Nevertheless, very few people have ever heard about West Papua and the struggle its people are facing. How can this be?

## **1.1. Background**

Around the world today there are, according to Integrated Regional Information Networks ('IRIN'), more than forty ongoing conflicts. Very few of these conflicts ever receive the same media and policy attention as the wars in, for example Syria, Afghanistan or Iraq.<sup>10</sup> The world seems to follow a trend of never focusing its collective attention on more than a

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<sup>5</sup> ICP, 2015, p.83.

<sup>6</sup> Anderson, 2015, p.XIII.

<sup>7</sup> Leith, 2003, p.15

<sup>8</sup> TAPOL, 2014.

<sup>9</sup> Warwick, 2016, p.19.

<sup>10</sup> IRIN, Forgotten Conflicts, at <https://www.irinnews.org/in-depth/forgotten-conflicts> (consulted on 30 May, 2016)



few conflicts at a time, with the other less acknowledged conflicts apparently either being forgotten or deliberately ignored.<sup>11</sup> If one compares the situation in West Papua with the wars in Syria, Sudan or Congo, it can seem far away, small and insignificant; however to the Papuans their pain and suffering is very real and imminent.

The conflict in West Papua is frequently described as one of the most forgotten conflicts in the world today.<sup>12</sup> Although Indonesia is becoming an increasingly important player in the world economy and is a popular trading partner,<sup>13</sup> few people are aware of the human rights situation in the country's easternmost region. States appear reluctant to intervene in West Papua and there seems to have been an overall lack of political or legal will to resolve the issue at international level.<sup>14</sup> The people of Papua have for half a century not only suffered from severe human rights abuses, but also from the negligence of the international community to act.<sup>15</sup>

## **1.2. Problem Formulation**

Although the Papuans have been fighting a struggle since the Indonesian takeover in 1969, the international community seems to either be unaware of or ignoring the ongoing situation in the region. Even if at least 100,000 Papuans have died, the West Papua conflict is still not high up on the international agenda. With an international system that can easily overlook some of the most serious human rights situations of our time, how can we ensure that the victims of these situations are getting the support and protection they need and deserve?

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<sup>11</sup> Hawkins, 2008, pp.51-55.

<sup>12</sup> See for example UNPO, 2015 & Al Jazeera, Goodbye Indonesia, 31 January 2013, at <http://www.aljazeera.com/programmes/peopleandpower/2013/01/201313018313632585.html>. (consulted on 30 May, 2016)

<sup>13</sup> Al Azhari, 2016.

<sup>14</sup> Magallanes, 2015, p.254.

<sup>15</sup> Hernawan, 2014.

The way the international community prioritizes what conflicts and human rights contraventions should be given attention, is a complex issue and there are several factors that play a role. The researcher believes that in order to prevent conflicts and abuses of human rights going forgotten and/or ignored, we must first understand what causal mechanisms makes certain conflicts attract international attention while others do not.

### **1.3. Aim and Research Questions**

The thesis aims to investigate the historical and present context of the West Papuan conflict and how the international community perceives the conflict today. The study essentially looks to find the causal factors behind the conflict being forgotten/ignored.

The research questions are:

Q1: Has the conflict in West Papua simply slipped the mind of the international community or is the situation is more deliberately ignored?

Q2: What are the main factors contributing to the West Papua conflict being largely forgotten/ignored by the international community?

### **1.4. Delimitations**

The thesis aims to examine what the underlying factors are behind the *West Papuan conflict* being forgotten/ignored by the international community; it does not claim that these factors are the same for every conflict that is being overlooked by the international community.

The study does not strive to present a complete review of all human rights abuses that have taken place in West Papua since the Indonesian takeover. It does however contain a comprehensive background chapter on the situation in Papua in an attempt to give the

reader an adequate overview of the situation and of what has or has not been done at an international level to address these problems.

The term '*international community*' can be rather perplexing. According to the Oxford dictionary, the expression, international community refers to '*the countries of the world considered collectively*'.<sup>16</sup> On the other hand, the MacMillian Dictionary refers to the international community as '*political leaders and important organisations from all parts of the world*'.<sup>17</sup> For the purposes of this study the researcher has chosen to use the term when referring to the countries of the world coming together collectively, such as when working together under the umbrella of the United Nations. In Hawkins' theory used in this thesis, this would be 'policy makers'. Policy makers are, according to Hawkins, those who are able to respond to conflicts in the broadest range among world actors, and the researcher therefore found it to be the category most important to focus on.<sup>18</sup> Because of time constrains it was not possible to investigate each policy undertaken by every state worldwide regarding West Papua, and the researcher therefore decided to primarily focus on what has been done at UN and EU level.

In Hawkins' theory, other actors are media, the public and academia. These actors will also be discussed, but because of space constraint these actors will not be given as much attention as the policy makers.

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<sup>16</sup> Oxford Dictionaries, The International Community, <http://www.oxforddictionaries.com/definition/english/the-international-community> (Consulted 16 February 2016)

<sup>17</sup> MacMillan Dictionary, The International Community, at <http://www.macmillandictionary.com/dictionary/british/the-international-community> (Consulted 16 February 2016)

<sup>18</sup> Hawkins, 2008, pp.61-65.

## 1.5. Previous Studies

### 1.5.1. Previous Studies on West Papua

Research on the West Papua conflict can roughly be divided into four different categories;

- Debates about a possible genocide
- Writings about ongoing human rights abuse
- West Papuan politics – the past and the present
- Writings on the independence movement and the proclaimed Papuan right to self-determination

The debate whether the mass killings of Papuans since the 1960's amounts to the international definition of 'genocide' (as defined in Article 2 of the Genocide Convention<sup>19</sup>) have raised quite a lot of attention within the academic sphere. University of Sydney has been the frontrunner in the discussion with one of the major works published by John Wing and Peter King in 2005.<sup>20</sup> Even though the report was published more than ten years ago, it examines many of the same issues as today's scholar's writings about West Papua. Also in 2004 Yale Law School published a study discussing whether the Indonesian government's action against the Papuans constitutes genocide. None of the University of Sydney report and the Yale Law School publication offer a definitive conclusion as to whether genocide has occurred or not. However, the Yale report concludes that there is a strong indication that a genocide has taken place and concludes that even if the genocidal acts towards the Papuans may not have been carried out with an intent to destroy the Papuans as a group, many of the acts clearly constitutes crimes against humanity according to international law.<sup>21</sup>

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<sup>19</sup> A/RES/260, 09 December 1948, Art.2.

<sup>20</sup> The report is named 'Genocide in West Papua? The role of the Indonesian state apparatus and a current needs assessment of the Papuan people', by Wing & King, 2005.

<sup>21</sup> See "Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control, by Brundige et al. 2004, pp.74-75.

In 2013 an article was published in the Griffith Journal of Law and Human Dignity titled ‘A Slow Motion Genocide: Indonesian Rule in West Papua’ stating that

*‘Whereas previous examinations of the issue have failed to prove intent on the part of the Indonesian Government – a necessary pre- requisite under the Convention – this article finds that such intent exists.’*<sup>22</sup>

The authors argue that the international community ignores its obligation to prevent genocide in return for good relations with Jakarta.<sup>23</sup> That genocide is taking place in West Papua was however opposed in 2009 by Stuart Upton in an article named ‘A Disaster but not Genocide’. According to Stuart Upton the accusations of genocide in Papua are misleading and mistaken. He claims for example that genocidal military actions would be expected to lead to gaps in population statistics and that surveys carried out in the region shows no evidence of such gaps. Upton also states that if there was an ongoing genocide in West Papua, the absolute numbers of Papuans would be declining, which is according to Upton not the case.<sup>24</sup>

One of the latest articles discussing the topic of genocide in West Papua is Catherine Magallanes ‘West Papuan Self-determination: New Indigenous Rights or Old-fashioned Genocide?’ Magallanes states that although there have been conflicting assessments of whether there is an ongoing genocide in West Papua or not, the international community must at least investigate these claims further. Her article also claims that West Papua is a very complex case and that there has been insufficient political or legal will to resolve the issue.<sup>25</sup>

The ‘Neglected Genocide’<sup>26</sup> and the ‘Silent Genocide’<sup>27</sup> are two popular terms that have been used to describe the situation in West Papua. For the purpose of this study it is not

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<sup>22</sup> Elmsie & Webb-Gannon, 2013, p.42.

<sup>23</sup> Idem, p.161.

<sup>24</sup> Upton, 2009.

<sup>25</sup> Magallanes, 2015, pp.254-259.

<sup>26</sup> See for example *Asian Human Rights Commission, 2013*.

crucial whether the situation in West Papua meets the criteria set forth by the Genocide Convention or not. What is of importance is the fact that the majority of scholars discussing this topic all agree that ‘legally’ genocide or not, the situation in West Papua is severe enough to call for international attention and so far, this international attention is nowhere to be seen.

It would be an overstatement to say that there is abundance of material published concerning human rights abuses in West Papua and the political context surrounding the conflict. There is however more published than one may think. The main writers are academics based in Australia and the Pacific, but also academics from the United Kingdom (‘UK’) and the United States (‘US’) have published some works worth mentioning. Warwick University published an ‘Assessment Report on West Papua’<sup>28</sup> containing an overview of issues connected to West Papua and recommendations for the UK and the international community. This report has been used for the purpose of this thesis in chapter 4.4. ‘*Human Rights Situation*’. Another recent important report published in Europe is the report by International Coalition for West Papua (‘ICP’), an organization bringing together religious, social and human rights organizations from different countries and advocates for human rights and for West Papua as a ‘land of peace’.<sup>29</sup> Also this report was used for the purpose of this study. Academic works describing the human rights situation in Papua are all in agreement, with no academic articles denying the existence of human rights abuses in West Papua.

Earlier studies regarding West Papua’s political context are mainly works discussing the historical aspects of the 1969 referendum named ‘the Act of Free Choice’. The most prominent works published are by John Saltford and Pieter Drooglever, who separately conducted scholarly analysis of the disputed referendum and the role the UN played at the time. Information from especially the Saltford study has played an important role in this

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<sup>27</sup> See for example Hyslop, 2011.

<sup>28</sup> Warwick, 2016.

<sup>29</sup> ICP, 2015, p.6.

thesis, by contributing with a comprehensive picture of the international community's involvement in the Indonesian takeover of Papua. Current research regarding the Papuan political context concentrates mainly on the lack of success of the Special Autonomy law and the failure of the Indonesian state to provide the Papuans with governmental structures necessary for a decent quality of life (*See 4.1. 'West Papuan Political Dynamics'*).

The first complete study on the West Papuan independence movement was already published in 1985 with the title 'Indonesia's Secret War: The Guerrilla Struggle in Irian Jaya' by Robin Osborne. At the time of writing, Osborne called the West Papuan independence struggle '*one of the world's least-known but most protracted liberation struggles*'.<sup>30</sup> The most recent publications regarding the Independence movement are Eben Kirksey's 'Freedom in Entangled Worlds: West Papua and the Architecture of Global Power' and Jason MacLeod's 'Merdeka and the Morning Star: Civil Resistance in West Papua'. As the author of this thesis was fortunate enough to interview both Kirksey and MacLeod, their contribution to achieving the objective of this thesis can be found in the Analysis chapter.

There are certainly gaps in the existing literature regarding West Papua and there is a tendency of scholars to repeat what has already been discussed for many years. Earlier studies on West Papua have however been of great help to this study by giving an adequate overview of the West Papuan historical and present context. There is no doubt that the academic world agrees that the situation in West Papua deserves international attention. What is missing is however a complete analysis on *why* this international attention seem so difficult for the Papuans to gain. This thesis aims to fill that theoretical gap.

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<sup>30</sup> Osborne, 1985.

### 1.5.2. Previous Studies on Forgotten/Ignored conflicts

There is very little research that examines *why* certain conflicts go forgotten/ignored while others do not. Neither is there any well-established theory on the subject. The book by Virgil Hawkins used for the theory chapter of this thesis is the only recent complete study on the topic of forgotten/ignored conflicts the researcher has managed to find.

The most relevant studies undertaken with connection to forgotten/ignored conflicts is the research regarding the rather well known ‘CNN-effect’. The main theory of the CNN effect is that news media constitute a powerful call for action and thus drives foreign policy. It has for example been argued that intervention during the humanitarian crisis in Iraq in 1991, and Somalia in 1992, were to a large extent driven by media coverage of suffering people.<sup>31</sup> These two conflicts generated a major debate within academic and government circles, with especially policy experts being distressed by what according to them had been an unwanted intrusion by the news media to the policy process. Fears arose that elite-control of policy making had been lost to the media. The theory behind the CNN effect has roots back in the 1984 Ethiopian famine where there was a discussion within humanitarian circles about the apparent power of the media to trigger intervention. Some of the first most prominent works in this genre were the 1995 Crosslines Global Report named ‘Somalia, Rwanda and Beyond’ by Edward Girardet and Robert Rotbergs and Thomas Weiss’s ‘From Massacres to Genocide’ published in 1996. These writers were more positive than their forerunners, praising the positive effect the media can have on encouraging humanitarian intervention.<sup>32</sup> The CNN effect and its suggested limitations will be discussed further in Chapter 2.2. “*The Actors*”.

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<sup>31</sup> Robinson, 2002, p.1.

<sup>32</sup> Idem, pp.10-11.



## **1.6. Structure of the Thesis**

The thesis begins with a presentation of the theoretical framework chosen for the study; Virgil Hawkin's theory on what makes stealth conflicts. The following chapter describes the methodology selected for the study and discusses the reliability and validity of the undertaken research. The methodology chapter also presents how the final analysis for the study was done. Chapter four gives the reader an overview of the West Papuan context by presenting historical background, political climate, and human rights abuses in the region and gives an insight into the resource industry related grievances in the region. Chapter five presents the study findings regarding the international awareness of the conflict and answers the first research question as to whether the conflict is simply forgotten or more deliberately ignored by the international community. The following chapter analyses the collected data and ultimately answers the main research question of the study; what are the main factors contributing to the West Papua conflict being largely forgotten/ignored? This is followed by a brief discussion about the findings and the last chapter lays out the final conclusions and contains recommendations for further research.

## 2. THEORETICAL FRAMEWORK

This chapter aims to present the theoretical framework chosen as the basis for the analysis of the study findings.

### 2.1. Forgotten/Ignored conflicts

How is it that some conflicts get more attention than others? Why does the world seem to care about human suffering in some parts of the world while totally ignoring the same degree of human misery in other places?

In 2008 it became known that 5.4 million people had died as a result of the conflict in the Democratic Republic of Congo ('DRC'). It seemed as if it did not matter how many Congolese had died, the conflict simply could not manage to create a sufficient response from the international community. To put it all in perspective, how could a conflict resulting in approximately 2000 deaths in Kosovo in 1998-99, draw such overwhelming, emotive and effective response from media, the public and policy makers? In fact, the conflict in Kosovo received more aid money and attention than all of Africa's humanitarian emergencies combined.<sup>33</sup>

There is no common agreed theory on why some conflicts in the world seem to gain a lot of attention while others go unreported. In the search for an applicable theory for this thesis the researcher came across a book written by Virgil Hawkins named 'Stealth Conflicts: How the World's Worst Violence Is Ignored'. Hawkins book discusses primarily how conflicts in Africa seem to be largely ignored but the researcher believes his theories are still highly relevant to this study.<sup>34</sup>

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<sup>33</sup> Hawkins, 2008, pp.1-2.

<sup>34</sup> Idem, p.3.

## 2.2. Virgil Hawkins - Stealth Conflicts

The purpose of Virgil Hawkins 'Stealth Conflicts' is to reveal how skewed and assimilated the international response is to foreign conflict and to analyze why this is so. According to Hawkins all conflicts, and the factors that lead external actors to make choices on how to respond to them, are complex and unique. It is therefore unlikely that any fixed formula on how to predict which conflicts will gain attention, and which will not, could be universally applicable. In spite of this, Hawkins still believes that it is possible to narrow down many of the key factors that determine the amount of attention a conflict receives from the international community, and to understand how these factors unite in establishing such determinations, and in this way one can systematize the concept of stealth conflicts.<sup>35</sup>

### ***Stealth Conflicts – a discussion about the term:***

There are a variety of terms used for conflicts that remain unseen or unrecognized, for example forgotten, third-class, orphan, silent, ignored, hidden and neglected. Hawkins states that all these terms serve in different ways to capture the problem, but proposes instead the use of the term 'stealth', explaining that it better expresses the essence of these unseen/unrecognized conflicts. 'Forgotten' is probably most used in describing conflicts that fail to attract international attention. However the term is rather misleading, as for a conflict to have been forgotten, it must first have been noticed. Neglected, like the term silent or forgotten, creates the impression that the conflict simply has slipped the minds of those that could have been able to respond, which according to Hawkins is rarely the case. 'Ignored' and 'hidden' are more adequate to use, as those terms better express the sense that the existence of the conflict is known, but that actors are deliberately denying or withholding response. Anyhow, Hawkins prefers to use the term 'stealth' as it conveys the notion that these conflicts are consciously not given any attention or response. The term also insinuates that the covert or furtive nature of the

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<sup>35</sup> Idem, p.6.

action is what makes it so effective – like the military stealth bomber, a stealth conflict causes extensive amounts of death and destruction, while it at the same time manages to stay virtually undetected.<sup>36</sup>

There are a large number of conflicts taking place in the world at any one time and it is arguable that attention cannot be given to all of these struggles. Whether we want it or not, there will always be an ongoing process of selection and elimination, both at individual and institutional level. Selectivity will always be unavoidable in conflict response, as different players will have different interests. However, Hawkins states that great danger arises when all actors, including those who are charged with the task of controlling and balancing the other actors, develop and follows similar priorities in their selection of what conflicts that are important. With almost no one left to point out the ongoing systematic failure, many of the world's most severe conflicts end up being neglected.<sup>37</sup>

### **2.3. The Actors**

The Agenda Setting World Actors chosen by Hawkins in explaining why some conflicts become 'stealth conflicts' are *policymakers, the media, the public* and *academia*. Most studies looking at responses to foreign conflicts have focused on the media as a major influence 'pushing' policy makers to intervene militarily or not in foreign conflicts. This is however, according to Hawkins, a far too narrow perspective. The well-known 'CNN effect' is simply not sufficient to explain why some conflicts go unnoticed by the international community. Hawkins explains that the four actors chosen for his study directly influence all the agendas of the other actors; they are all inter-linked and

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<sup>36</sup> Idem, pp. 54-57.

<sup>37</sup> Idem, pp.4-6.

interdependent. When the agendas of the four actors are brought together we can see some obvious patterns and the resulting overall agenda can be perceived as an ‘international consciousness’. By making this statement, Hawkins does not intend to imply that there is one single and unified view of conflict throughout the world, but he states that there are certain obvious trends that can be observed and examined.<sup>38</sup>

In general it is observed that the international community seems incapable of focusing its collective attention on more than one or two conflicts at a time. Since the September 11th attacks on the US, the war on terrorism, and its potential threat to Western targets, has kept attention away from other severe conflicts in the world. The failure to respond to these neglected conflicts is often not accidental or unintentional. Often the neglect occurs because of series of deliberate and conscious decisions by these actors. The conflicts are being ignored not by chance, but because it suits the interests of those who otherwise could intervene.<sup>39</sup>

Policy makers according to Hawkins refer to e.g. regional and international organizations, and State governments. Regarding international organizations, Hawkins especially discusses the UN and its agencies. Policymakers are the ones who are able to respond to conflicts in the broadest range among the four chosen agenda setting world actors.<sup>40</sup> To explain apparent lack of interest among policymakers we often hear the explanation ‘there is a lack of political will’ – this ‘political will’ is however exceptionally complex and it is important to understand what exactly hides behind this notion.<sup>41</sup>

The media has the primary role to discover and report on conflicts and is thus more of a speaker than an actor. Freedom of press is very important in order for the media to fulfil its role.<sup>42</sup> The public in Hawkins theory refers to the general public, non-governmental

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<sup>38</sup> Idem, pp.48-51.

<sup>39</sup> Idem, pp.51-55.

<sup>40</sup> Idem, pp.61-65.

<sup>41</sup> Idem, p.79.

<sup>42</sup> Idem, p.105.

organizations ('NGOs'), interests groups and corporations.<sup>43</sup> The last actor in Hawkins theory is academia, which includes e.g. research institutes, academics in universities as well as specialists and experts working independently as consultants and advisors.<sup>44</sup>

## **2.4. What Makes Stealth Conflicts?**

Virgil Hawkins has in his theory narrowed down what makes stealth conflicts by identifying the internal dynamics and external influences behind the level of consciousness and the choices major actors make regarding conflicts. According to Hawkins, the six key common factors that lead to response (or lack thereof) by the major actors are; *national/political interest, geographic proximity and access, ability to identify, ability to sympathize, simplicity and sensationalism.*

### **2.4.1. National/Political Interest**

There is no way around it; today's world is continuingly dominated by the ideology of nationalism. For a state and its government, national interest is therefore most likely the most critical factor in determining if a foreign conflict should get attention or not, with strategic military and economic interests being the main concerns to consider. Conflicts that threatens to disrupt for example, a cheap source of oil, large numbers of refugees moving in across one's borders from a conflict in another country or other economic or physical destabilization influences, are key reasons for concern. Simply put, if a conflict is not significantly affecting the national interests of other countries, there is a great chance the conflict in question will not gain any international attention.<sup>45</sup>

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<sup>43</sup> Idem, pp.141-148.

<sup>44</sup> Idem, pp.163-181.

<sup>45</sup> Idem, pp.189-190.

However, national interest can, according to Hawkins, also work in the opposite way. In some cases it may be in the national interest to keep attention away from an ongoing conflict for which attention would be inconvenient. Powerful countries can thus downplay certain conflicts on behalf of an ally or cooperative supporter, as it would do more harm for one's national interest if the conflict gained attention internationally. Countless warlords around the world have managed to 'hide' their engagement in oppressive policies by teaming up with the world's most powerful countries. A country experiencing conflict, which has a Western friendly leader, will attract much less attention than a country with a leader speaking out against or refusing to cooperate with the West. As an example we can take the relative high levels of attention Zimbabwe gained under President Mugabe compared to the low levels of attention on Guinea under Western friendly President Lasana Conté, who let much of the country's natural resources of bauxite to be mined by US companies.<sup>46</sup>

National and political interest is not only the concern of states and their policy makers; also the media, the public and academia are concerned when foreign conflict risks affecting the interest of their countries. These three actors will thus inevitably view conflicts around the world from a perspective of how it affects their own country and this will be echoed within the particular institution to which they belong.<sup>47</sup>

#### **2.4.2. Geographic Proximity and Access**

Geographic Proximity and access are in many ways connected to the national interest factor. Conflicts in near countries will most likely affect one's country in one way or another and thus will easily gain attention from all the four actors mentioned in Hawkins theory. Direct security threats, impact on corporation's business interests and influx of refugees are all examples of consequences conflict in a neighbouring country can bring. The geographic

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<sup>46</sup> Idem, pp.190-191.

<sup>47</sup> Idem, p.190.

proximity factor is not only limited to the location of states, it's also connected to location of certain sectors, such as the bureau of media stations. Easy access to the conflict is also important in order to gain attention, which can be hampered by inadequate infrastructure, legal restrictions or security issues. Many countries ban aid workers and reporters from operating in certain territory and this can lead to a limited response. A combination of factors such as poor transport infrastructure, dense jungle and the threat of kidnappings have been shown to hinder response to conflict even where high levels of national interest been prevalent, as seen in the U.S. response to conflict in Colombia.<sup>48</sup>

### **2.4.3. Ability to Identify**

A person's identity is likely to be based on one or more perceived national, racial, religious, linguistic, historic, cultural or socioeconomic ties. According to Hawkins, the ability of actors to identify with victims or participants of a conflict is closely connected to these perceived ties. Group identity has shown to facilitate a sense of affinity or solidarity with other members of the same or a similar group. A clear example of this is when a terrorist attack takes place in a Western urban centre. This provokes identity-based response in similar cities as it awakens a feeling of 'it could have happened to me'.<sup>49</sup>

Religious ties have been shown to provoke certain degree of interest in conflicts, such as Christians caring about fellow Christians facing a struggle in a different part of the world. Historical ties that link actors to former colonies and/or a common language may also invoke empathy, although Hawkins states it is unlikely such ties in isolation make a great difference. It appears frequently that the simple link that a fellow human being is suffering from a conflict is not sufficient to elicit a human response.<sup>50</sup>

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<sup>48</sup> Idem, pp.191-192.

<sup>49</sup> Idem, p.192.

<sup>50</sup> Idem, pp.192-193.



#### **2.4.4. Ability to Sympathize**

There are nevertheless some cases in which actors may care about the suffering of fellow human beings without having any of the perceived ties mentioned above. This is when it is easy for people to sympathize with victims of a conflict as for example one of the actors of a conflict can be perceived as particularly evil, and the other part is seen as good, innocent and helpless. If the people also are given images personifying the evil, this effect can be boosted further. As an example we can take leaders like Saddam Hussein and Slobodan Milosevic, who served as individual faces towards whom outside actors could direct their resentment. If the actors cannot find this clear case of ‘good versus evil’ in a conflict it is more unlikely that the situation in question will get any sustained attention and empathy. Images of starving, crying babies and their helpless mothers have been known to attract attention and also the term ‘genocide’ seems to awaken a reaction.<sup>51</sup>

#### **2.4.5. Simplicity**

The fifth factor in Hawkins theory is *simplicity* and it is in many ways closely linked to the ability to sympathize. The easier a conflict is for the actors to grasp, the more likely it is they will devote sustained attention to it. Hawkins makes a comparison to sports, where the easiest to understand games are most likely to become the most popular ones. Sports with many different players, extra added balls or goalposts and with rules that change mid-game, are unlikely to attract and gain the interests of spectators. While the majority of the world’s conflicts are not clear-cut but instead highly complex, the conflicts that can at least be made to appear simpler and more straightforward are the ones that are most likely to gain attention. For example a conflict that turns Muslims against Christians or Americans against terrorists gives the easy picture it needs to gain a broad following. People in today’s

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<sup>51</sup> Idem, pp.193.

society simply do not have the time to engage themselves in a conflict that would take up too much time for them to understand.<sup>52</sup>

#### **2.4.6. Sensationalism**

Conflicts that are dramatic and sensational with for example explosions, plane hijackings and unexpected attacks in otherwise peaceful places are most likely to gain attention from the outside world. The presence or absence of visual images, usually via media, is very important in determining whether a conflict will attract attention or not. When victims of a conflict are slowly dying from conflict-related disease or starvation, even when it involves entire communities, it does not create a dramatic effect enough for most actors to care. Many people suffering conflict flee into inhospitable jungles and deserts away from the public eye, and even if this phenomenon is responsible for most conflict related deaths, such circumstances are often not sensational enough to invoke sufficient international response.<sup>53</sup>

### **2.5. Combining and Comparing Factors**

Hawkins' six factors determining attention tell us what the actors commonly hold as important in influencing a response to conflict. The factors however do not automatically tell us how the actors weigh each of these factors, especially not when some of them may be conflicting each other. There will also be cases where the agendas of major actors differ; how will the actors then determine which conflicts deserves attention the most?<sup>54</sup>

Hawkins states that there are conflicts where all the factors align, as for example the September 11th attacks on the US. The threat was not seen as limited to the US.

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<sup>52</sup> Idem, pp.193-194.

<sup>53</sup> Idem, pp.194-195.

<sup>54</sup> Idem, p.195.

International reporters, academics and prominent policy makers were present in close proximity. The West could easily identify and sympathize with the victims of a what seemed a one-sided attack, and to top it off, nothing could have been more dramatic than the sight of two planes crashing into the two towers that were once the tallest buildings in the world.<sup>55</sup>

By reversing the formula we can see how conflicts easily risk to being ignored with the conflict in DRC as a prime example. The national interests of the West were not significantly affected, instead Western interests were probably better served by the conflict being played out quietly and the conflict was distant geographically and rather hard to access. Western actors may also have found it hard to identify with the victims of the ‘black on black’ violence and with involvement of nine national armies and numerous rebel and splinter groups, all with unclear agendas and objectives, the conflict was everything but simple to comprehend. In addition the suffering of the victims was not sensational enough, even if millions of people died as a result of the fighting.<sup>56</sup>

Not all conflicts however fit the formula so precisely; the conflict in Iraq for example may have been important for Western national interest but it was an area extremely hard for Westerners to access and it was also difficult to simplify the conflict or to identify any certain group of ‘innocent’ victims. Another example is the Israel-Palestine conflict, which gains high levels of attention even though it is an extremely complex conflict and many people have difficulties in identifying an innocent and blameless side.<sup>57</sup>

According to Hawkins internal priorities will certainly be important determinants in how actors weigh the six factors in deciding levels of response and attention they will devote to each conflict. For policymakers national and political interest will clearly be the highest priority, while for other actors the national interest will be significant but other factors may

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<sup>55</sup> Idem, pp.195-196.

<sup>56</sup> Idem, p.196.

<sup>57</sup> Idem, p.196.

take on more importance.<sup>58</sup> But how is it that the four actors described in Hawkins theory seem to end up with somewhat assimilated agendas even though they may have different internal priorities? Who or what leads the interactive process and how is the initial interest sparked and spread? Hawkins explains this by saying that the strength of each actor is a key determinant in this process, but it is also tempered by how interested actors are in a particular conflict, with weaker yet strongly interested actors able to take a lead in attracting attention and encouraging response. And with one major actor interested, the bandwagon effect often serves to bring the other actors on board. Sometimes however, it is simply plain luck that determines interests and response to a conflict; actors may be in the right place at the right time or certain conditions may unintentionally link actors with events or with other actors.<sup>59</sup>

Gravitational pull from strong states and policy makers often operates at the expense of the security interests of the weak. Without backing from strong countries, the concern of policy makers in weak countries is likely not to reach any high level of attention. The same principle applies to the media. Larger media corporations with greater resources can obviously present news to a wider and more powerful audience than its smaller counterparts. We can also see the same pattern with the general public and NGOs, with greater wealth in both cases, leading to greater influence and also academia has a tendency to gravitate towards centres of power. Academics are most likely choose their topics in areas where more funds are available, where salaries are higher and where there is a larger chance of influencing other actors and when they do choose to write about conflicts that are not of particular interest for the West, their work rarely reaches prominent academic forums and journals. Hawkins states that because of the high levels of power and wealth of powerful countries, it can generally be said that the actors based in these countries are the ones that lead the agenda-setting process relevant to foreign conflict.<sup>60</sup>

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<sup>58</sup> Idem, p.197.

<sup>59</sup> Idem, pp.197-202.

<sup>60</sup> Idem, pp.198-200.

To conclude, Hawkins reminds us of the particular advantage the actor of policy makers have in determining what conflicts will gain attention and response. Even if policy maker's dominance in foreign affairs is slowly being eroded as other actors grow in strength, the world still seem unable to hinder determined policymakers from responding to security issues they as they see fit, or to stop them from intervening.<sup>61</sup>

## **2.6. Conclusion**

According to Hawkins theory the six factors of national/political interest, geographic proximity and access, ability to identify, ability to sympathize, simplicity and sensationalism help to determine the priorities of each of the four main actors in the world arena. The relative strength and influence of each actor and its level of interest, together with the bandwagon effect and in some cases also plain luck, decide whether these priorities will or will not spark an interest that will spread among the other actors. If a conflict fails to link the factors with powerful and interested actors, that conflict is likely to remain 'off the radar' for the international community. The problem with conflicts being neglected is systematic, with Western perspectives dominating the agenda-setting process. The reality of nationalism, identity, funding and distribution of power, among other factors, tends to unite the agendas of the world actors in such a way that they solely reflect the interests of the powerful. The result is a distorted response to foreign conflict, where a few conflicts receive high levels of interest while the rest get almost no attention. Without moderation and balance, many conflicts and their victims simply end up forgotten or neglected by the outside world. In the end the world is left with a grossly distorted image of the state of the world's conflicts - an image that is far from correlating with reality.<sup>62</sup>

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<sup>61</sup> Idem, p.200-201.

<sup>62</sup> Idem, p.203-205.

*Table 1. Summary of Hawkins Theory on Stealth Conflicts:*

<b>ACTORS</b>	<b>FACTORS</b>	<b>SPARK/MAINTAIN INTEREST</b>
	National/Political Interest	
Policymakers	Geographic Proximity and Access	Strength/Level of interest of Actor
The Media	Ability to Identify	Bandwagon Effect
The Public	Ability to Sympathize	Plain Luck
Academia	Simplicity	
	Sensationalism	

### **3. METHODOLOGY**

This chapter aims to present to the reader how the study was carried out and why the researcher chose certain methods for her research. It also discusses the material and its reliability and validation. Lastly the chapter presents the method of analysis used for the study.

#### **3.1. Qualitative Case Study**

In order to reach the aim of the thesis the researcher decided to undertake a qualitative case study. The qualitative method was chosen before the quantitative method as qualitative research ultimately aims to better comprehend the way we make sense of the world around us, and as such require the researcher to focus on meanings and processes that make up international politics. Qualitative research is commonly used to generate theoretical propositions out of empirical observations,<sup>63</sup> and particularly case studies are a great tool in generating new hypotheses. When conducting case studies it is common to encounter new primary data that can help the researcher to find the casual explanations for his or her study that are not present in existing literature.<sup>64</sup> As the main purpose of this thesis is to create a theory as to what factors contribute to the conflict in West Papua being largely ignored by the international community, the quantitative case study method was the most suitable.<sup>65</sup>

Principal strategies for collecting qualitative data are interviews and focus groups, Internet-based research and archival and document-based research.<sup>66</sup> In order to comprehend the underlying mechanisms behind the West Papua conflict being largely forgotten/ignored by the international community, the researcher found it necessary to undertake a

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<sup>63</sup> Lamont, 2015, p.78.

<sup>64</sup> Idem, p.129.

<sup>65</sup> Idem, p.78.

<sup>66</sup> Idem, p.79.

comprehensive study of both the historical background and present political context of the two Indonesian provinces. In order to gather this information the researcher used two different qualitative methods; document based research and semi-structured interviews. The document based research mainly concentrated on already published literature and academic papers but also gathered a lot of information published by NGOs and by reviewing both international and national newspaper articles.

### **3.1.1. Document-based Research**

Document-based research makes up the larger part of the background information about the West Papuan situation as there have been some major studies published about both the historical and present context in the latest decennium (*see 1.5.1 'Previous Studies on West Papua'*). The researcher found these sources reliable and therefore found no reason to repeat the same research. Also with the limited time frame for this master thesis, and because of economic constraints, it was not physically possible to carry out the same review of the historical archives at the UN as other authors had already conducted.

It would have been preferable if the chapter describing human rights violations in West Papua had been done through first-hand interviews with Papuan victims still located in the region. However, as the area is effectively blocked for foreign researchers and journalists, there were huge obstacles in the way of the researcher obtaining a travel permit to West Papua. The process of getting a visa to West Papua can take years and very few, if any, academics succeed.<sup>67</sup> With the limited time period the researcher had available to conduct the study for this thesis, there was simply not enough time to get the research permit processed.

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<sup>67</sup> Harsono & Phelim, 2015, pp.14-16.



### **3.1.2. Interviews**

The interviews conducted for the study were semi-structured and were undertaken with four different categories of informants; Papuans (residing in or outside of West Papua), journalists, West Papuan ‘experts’ (academics, authors and NGO employees) and policy makers. The respondents were selected from different parts of the world and consisted of both men and women from different age groups. The study used two main questions that were asked of all people interviewed, and depending on the person’s special skill, additional questions were added. 20 interviews were used for the sole function of answering the research questions, and four interviews had the purpose of gaining more information about background of the conflict and what EU has done regarding the issue. E-mail interviews were the method most commonly used but also phone interviews were conducted. The researcher found E-mail to be the most effective and reliable way of undertaking the interviews, as it gave the respondents time to reflect and respond to the questions in a time that suited their schedule best. By conducting E-mail interviews the researcher believes she managed to reach a more extensive respondent base.

### **3.2. Material, Trustworthiness and Validation**

The reliability of a study depends on how the data collection is undertaken together with the accuracy of the processing of the information received. High reliability is obtained if different and independent studies about the same case achieve similar results when repeated. As the researcher did not have time to carry out the same study twice, the reliability of this study depends on the trustworthiness of the undertaken interviews, the documents used and its processing.<sup>68</sup>

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<sup>68</sup> Holme & Solvang, 1997, p.163.

Any research on West Papua inevitably raises some question regarding the validity of the material used. This is mainly for two reasons, firstly as access to the region is severely restricted to researchers and journalists it is difficult to obtain information about the region that is neither censored nor biased. Local Papuan media outlets are quite effective in getting their news out on the Internet but as many of the news stations are run by people affiliated with the independence movement, it is difficult to know if the published information is correct. Secondly, the majority of the literature published about West Papua is written by people who sympathize with the independence movement and may therefore be rather biased. When using media sources and literature for the document based part of the study the researcher thus made sure to only use information from well-established, accredited media outlets and authors.

During the research process the researcher found a tendency for scholars and journalists writing about the West Papua conflict to often replicate the same, rather outdated information. This is most likely an effect of the media blockage of the area and thus the researcher made sure to only use up to date information. The collected material was also triangulated with multiple sources in order to cross-reference the findings; the researcher carefully compared content of interviews and media reports with other published reliable sources.

Although the researcher tried to the highest extent possible to stay neutral during the research process it is important to acknowledge that very few researchers are completely free from pre-established values and personal political opinions.<sup>69</sup> One of the most difficult aspects of the research was to differentiate the actual 'truth' from personal opinions, especially as what is referred to as 'the truth' tends to change depending on perspective. The reader must also be aware of the fact that people willing to take part in the interviews for this study consisted mostly of people with a personal attachment to the struggle of the West Papuan people and thus it is unavoidable that their contribution most likely is rather

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<sup>69</sup> Kirksey, 2012, p.136.

biased. People without any attachment to the West Papuan struggle conflict rarely have any knowledge of the situation and were thus not valid interview subjects. This study therefore does not claim to present the one and only ‘truth’ on why the conflict in West Papua seem to be largely overlooked by the international community; it rather aims to contribute to many possible perspectives on why this is the case.

### **3.3. Method of Analysis**

Combined data from the document based research and the conducted interviews were analysed according to Virgil Hawkins theory on what makes stealth conflicts. (*See Chapter 2. Theoretical Framework*) The analysis is thus a combination of the researchers own findings and the opinions of the people interviewed.

The analysis aims to see to what extent the findings of the study correlate to the six factors outlined in Hawkins theory and if there are aspects of the West Papua conflict that goes beyond the theory used.

## **4. WEST PAPUA**

This section aims to give the reader an overview of the West Papuan context. It starts with introducing the geography and socio-economic status of the region, followed by an introduction to the history behind the complex political situation that the Papuans are living under today. The chapter then moves on to discuss the current political situation and the human rights abuses we find in the area and lastly the chapter presents the different resource industry related grievances one can find in the region.

### **4.1. The West Papuan Setting**

No more than 300 kilometres from the northern tip of Australia we find the two Indonesian provinces of Papua and Papua Barat. Together they form what have come to be known as ‘West Papua’ making up the western part of what is the second largest Island in the world; New Guinea.<sup>70</sup> The Island of New Guinea is one of the most complex geological areas in the world with two massive parallel mountain systems with its highest peak, Puncak Jaya, reaching 4,884 meters. Volcanic action has created extremely difficult terrain and many villages in the highlands have no way out than by helicopter or by spending days of advanced trekking.<sup>71</sup>

The indigenous Papuans have inhabited and sustained a unique culture in West Papua for at least 30,000 years<sup>72</sup> with currently some 312 officially designated tribes, thousands of clans speaking approximately 269 languages.<sup>73</sup> In 1967, five years after the Indonesian occupation of West Papua started, Papuans made up 96.09 per cent of the population. In 2015 the number indigenous Papuans had decreased to 42 percent out of the total West Papuan population of approximately 3.6 million people and it is anticipated that by 2020

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<sup>70</sup> Harvey, 2015, p.171.

<sup>71</sup> Muller, 2011, pp.14-17.

<sup>72</sup> King, 2004, p.19.

<sup>73</sup> Anderson, 2015, p.6.

the percentage of indigenous Papuans will make up solely 29 percent.<sup>74</sup> The main reason for this drastic decrease is the Government of Indonesia's ('GoI') 'transmigrasi' policy, under which Indonesians from poor villages in heavily populated islands such as Java and Bali, were shipped to lesser-populated regions such as West Papua. Another major factor contributing to making Papuans a minority in their traditional homeland is high rates of child mortality and HIV/AIDS among the indigenous Papuans compared to the migrant populations.<sup>75</sup>

The resource rich region tops the Indonesia list of GDP per person with \$6000 per year,<sup>76</sup> despite this, the two provinces of West Papua are among the poorest of the country with its inhabitants having the lowest incomes and highest mortality rate in Indonesia.<sup>77</sup> West Papua's health care system is extremely dysfunctional with no special provincial health strategy in place. Statistics from 2012 show that in the two Papua provinces 11.5 percent of children die before they reach an age of five; a number that is three times higher than the average rate in Indonesia. In fact, no other country in Asia or the Pacific had such a high rate of under five mortality in 2012.<sup>78</sup> Papua and Papua Barat are also the two provinces with the highest prevalence of HIV/AIDS. A frightening number of >5 percent of the adult indigenous population in the highlands is estimated to be infected;<sup>79</sup> a number comparable with countries such as Central African Republic and Tanzania (ranked no: 15 respectively 12 in the world).<sup>80</sup> There is no updated figure regarding the general HIV prevalence in the region but a survey in 2006 showed an average number of 2.4 percent. In the province of

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<sup>74</sup> ICP, 2015, p.70-71.

<sup>75</sup> Andersson, 2014.

<sup>76</sup> Economist, 2016.

<sup>77</sup> Anderson, 2015, p.XIII.

<sup>78</sup> ICP, 2015, pp.4-5, 56.

<sup>79</sup> Idem, pp.54-55.

<sup>80</sup> CIA Country Comparison: HIV/AIDS Adult Prevalence Rate, at <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2155rank.html> (consulted 8 April 2016.)

Papua the registered number of people with AIDS in 2014 was 15 times the national average rate.<sup>81</sup>

Lack of adequate education is also a major problem in Tanah Papua. In recent years the education sector in the two provinces has continued to expand but in spite of this many areas still have literacy rates under ten percent. The remote highlands especially are struggling with absent teachers and closed schools. Lack of good quality education leads to severe consequences for the Papuans as they currently struggle with complex challenges in the fields of politics, development, economy, law and healthcare.<sup>82</sup> Without proper schooling it is difficult for the Papuans to shape their own future. Although the resource rich West Papuan region is one of the major sources of tax income for the Indonesian government,<sup>83</sup> no other area of highland Asia has experienced such an absence of the state and its services let alone having an incapacitating insurgency causing state services to collapse or to never develop in the first place.<sup>84</sup>

#### **4.2. West Papua in the Colonial Era**

The island of New Guinea and its traditional Melanesian inhabitants have a complex history of colonialism. In 1848 the colonial powers of Britain and Holland divided the island into two parts by artificially drawing a line across the 141<sup>st</sup> meridian. The Western part was incorporated into the Netherlands as part of the Dutch East Indies and was initially known as ‘West New Guinea’.<sup>85</sup> The Dutch East Indies gained independence as Indonesia

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<sup>81</sup> ICP, 2015, pp.54-55.

<sup>82</sup> Idem, pp.61-63.

<sup>83</sup> Coca, 2015.

<sup>84</sup> Anderson, 2015, p.XIV.

<sup>85</sup> Leith, 2003, p.10.

in 1945, and at this time conflict arose between Indonesia and its former colonizer whether West New Guinea should be part of the newly formed country.<sup>86</sup>

Although the Indonesians insisted that West New Guinea belonged to them the Papuans themselves did not feel they were a part of Indonesia. The Papuans are culturally very different to the Asian population of Indonesia with their dark skin and curly hair and they felt more connected to the neighbouring people of Papua New Guinea and other Melanesian Islands such as Fiji, Vanatau, and the Salomon Islands.<sup>87</sup> Also the Dutch argued that the Papuans were different from the rest of Indonesia and thus proposed that a vote for self-determination should take place in 1970. With assistance from their colonizer, in 1961 the Papuans installed a partly elected parliament, they formed political parties and trade unions and appointed Papuans to take over public service positions. The territory was officially renamed West Papua and a national anthem, a Papuan crest, and a flag named 'the Morning Star' were established. The strategy proposed was that the UN would have temporary control over the territory pending independence.<sup>88</sup>

President Sukarno was not satisfied with how the Dutch decolonisation of West Papua progressed and tried multiple times to gain control over the area through diplomatic talks with the UN. In late 1961 Sukarnos patience ran out and he turned to the use of force by dropping Indonesian paracommandos into the West Papuan territory. Suddenly there was a serious threat of war between Indonesia and its former colonising power.<sup>89</sup> This unrest eventually drew the attention of the Western powers who were not content with how the situation was unfolding. The US, which originally had been on the side of the Dutch<sup>90</sup> decided to take the Indonesian side in the dispute due to important economic and strategic factors at the time. The Cold War was at an intense stage and Washington saw no gain in protecting the wishes of the Papuans when they saw a fast growing Soviet influence in

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<sup>86</sup> Warwick, 2016, p.2.

<sup>87</sup> Saltford, 2003, p.1.

<sup>88</sup> Leith, 2003, p.10.

<sup>89</sup> Idem, pp.10-11.

<sup>90</sup> Doran Stuart, 1999, pp.18-45.

Indonesia. The US needed to establish a better connection with president Sukarno to prevent the spread of communism in the region.<sup>91</sup>

With pressure from the US and its Kennedy administration, the Netherlands eventually agreed in 1962 to withdraw from West New Guinea and hand it over to a temporary UN administration. In the same year the Dutch and the Indonesians signed an agreement named 'the New York Agreement' stating that UN would subsequently transfer the administration of the territory to Indonesia. The agreement also affirmed that within five years a UN team would return to Indonesia to assist Indonesia in organising a referendum to determine whether the Papuans wished to be integrated into Indonesia, or choose independence.<sup>92</sup> Most western countries did not care about the future of the so-called 'stone age' Papuans. Particularly for the US the New York agreement had been seen as an important victory in the war against communism<sup>93</sup> and the European powers also seemed relieved that the issue was resolved. As one German Foreign Ministry official stated '*once the Indonesians get West New Guinea it might become a desert but who really cares?*'<sup>94</sup>

The UN Temporary Executive Authority ('UNTEA') administered West New Guinea from October 1962 – May 1963<sup>95</sup> but its responsibility of defending the rights and freedoms of the Papuans manifestly failed.<sup>96</sup> The Indonesian government began campaigning early for the UNTEA to withdraw and also for abandonment of any referendum where the Papuans would have a chance for self-determination.<sup>97</sup> Any act of Papuan resistance to Jakarta was not tolerated and was met with violent Indonesian response.<sup>98</sup> When the time had come for the Indonesian takeover president Sukarno went ahead and banned all existing Papuan

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<sup>91</sup> Leith, 2003, p.262.

<sup>92</sup> Saltford, 2003, pp.2-14.

<sup>93</sup> David, 1993.

<sup>94</sup> Saltford, 2003, p.14. with quote from Letter from the British Embassy, PRO:FO 371/166552 ,1962.

<sup>95</sup> Idem, p.2.

<sup>96</sup> Idem, p.72.

<sup>97</sup> Idem, p.31.

<sup>98</sup> Idem, pp.45-46.



political parties and prohibiting any political activity not sanctioned by the government.<sup>99</sup> The Indonesian military is said to have killed thousands of Papuans during the 1960s.<sup>100</sup>

In 1965 the political climate in Indonesia changed when political power moved from President Sukarno to General Suharto. Officially the strictly anti-communist Suharto did not become President of Indonesia until 1968 but he had at this time already established numerous pro-Western policies. In 1966 the Suharto regime announced that it would permit a referendum concerning self-determination for the Papuans.<sup>101</sup>

#### **4.2.1. The Act of Free choice**

In 1969 the time had finally come for a Papuan referendum that was to be called ‘the Act of Free Choice’. Regrettably GoI had decided rules for the vote that were entirely against the regulations set up by the New York agreement; Jakarta handpicked 1,024 individuals, who under close military supervision, were able to vote on the behalf of approximately one million Papuans. The UN had requested a democratic one man, one vote election but GoI refused, arguing that the Papuans were far too ‘primitive’ to take part in such a sophisticated process.<sup>102</sup> That any outcome of the election would not reflect the wishes of the Papuan people was however totally ignored by the international community.<sup>103</sup>

Witness statements from the participants of the Act of Free Choice have shown that there was nothing ‘free’ about the referendum. One of the hand picked representatives was Reverend Origines Hokojo, who has described how he and the other representatives were kept isolated for three weeks before the voting day. They were constantly pressured by the Indonesians to vote for integration or they were told serious consequences could happen to

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<sup>99</sup> Liem & Budiardjo, 1988, p.19

<sup>100</sup> Warwick, 2016, p.12

<sup>101</sup> Salford, 2003, p.89.

<sup>102</sup> Leith, 2003, pp.12-13.

<sup>103</sup> Salford, 2003, pp.118-119.

either them or their families. Speeches to be held at the referendum were carefully rehearsed and the reverend told that one man who resisted delivering his speech was found dead the next day.<sup>104</sup> In the end all 1,024 individuals voted for staying with Indonesia.<sup>105</sup>

A few months after the referendum the UN Secretary General presented his report regarding the Act of Free Choice to the UN General Assembly ('UNGA') stating that the representatives of the Papuan population had 'in accordance with Indonesian practice' unanimously chosen to remain with Indonesia.<sup>106</sup> In plenary meetings held to discuss the report several African countries spoke out against the Act, partly because they were afraid that if the UN let Indonesia manipulate the exercise of Papuan self-determination, then there would also be a risk remaining European colonialist would attempt similar 'Acts' in Africa.<sup>107</sup> The UN ambassador for Togo rejected Jakarta's argument of the Papuans being too 'primitive' to take part in a fully democratic referendum by quoting UNGA resolution 1514 (XV) from 1960 stating that inadequacy of political, economic, social or educational preparedness should never be an excuse for postponing independence in any country.<sup>108</sup>

In the end 84 countries voted to adopt a resolution taking note of the result of the Act and acknowledging the fulfilment by the UN of its responsibilities under the New York Agreement. No state voted against, but there were 30 abstentions. The resolution was recorded as Document A/L.576 in UNGA's official records and then the Assembly moved on to the next agenda item. This was the last UN interest in the rights of the Papuan people to self-determination.<sup>109</sup>

In 1962, when the New York Agreement was signed, the UN's official motive was to prevent a war between the Dutch and the Indonesians. However, when the Act of Free Choice took place there was no such justification. As there was no significant pressure from

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<sup>104</sup> Leith, 2003, p.263

<sup>105</sup> King, 2004, p.22.

<sup>106</sup> UNGA, Doc. A/7723, 19 November 1969, para.5-7

<sup>107</sup> Saltford, 2003, p.173.

<sup>108</sup> UNGA, Doc A/7723, 19 November 1969, Agenda item 98.

<sup>109</sup> UNGA A:RES:2504(XXIV) Draft A:L.574, 19 Nov 1969, Agenda item 98, & Saltford, 2003, p.175.

the international community to protect the Papuans, the UN saw no reason to weaken the West's strategy of supporting the anti-communist President Suharto. It was 'big power' Cold War politics that lead to the Papuans being robbed of their land.<sup>110</sup>

### **4.3. Indonesian Political and Economic Context**

Indonesia is considered one of the most diverse countries in the world. With an archipelago containing more than 13,500 islands that are the home of 250 million people, speaking over 700 different languages and practicing close to every religion in the world it would be an understatement to describe Indonesia as simply 'politically complex'.<sup>111</sup> The South East Asian country has only been a democracy since the collapse of the authoritarian New Order Government in May 1998. The political change that occurred in 1998 did however not completely break with the past; instead many of the characteristics of the old regime have remained intact<sup>112</sup> with corruption and nepotism still being rampant.<sup>113</sup> In 2014 Indonesia got a new president, Joko Widodo, commonly known as 'Jokowi', who fast became popular as being the first president candidate without a connection to the former authoritarian regime.<sup>114</sup>

In a meeting with Donald Tusk in April 2016, the European Council President praised the way Indonesia, the worlds largest Muslim majority country, has been fostering democracy, religious tolerance and human rights and ensured that the European Council would continue its interfaith exchange program with Indonesia.<sup>115</sup> Indonesia has since the 'Bali bombings' in 2002, where a nightclub on the Indonesian island of Bali was bombed by Islamic extremists, been deeply involved in the international cooperation against terrorism where

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<sup>110</sup> Saltford, 2003, pp.180-184.

<sup>111</sup> Economist, 2016.

<sup>112</sup> Sukma, 2010, p.19.

<sup>113</sup> Coca, 2016.

<sup>114</sup> Economist, 2016.

<sup>115</sup> Prasetyo, 2016.

the country is seen as a very important player.<sup>116</sup> After the Bali bombings the Indonesian government formed counter terrorism unit known as Detachment 88,<sup>117</sup> which has received training, funding and arms from and by the Australian, UK and US governments. Detachment 88 is frequently active in West Papua.<sup>118</sup>

Today Indonesia is the 16<sup>th</sup> largest economy in the world and projected to become somewhere between the 7<sup>th</sup> and 9<sup>th</sup> largest by 2030. The country has a geostrategic location, is already a G20 member and has been described as ‘the future of Asia’ and the future of the world’s economy’s ‘third leg’; the third leg after China and India.<sup>119</sup> Indonesia is a popular trading partner, with major exports being oil and gas, animal and vegetable fats and oil and electrical equipment and machinery. The country’s major export partners are The US, China, Japan, India and Singapore.<sup>120</sup>

#### **4.3.1. West Papuan Political Dynamics**

West Papua has the heaviest and most uneasy military presence in the country<sup>121</sup> with approximately 15,000 military forces stationed in the area. Both Papua and Papua Barat are filled with tension and the Papuans are still today intimidated and suppressed in order to hinder any kind of voicing of political views. The ban on political parties instituted in the 1960s is still in place, with a prohibition on the formation of any kind of local political parties.<sup>122</sup> The Papuan national flag, ‘the Morning Star’ is still banned and raising the flag is considered a crime that leads to a lengthy prison sentence.<sup>123</sup>

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<sup>116</sup> Blair & Phillips, 2003, p.21.

<sup>117</sup> Harvey, 2014.

<sup>118</sup> CJPCB, 2016, p.13.

<sup>119</sup> Al Azhari, 2016.

<sup>120</sup> Trading Economics, Indonesia Exports 1960-2016, at <http://www.tradingeconomics.com/indonesia/exports> (consulted on 8 June 2016)

<sup>121</sup> Bachelard, 2015.

<sup>122</sup> Warwick, 2016.

<sup>123</sup> MacLeod, 2015a, Loc.302

According to Jason MacLeod, the Indonesian government maintains its authority in West Papua by a number of contradictory and confusing policies that effectively have undermined any opposition and works by playing Papuan elites against one other. The Indonesian Government's legitimacy in West Papua is fragile as the Papuans never gave their consent to be governed and thus it is heavily dependent on external sources of power: economic, political and military support from Indonesia's elite allies namely the United States, England, Australia, Netherlands and Japan and fellow ASEAN countries. Even though there is a pretext of democracy in West Papua, Jakarta is always the final and decisive authority of policy. The political system in the two provinces may look good on paper but in reality Papuan politicians are routinely not consulted about policy decisions affecting the region. As no political parties are allowed, every Papuan politician must be a member of a national party, which effectively hinders any unwanted Papuan aspiration.<sup>124</sup>

In 2001, the Indonesian Government passed a Special Autonomy law for the West Papua region, which gave indigenous Papuans a higher degree of fiscal and administrative autonomy and also ensured access for more Papuans to higher leadership positions.<sup>125</sup> The law increased the Papuan control over revenues gained from natural resources and emphasized the need to empower indigenous Papuans. However, although the Special Autonomy has led to significant funds being distributed to the provinces, the law seems not to have made any noticeable difference in the area. The increased cash flow into the region has not been distributed to the areas where the money is most urgently needed; i.e. health, education and public infrastructure. Foremost the military control of the area has made it impossible for the grassroots to benefit from the increased resources and the civil service jobs that were given to the Papuans mainly favoured the Papuan elites instead of the general population. The outcome of the Special Autonomy law has thus mainly been an increased gap between the rich and the poor. The autonomy given has simply shown to be

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<sup>124</sup> Idem, Loc.1371-1415.

<sup>125</sup> Warwick, 2016, p.3.

more formal than substantive with lack of real democratic participation from the Papuans being especially problematic.<sup>126</sup>

#### **4.4. Human Rights Situation**

Since the Indonesian takeover of West Papua the Papuans have been subject to grave human rights violations both of civil and political and economic, social and cultural rights. The main underlying cause for the violations is the fact that the region is *de facto* controlled by the Indonesian military. The army has strong economic interests in West Papua as they take part in both legal and illegal business in the region such as logging and mining but also prostitution, extortion and the sale of alcohol.<sup>127</sup>

In May 2016, the Catholic Justice and Peace Commission of the Archdiocese of Brisbane ('CJPCB') published a report on a human rights fact-finding mission to West Papua titled 'We will lose everything'. The Pacific Island Forum Leaders Summit in September 2015 had agreed to send a fact-finding mission to West Papua, but as the Indonesian Government did not agree to this, the CJPCB took the initiative to send a shadow human rights fact-finding mission. The report discusses human rights abuses that have taken place in Papua since the Act of Free choice in 1969 until today. This report has been used frequently as a source of information for this chapter.<sup>128</sup>

##### **4.4.1. Human rights violations 1969 - 2009**

Resistance to the Indonesian takeover was ripe right after the 1969 referendum and so also was the brutal oppression by the Indonesian army. Bombings and strafing frequently

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<sup>126</sup> Idem, p.17.

<sup>127</sup> Idem, p.19.

<sup>128</sup> CJPCB, 2016, p.2.

occurred with the military aiming to eliminate Papuan political leaders speaking out against the occupation. Some of the most violent operations were as follows:

- In 1977 a three month period of bombing and strafing took place in the Highland region where ex-Vietnam aircraft OV-10 “Bronco” was used leaving an estimated 25, 000 Papuans dead.
- In 1997 further bombing and killings in the Central Highlands caused starvation and the death of thousands of Papuans living in the area.<sup>129</sup>
- In Biak, 1998, following a flag raising of the forbidden “Morning Star” a peaceful demonstration was attacked by Indonesian police and military and subsequently a large number of men, women and children were killed, tortured, raped and sexually mutilated. The attack has been described as “very well organized” and many of the dead bodies was allegedly dumped out at sea by Indonesian navy ships. The Indonesian Government has not undertaken any proceedings against any persons for the crimes against humanity perpetrated. However, a citizen’s tribunal was set up in Sydney, Australia at the request from West Papua Project at the Centre for Peace and Conflict Studies of the University of Sydney.<sup>130</sup>
- The targeted killings of major Papuan leaders such as Arnold Ap in 1984, Dr. Thomas Waingai in 1996, Theys Eluay in 2001 and Kelly Kwalik in 2009.<sup>131</sup>

#### **4.4.2. Human Rights Violations 2009 - Present**

During the CJPCB’s fact finding mission the Commission found that the Human Rights situation in West Papua has not improved at all from earlier years, with human rights violations by the Indonesian security forces frequently taking place. In April 2016, Haris Azhar, the coordinator of the Indonesian Commission for the Disappeared and Victims of

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<sup>129</sup> Idem, p.8.

<sup>130</sup> Biak Massacre Citizens’ Tribunal Verdict, 2013, pp.1-7.

<sup>131</sup> CJPCB, 2016, p.8.

Violence affirmed that his organization had recorded over 1,200 cases of beatings, harassment, torture and killings during the last year.<sup>132</sup> In the time period of April 2013 and December 2014 the number of documented extra-judicial killings of Papuans by Indonesian security forces amounted to 22 deaths. In December 2014 four school students were killed and 17 were injured when security forces opened fire into a group of Papuans protesting against excessive violence by security forces. Very few perpetrators of human rights violations are ever brought to justice in West Papua.<sup>133</sup>

President Jokowi has indicated a determination to change the Indonesian policy towards West Papua, with plans to open the area to international observers and ending the *transmigrasi* programs. However, the administration in Jakarta has been very reluctant to accept these changes and thus there has been no real change on the ground.<sup>134</sup>

### **Civil and Political Rights**

Civil and political rights are severely repressed in Papua with especially political aspirations, such as desire for freedom, being violently met by security forces. Freedom of expression is severely restricted as well as freedom of assembly. Torture and ill treatment and extrajudicial killings are frequently occurring in the region.<sup>135</sup>

At the end of 2014 at least 55 political prisoners were held in Papuan jails, many arrested for trivial crimes such as raising the Morning Star flag. In 2014 there were half as many recorded protests held in West Papua compared to the previous year, however nearly 90 % of these protests ended with arrests. Close to half of these arrests included reports of torture, ill treatment or cruel and degrading treatment.<sup>136</sup> 2016 has seen an increased amount of political demonstrations. In May 2016, as many as 1,888 students and activists were

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<sup>132</sup> Idem, pp.12-14.

<sup>133</sup> ICP, 2015, p.4.

<sup>134</sup> Idem, p.5.

<sup>135</sup> Idem, pp.10-11.

<sup>136</sup> Idem.



arrested for carrying out a peaceful rally to support the United Liberation Movement of West Papua's ('ULMWP') campaign to gain full membership of the Melanesian Spearhead Group ('MSG'). Many of the demonstrators were allegedly beaten and journalists were not permitted covering the arrests. Even if Indonesia often is portrayed as the largest democracy in Asia, voicing your aspirations in Papua is severely restricted.<sup>137</sup>

International scrutiny of the right to freedom of opinion and expression in West Papua continues to be strictly limited. Media Freedom is one of the civil and political rights being restricted the most in region. Local journalists continue to encounter intimidation and violence and foreign journalists are banned from freely visiting the two provinces altogether.<sup>138</sup> In May 2015 president Jokowi announced that journalists would have free access to West Papua but there has been no real change on the ground as media access is still severely restricted.<sup>139</sup>

Human rights defenders experience a particularly harsh climate in West Papua, risking being criminalized, intimidated and physically attacked. They have to work in a continuing atmosphere of fear and are extremely vulnerable.<sup>140</sup> Also supporters of the independence movement constantly live in fear as cases of poisoning and other mysterious deaths frequently occur. For example in 2014, the body of one independence group leader was found floating in a bag off a Papuan island after he had called for a demonstration to coincide with a visit of the then President Yudhuyono to the province of Papua Barat.<sup>141</sup> The GoI restricts presence of international human rights organisations and because of aggressive government policy; many international organizations have had to leave West Papua, which further isolates the region from international human rights observation.<sup>142</sup> As an example, The International Committee of the Red Cross was expelled in 2009 never to be let in again, and the Peace Brigades International was forced to close their offices as

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<sup>137</sup> Somba, 2016.

<sup>138</sup> ICP, 2015, pp.14-22.

<sup>139</sup> CJPCB, 2016, p.11.

<sup>140</sup> ICP, 2015, p.28.

<sup>141</sup> CJPCB, 2016, p.15.

<sup>142</sup> ICP, 2015, p.28.

government restrictions severely hindered their ability to carry out their work. Human Rights Watch ('HRW') and Amnesty International are also frequently denied visas to visit the region.<sup>143</sup>

### **Economic, Social and Cultural Rights**

As Indonesia has ratified the UN International Convention on Economic, Social and Cultural Rights ('ICESC') its government is obliged under international law to provide the highest standard of health to its Papuan citizens. As described earlier in this section (*see 4.1.*) the West Papuan health system is of a very poor standard and the region is struggling with extremely high rates of HIV/AIDS, high under-five mortality and high numbers of maternal deaths. Indonesia receives assistance from international NGOs such as the Clinton foundation and from bilateral donors such as USAID and AUSAID. Also UNICEF and the Global Fund to Fight Against Aids, Tuberculosis and Malaria have assisted in improving the Indonesian health service. However, when signing Memoranda of Understanding with these foreign actors, the GoI normally do not include the specific needs of the Papuans, thus the aid from organizations such as UNICEF rarely manage to make any sufficient difference to Papuan healthcare. A visit to Indonesia by the UN Special Rapporteur on the right to health has been requested, but the government has postponed the visit for several years without giving any information on when the visit can take place.<sup>144</sup> According to human rights organisation Elsham Papua, the Indonesian Government is not seriously committed to resolving the ongoing human rights violations in Papua.<sup>145</sup>

The large number of investment projects in West Papua has severely affected the Papuans cultural rights but also their right to food. By converting forestlands into logging areas or palm oil plantations, many Papuans have been displaced and have become victims of

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<sup>143</sup> Harvey, 2015, p.181.

<sup>144</sup> ICP, 2015, pp.54-60.

<sup>145</sup> Somba, 2016.

impoverishment and malnutrition. This will further be discussed in the following chapter, 4.7. *'Overview of Resource Industry Related Grievances'*.<sup>146</sup>

#### **4.5. Overview of Resource Industry Related Grievances**

Already by the beginning of the 20<sup>th</sup> century, the Dutch, British, American and Japanese were aware of the probable abundance of natural resources in West Papua. Oil was found in 1907, and the first discovery of copper took place in 1936.<sup>147</sup> Today it is commonly known that West Papua holds vast resources of not only copper and oil, but also gold, nickel, coal and gas. The Papuan ocean is full of fish and rich forests and fertile soils cover the highlands. This great wealth has attracted multiple mining, logging and plantation companies to the region.<sup>148</sup> Papua and Papua Barat are the most resource rich provinces of Indonesia and the government benefits tremendously from these resources, to the extent that one could say that the Indonesian economy is heavily dependent upon continued access to the West Papuan natural resources.<sup>149</sup> Unfortunately very few Papuans have had the opportunity to benefit from the wealth of their land and this forms the nucleus of the insecurity in the region.<sup>150</sup>

When the Indonesian government involves it self in Papuan politics, the discussion often goes that the root problems of the conflict, as well as the solution, is connected to economic development and the need for greater security. By economic development Jakarta refer to large-scale development projects, often resource-extractive projects. It is however these projects and the accompanied migration that allegedly causes the problems in the first place.<sup>151</sup>

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<sup>146</sup> Idem, p.65.

<sup>147</sup> Leith, 2003, p.1.

<sup>148</sup> ICP, 2015, p.83.

<sup>149</sup> Magallanes, 2015, p.245.

<sup>150</sup> Anderson, 2015, p.41.

<sup>151</sup> MacLeod, 2015a, loc.3742.

#### 4.5.1. P.T. Freeport Indonesia

It was in 1959 that Freeport Sulphur, the predecessor of today's mining titan Freeport McMoRan Copper and Gold ('Freeport') of the US, first heard about a giant copper output in the then West New Guinea. Freeport geologist Forbes Wilson immediately travelled to the remote island, and upon his return to the US he stated that this was most likely the largest above-ground copper deposit discovered up to that time. Forbes Wilson was proved to be right. The political climate at the time of the discovery was however not favourable for the type of investment Freeport was aiming for. Initially the political turmoil between Holland and Indonesia was a great obstacle, and once Indonesia took control over the region there were concerns over president Sukarno's perceived instability and pro-Communist bias.<sup>152</sup>

However, shortly after the 1965 military coup that overthrew Sukarno, Freeport officially opened negotiations with the new, more pro-West, Suharto led regime. One of the main priorities of the new administration was to gain international recognition and political support while at the same time attracting foreign aid and investment to promote stability, development and legitimacy. The country was also on the brink of bankruptcy and thus in dire need of foreign capital. In an attempt to get Indonesia back on its feet the new regime hired a group of US educated Indonesian economists, who together with International Monetary Fund and World Bank experts, had the task of designing a restructuring plan for the economy. In 1967, two years before the Act of Free Choice, Freeport became the first company to sign a contract with the Suharto regime and became an important political and economic actor within Indonesia.<sup>153</sup> Declassified US policy documents have disclosed the support Washington gave to the plan of Indonesian rule in West Papua; with Indonesia governing the region Freeport could be sure of getting permission to carve up West Papua's natural resources. Henry Kissinger, the then-US national security adviser, wrote in a letter

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<sup>152</sup> Leith, 2003, p.2.

<sup>153</sup> Idem, pp.2-3.

to president Nixon that a Papuan referendum on independence would be “meaningless among the Stone Age cultures of New Guinea”. Henry Kissinger was himself heavily involved with Freeport and later became one of the company’s board members, and played an important role in the dealings with Indonesia and Suharto.<sup>154</sup> In the more than 30 years that followed, the American company managed to operate with impunity in a business climate anchored in nepotism, collusion and corruption. The Suharto regime effectively protected Freeport both politically and physically and in exchange the regime received support from the company’s powerful friends in Washington.<sup>155</sup>

Today Freeport’s subsidiary, P.T. Freeport Indonesia, provides 1.59 percent of Indonesia’s gross domestic product, with payments made directly to the government between 1992 and March 2011 amounting to 12.1 billion US Dollars; this makes the company the country’s largest single taxpayer.<sup>156</sup> American Freeport MacMoRan still mainly owns the mine but also the British/Australian conglomerate Rio Tinto holds a large stake.<sup>157</sup> The mining deposit that is operated today, the Grasberg Mine, is one of the largest gold and copper mines in the world and takes home about 1,9 billion USD yearly.<sup>158</sup>

One of the main controversies around Freeport’s West Papuan mining operation has been the fact that the company hires Indonesian military and police to protect the mine and surrounding areas. With the heavy military presence grave human rights violations have followed; Australian anthropologist Chris Ballard, who worked for the company, and Abigail Abrash, an American human rights campaigner, have estimated that the Freeport security forces between 1975 and 1997 killed approximately 160 people. Freeport has never been directly linked to the human rights violations, although many Papuans have reported abuses taking place at company facilities.<sup>159</sup> In 2008 the yearly payment to support security forces was 8 million US dollar, and out of this amount 1,6 million went to ‘monthly

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<sup>154</sup> Harvey, 2014.

<sup>155</sup> Leith, 2003, pp.3-4.

<sup>156</sup> MacLeod, 2015a, loc.1153.

<sup>157</sup> Abplanalp, 2011, p.40.

<sup>158</sup> Kirksey, 2012, p.11.

<sup>159</sup> Bonner & Perlez, 2005.

allowances' for officers.<sup>160</sup> In 2014 the sum was up at \$27 million.<sup>161</sup> In May 2016 an extra 101 paramilitary police personnel were sent to West Papua with the task of guarding the Freeport mine against the separatist groups supposedly trained in 'guerrilla warfare'.<sup>162</sup>

According to Freeport's latest published sustainable development report from 2014, the company's Human Rights Policy requires Freeport and its contractors to undertake business in a manner consistent with the Universal Declaration of Human Rights. The company states that security risks in West Papua derive from separatist activities in the region, illegal mining, migration and social, political and ethnic tension within the local community and in other areas of West Papua. Freeport empathizes that the Indonesian government is the one responsible for employing police and military to protect the area of mining operations and to direct them in their work.<sup>163</sup> While Freeport cannot be blamed directly for human rights violations taking place in West Papua, it must be acknowledged that the military is the main perpetrators of human rights abuse and Freeport's presence increases the military presence around its concession area. There is a clear historical connection between the military brutality towards the Papuans, and the Papuans resistance to the company.<sup>164</sup>

#### **4.5.2. Other Natural Resource Extraction Projects**

Numerous international actors are active in West Papua's natural resource extraction industry. The most famous project after the Freeport mine is the British BP natural gas project in Bintuni Bay, Papua Barat. Australian miner Clive Palmer is another well-known actor who together with a network of Indonesian/Chinese miners is exploiting West Papua's nickel deposits. In the Panai district, the Australian mining company Paniai Gold, a subsidiary of West Wits Mining, is operating and also Australian Arc Exploration and

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<sup>160</sup> Belford, 2009.

<sup>161</sup> Freeport-McMoRan Inc., 2014, p.21.

<sup>162</sup> Hidayat & Faishal, 2016.

<sup>163</sup> Freeport-McMoRan Inc., 2014, pp.20-21.

<sup>164</sup> Leith, 2003, p.219.

British/South African Anglo American plc. are exploring for gold in the Birds Head region. A mix of Indonesian and foreign companies are conducting oil and gas operations in Sorong, Raja Ampat and Sarmi, and we can also find companies actively investing in coal, forestry and fisheries spread out over both provinces.<sup>165</sup> China has shown notable interest in West Papua in recent years; Chinese company Felix gold is planning to build a smelter in Timika that will be included in an industrial zone of 1000 hectare.<sup>166</sup>

With the vast number of both domestic and foreign companies investing in the Papuan resource industry, cultural and environmental degradation has followed. One of the latest examples of an Indonesian project in West Papua that causes grievances for the Papuans is the Merauke Integrated Food and Energy Estate ('MIFEE'). The project is causing severe environmental degradation and interferes with the Papuan's indigenous ways of living. MIFEE focuses on intensifying food production to feed both the domestic and international market and has substantial backing from overseas<sup>167</sup> with investors from e.g. Japan, South Korea, China, Singapore and the Middle East. The project was designed to 'feed the world' but without any regard to the indigenous Malind people living in the area.<sup>168</sup> Malnutrition and disease thought to be linked to pollution have followed, and as all MIFEE companies use military or police brigades as security, human rights abuse in the area have increased.<sup>169</sup>

BP entered West Papua in 2005 and has had a different approach compared to many other resource extracting companies in the region. The company early realised that security would be one of the most sensitive and difficult issues while operating their massive Tangguh Liquefied Natural Gas project in the Papua Barat province. BP, as is Freeport, is obliged to subsidise public security expenses mandated by the government, but as an alternative to only relying on the Indonesian security forces, the company has established

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<sup>165</sup> MacLeod, 2015a, loc.1186-1191.

<sup>166</sup> Jakarta Post, Chinese firm to build smelter in Papua, 23 April 2015, at <http://www.thejakartapost.com/news/2015/04/23/chinese-firm-build-smelter-papua.html> (Consulted on 03 June 2016)

<sup>167</sup> Magallanes, 2015, p.249

<sup>168</sup> Barber & Moiwend, 2011, pp.40-42

<sup>169</sup> Awas MIFEE, 2013.

its own Integrated Community Based Security strategy ('ICBS'). The ICBS strategy uses an unarmed 'inner ring' of Papuans for the every day security of the project. Instead of calling the military in case of escalation of any security problem, the ICBS strategy states that only the police can be called on. The strategy also includes a provision on human rights training for ICBS, police and military personnel, with the military only being called if a security incident were to severely intensify. The BP security system seems to be working successfully, and no security or human rights violations have been reported at the site during the 10 years of West Papuan operations.<sup>170</sup>

The material resources of West Papua are very important for the Indonesian economy and fifty years of Indonesian rule have shown that West Papua's land is much more important to the GoI than the Papuan people are. For the government, international and domestic support for its rule over the region is more important than enduring Papuan obedience. With the amount of money West Papua is bringing into the Indonesian state, the conflict in West Papua has not yet become enough of a political problem, either domestically or internationally, for the government to be forced to tackle the root problem of the ongoing violence.<sup>171</sup>

#### **4.6. Conclusion**

West Papua is a relatively unknown region with a complex history featuring exploitation and neglect by the international community. The Papuans lost their land to the Indonesians in a flawed vote for independence in 1969, all supported by the Western world and the UN in an attempt to stop the communist influence in the region. West Papua has since this time been home to one of the regions longest running anti-occupation and secessionist struggles; a struggle very few people have ever heard about.

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<sup>170</sup> McKenna, 2015.

<sup>171</sup> MacLeod, 2015a, loc.520-529.



Despite being extremely rich in natural resources, West Papua is still one of the poorest areas in Indonesia. Human rights abuse is rife in the region, with the Indonesian military and police being the main perpetrators. The government is keeping a tight grip on the region by cracking down on any activity connected to the independence struggle. Much of the human rights abuse is also connected to the resource industry, which hires security forces from the Indonesian government to protect its concessions. Although the recent years have seen a relatively low number of conflict related deaths, there is no doubt the human rights of the Papuans are being severely violated. Despite this Indonesia is increasingly becoming a popular trading partner and is also one of the most of the West's most important allies in the 'war on terror'.

## **5. THE WEST PAPUAN CONFLICT IN AN INTERNATIONAL CONTEXT**

This chapter aims to look at how the international community perceives and has acted in the conflict in West Papua today. It starts with presenting the most recent developments regarding the independence movement and the increase in international attention it has received. The chapter then moves on to present how the conflict has been managed by the UN system in the most recent decade. This part of the thesis also examines how the conflict has been recognized within the EU and lastly it aims to answer one of the research questions of the study – is the conflict in West Papua simply forgotten by the international community, or is it more consciously ignored? Or has the conflict been neither forgotten nor ignored?

### **5.1. Internationalisation of the Conflict**

In West Papua there has been an independence movement active since the early 1950s, with the movement's core initially being made up of a small number of poorly armed Papuans, operating in a network of decentralized guerrilla groups based in the West Papuan interior.<sup>172</sup> Today we find a polycentric independence movement that is much more dispersed than the initial guerrilla network. The wide range of groups has different allegiances aggregating around place, personality, organizational politics and cultural connections.<sup>173</sup>

With a spatial shift from rural to urban based activity by the independence movement West Papuan activists are using new channels such as social media to get their message out to the world.<sup>174</sup> More recently especially the Free West Papua Campaign and the United

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<sup>172</sup> MacLeod, 2015b, p.45

<sup>173</sup> Idem, p.51.

<sup>174</sup> MacLeod, 2015a, loc.3250-3254

Liberation Movement for West Papua have managed to gain increased international attention. ULMWP's main mission is to through peaceful means establish an independent and democratic state of West Papua, claiming that the Act of Free choice in 1969 was a fraud and that West Papua thus has been denied its right for a fair self-determination process in accordance with international law.<sup>175</sup>

One of the three organisations making up the ULMWP is the West Papuan National Coalition for Liberation ('WPNCL'). In 2013 WPNCL applied for membership of the MSG, an organization of Melanesian countries founded in 1983 by Fiji, Papua New Guinea, the Salomon Islands, Vanuatu and New Caledonia.<sup>176</sup> The Papuan delegation received a fair amount of support from the MSG but its leaders were asked in 2014 to unite further and to create an umbrella organization to apply for a new MSG membership; this is how ULMWP was born. In June 2015 the MSG accepted ULMWP as an observer, and according to the organisation this has lead to increased international support.<sup>177</sup> Vanuatu has been the leading state supporting the ULMWP's membership of the MSG, and has explicitly expressed their support for West Papua's right to self-determination.<sup>178</sup> At the same time the Solomon Islands has established itself as a champion of human rights for the region.<sup>179</sup> In June 2015 both the Samoan and Tongan governments voiced support for ULMWP and their mission of achieving independence. Both PNG and Fiji have argued against ULMWP becoming a full member of the MSG, and both countries have been promised hundreds of million dollars worth of trade from the Indonesian Government.<sup>180</sup>

According to the ULMWP the organization made its major breakthrough in May 2016 when the UK Labour party leader Jeremy Corbyn drew attention to the West Papuan cause at a meeting of the International Parliamentarians for West Papua in the British House of Parliament. The meeting consisted of Pacific region ministers and leaders and resulted in a

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<sup>175</sup> ULMWP, 2016.

<sup>176</sup> Leadbeater, 2016.

<sup>177</sup> ULMPW, 2016.

<sup>178</sup> Hernawan, 2016.

<sup>179</sup> Leadbeater, 2016.

<sup>180</sup> MacLeod, 2015a, loc.4164-4168.

call for an UN-supervised independence vote for West Papua. Corbyn described the meeting as ‘historic’ and said that the outcome of the meeting constitutes a good framework for moving towards increased recognition of West Papua’s human rights issues and the right for the Papuans to repeat their vote for independence from Indonesia. The Labour leader said the international community could keep ‘pretending the issue will go away’ or it could ‘do something bold’.<sup>181</sup> The Indonesian response was immediate, with the government responding by sending a delegation to the U.K. to speak to local Members of Parliament and church leaders.<sup>182</sup> The Indonesian government condemned the meeting at the British House of Parliament, calling it “a reflection of colonial acts” and affirmed that Indonesia’s control of Papua is ‘final’.<sup>183</sup> Public records state that the Indonesian government has invested 20 million USD in order to disrupt ULMPW campaigning.<sup>184</sup>

The Pacific Island Forum has also raised concerns over the situation in West Papua. In 2015 West Papua was one of the five priority issues adopted by the forum and in June 2016 13 out of 47 proposals made by various sectors to the forum highlighted the situation in West Papua. The Pacific Island Forum will this year focus on drawing attention to the issue on the international stage, such as the UN and its Human Rights Council.<sup>185</sup>

While conducting the research for this study, the researcher witnessed an increase in solidarity groups becoming involved West Papua, especially in the Pacific region. As well as increased support from MSG countries, more and more grass-roots movements supporting West Papua are being created in New Zealand and Australia. This was confirmed by an email-interview with the Sydney office of the Australian West Papua Association (‘AWPA’), where the respondent confirmed that his organisation is seeing an

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<sup>181</sup> Davidson, 2016.

<sup>182</sup> Radio New Zealand, Jakarta turns to Britain to explain Papua situation, 16 May 2016, at <http://www.radionz.co.nz/international/pacific-news/303996/jakarta-turns-to-britain-to-explain-papua-situation> (Consulted on 01 June 2016)

<sup>183</sup> Radio New Zealand, Vanuatu minister rejects Jakarta's West Papua claims, 09 June 2016, <http://www.radionz.co.nz/international/pacific-news/303413/vanuatu-minister-rejects-jakarta-s-west-papua-claims> (Consulted on 01 June 2016)

<sup>184</sup> MacLeod, 2015a, loc.4126.

<sup>185</sup> Lanyon, 2016.

increase of support for the cause among Australian activist groups. According to AWPAA there is a massive and growing support for West Papua in the Pacific region.<sup>186</sup> The New Zealand<sup>187</sup> and Australian governments have however, not changed their policy towards the West Papua issue.<sup>188</sup> New Zealand diplomats make regular visits to West Papua and reading their reports there are indications that they have a clear picture of the situation on the ground. The Embassy officials want to make a positive difference but they are partisan in a situation of strong internal conflict. New Zealand's official policy is to support Indonesia's right to preserve its territorial integrity. According to the New Zealand government, the best way to a peaceful solution in West Papua is to ensure a full implementation of the Special Autonomy law.<sup>189</sup> Regarding the Australian West Papuan policy, the country together with Indonesia negotiated the Lombok treaty in 2006 which contained a 'Papua Clause'. This clause ensures that the Australian government does not offer any support to any activist engaging in the West Papuan issue, and guarantees Indonesia that Australia will unconditionally recognize Indonesian sovereignty in West Papua.<sup>190</sup> In a meeting between the two countries in December 2015, Australia and Indonesia reached a mutual agreement on the strength of their bilateral relationship. The meeting focused on national security including cooperation in counter-terrorism, deradicalisation and intelligence sharing as well as economic relations.<sup>191</sup>

## **5.2. The West Papua Conflict and the United Nations Human Rights Mechanism**

In the time period of 2013-2014 Indonesia underwent three reviews by UN human rights treaty bodies. The three bodies were the Human Rights Committee ('CCPR'), Committee

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<sup>186</sup> Collins, E-mail interview, 18 June 2016. Also see Webb-Gannon, 2015, pp.5-7.

<sup>187</sup> Leadbeater, E-mail interview, 25 May 2016.

<sup>188</sup> Webb-Gannon, 2015, p.4.

<sup>189</sup> Leadbeater, 2010, p.3.

<sup>190</sup> Webb-Gannon, 2015, pp.4-5

<sup>191</sup> The Guardian, 2015.

on Economic, Social and Cultural Rights ('CESCR') and the Committee on the Rights of the Child ('CRC'). Between 2007–2012 also the Committee on the Elimination of discrimination against Women ('CEDAW'), Committee against torture ('CAT') and Committee on the Elimination of Racial Discrimination ('CERD') undertook reviews of Indonesia.<sup>192</sup>

The CCPR examined the implementation of the International Covenant on Civil and Political Rights by Indonesia for the first time in 2013, and West Papua was mentioned during the discussions.<sup>193</sup> CCPR raised concerns at increased reports of excessive use of force in parts of Indonesia, West Papua being one of them. The committee voiced its concern that the Indonesian government uses state security apparatus to punish human rights defenders and other political dissenters. The CCPR also expressed concern over excessive restrictions on the freedom of assembly and expression by West Papuan protesters.<sup>194</sup>

CESCR and CRC both mentioned West Papua in their concluding observations to Indonesia. The CRC explicitly mentioned that indigenous children in Papua are victims of militarization and extraction of natural resources on their lands.<sup>195</sup> CESCR asked the Indonesian government some specific questions about West Papua; mainly about the impact of the resource industry on Papuan human rights.<sup>196</sup>

The CEDAW concluding observations briefly acknowledged the conflict in West Papua, stating that the committee is concerned about the failure of Indonesia to prosecute and punish those responsible for violations of the human rights of women committed during the

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<sup>192</sup> UNHCR, Human Rights by Country – Indonesia, 2016, at <http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/IDIndex.aspx> (Consulted on 10 June 2016)

<sup>193</sup> ICP, 2015, p.97.

<sup>194</sup> CCPR/C/IDN/CO/1, 21 August 2013, paras.16, 28.

<sup>195</sup> CRC/C/IDN/CO/3-4, 10 July 2014, paras.51, 57c & 69.

<sup>196</sup> ICP, 2015, p.100.

conflict. CEDAW also mentioned the fact that many women have been displaced by military operations targeting freedom rebels in the region.<sup>197</sup>

CAT concluding observations on Indonesia in 2008 does not draw a lot of attention to the situation in West Papua. In paragraph 11 the committee however expresses deep concerns about allegations of disproportionate and routine use of force and widespread torture and other cruel, inhuman and degrading treatment or punishment by members of the security and police forces. West Papua is mentioned as one of the armed conflicts where these violations have been prevalent.<sup>198</sup> Neither does the CERD report regarding Indonesia provide much insight into the situation of the Papuans, but it does include a discussion on the Special Autonomy Law.<sup>199</sup>

In 2013 the then UN High Commissioner for Human rights, Navi Pillay, raised serious concerns about human rights violations during crackdowns on mass demonstrations in West Papua. She condemned the suppression of freedom of expression and the use of excessive force by security forces. The high commissioner urged the Indonesian government to hold the people guilty of abuses accountable, and to allow peaceful protest in West Papua.<sup>200</sup>

### **5.2.1. The Human Rights Council**

In March 2014, West Papua was on the agenda of the UN Human Rights Council (“HRC”) when the then Prime Minister of Vanuatu, Moana Kalosil Carcasses, reminded the Council of the ongoing human rights abuses in West Papua. The Prime Minister alleged the international community was neglecting the voices of the Papuans.<sup>201</sup> Half a year earlier,

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<sup>197</sup> CEDAW/C/IDN/CO/6-7, 07 August 2012, para.27.

<sup>198</sup> CAT/C/IDN/CO/2, 02 July 2008, para.11.

<sup>199</sup> CERD A/62/18, 2007, para.364.

<sup>200</sup> ICP, 2015, p.97.

<sup>201</sup> Idem, See the Statement of the UN High Commissioner on Human Rights at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13287&LangID=E> Fix (consulted 10 June 2016)

Moana Kalosil Carcasses also delivered a statement at the 68<sup>th</sup> UN General Assembly meeting in New York, calling on the UN to assign a Special Representative to review the political status of West Papua and to investigate human rights allegations. Also this time the prime minister stated that the UN has consistently been ignoring the West Papua issue.<sup>202</sup>

*'How can we then ignore hundreds of thousands of West Papuans who have been brutally beaten and murdered? The people of West Papua are looking to the UN as a beacon for hope... Let us, my colleague leaders, with the same moral conviction yield our support to the plight of West Papuans. It is time for the United Nations to move beyond its periphery and address and rectify some historical errors.'*<sup>203</sup>

The Vanuatu Prime Ministers call to the UN is the first time a call at that level has been made in the world body.<sup>204</sup> Also in March 2016 the issue of West Papuan human rights violations was on the HRC agenda when the Salomon Islands diplomat Barrett Salato raised his concerns at a HRC meeting in Geneva. The diplomat called on Indonesia to allow UN special procedures to travel to the region and to establish a dialogue with West Papuan representatives.<sup>205</sup>

### **5.2.2. Special Procedures**

Indonesia does not have a standing invitation for the UN special procedures and has been very selective with regard to which Special Procedures visits the country will accept. As of

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<sup>202</sup> ICP, 2015, p.98.

<sup>203</sup> See the statement of Prime Minister of Vanuatu during the 68th Session of the UNGA at [http://gadebate.un.org/sites/default/files/gastatements/68/VU\\_en.pdf](http://gadebate.un.org/sites/default/files/gastatements/68/VU_en.pdf) (Consulted 10 June 2016)

<sup>204</sup> ICP, 2015, p.98

<sup>205</sup> UNPO, 2016.



June 2016, Indonesia had 21 outstanding requests.<sup>206</sup> For example, the Special Rapporteur on freedom of religion and belief has been denied a visit for 20 years.<sup>207</sup> In 2013 the Special Rapporteur on freedom of expression expressed his wish to visit the country, with a trip to West Papua included in his schedule. To today's date the visit still has not taken place as the Indonesian government has postponed the visit without proposing any definitive date.<sup>208</sup>

Four country visits to Indonesia by Special Procedures have taken place during the last ten years; the Special Rapporteur on the human rights of migrants (2006), Special Representative of the Secretary-General on human rights defenders (2007), Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (2007) and the Special Rapporteur on adequate housing (2013).<sup>209</sup>

The then Special Representative of the Secretary-General on human rights defenders, Hina Jilani, raised numerous concerns about the violations human rights defenders suffer in West Papua. In her country report 10 paragraphs are dedicated solely to West Papua, stating that a climate of fear undeniably prevails in the region. The Special Representative raised concerns about human rights defenders working for environment preservation and rights over land and natural resources frequently receiving threats from powerful private actors with economic interest in West Papua. In her conclusions Jilana stated that she believes that the ability of human rights defenders in West Papua are adversely affected by the increased military presence in the region.<sup>210</sup>

The then Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, gave attention to the situation in West Papua during his visit

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<sup>206</sup> Special Procedures – Indonesia, [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=IDN](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=IDN) (consulted 11 June 2016)

<sup>207</sup> Amnesty International, 2015, p.1.

<sup>208</sup> ICP, 2015, p.101.

<sup>209</sup> Special Procedures – Indonesia, at [http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=IDN](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=IDN) (consulted 11 June 2016)

<sup>210</sup> A/HRC/7/28/Add.2, 28 January 2008, paras 64-65, 66-72, 86.

to Indonesia in 2007. Nowak visited nine prisons and detention facilities in West Papua, and in his report the Rapporteur mentions West Papua multiple times. The Special Rapporteur was pleased with the openness he witnessed in West Papuan prisons, stating that even prisoners charged with political offenses were able to enjoy a relatively open prison environment. Nowak was however concerned by reports, alleging use of excessive force by Indonesian security forces and the fact that paramilitary police conduct ‘sweeping’ operations in search of alleged independence activists and their supporters. This excessive violence can amount to cruel, inhuman and degrading treatment and the rapporteur thus requested the Indonesian Government to take all necessary steps to stop its police and military using unwarranted violence. The 2007 report by Nowak examines the situation in West Papua very thoroughly and specifically mentions that Papua is a conflict area.<sup>211</sup> Also the 2015 report on country communications by the current SRT Juan E. Mendez, mentions West Papua, condemning the Indonesian government for not responding to the communication made by Mendez, and thus not complying with their obligation as set out in the Convention against Torture.<sup>212</sup>

On the contrary, none of the reports by the Special Rapporteur on the human rights of migrants and the Special Rapporteur on adequate housing mention West Papua.<sup>213</sup>

### **5.2.3. Universal Periodic Review**

Indonesia has been subject to review by the Universal Periodic Review (‘UPR’) two times; 2008 and 2012. The next review for Indonesia is coming up in May 2017.<sup>214</sup>

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<sup>211</sup> A/HRC/7/3/Add.7, 10 March 2008, paras.7, 33, 39, 86.

<sup>212</sup> A/HRC/28/68/Add.1, 6 March 2015, para.204.

<sup>213</sup> A/HRC/4/24/Add.3, 2 March 2007 & A/HRC/25/54/Add.1, 26 December 2013.

<sup>214</sup> UPR Indonesia, at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/idsession1.aspx> (consulted on 11 June 2016)

In its 2008 UPR National report, Indonesia chose not to mention the human rights situation in West Papua. The compilation prepared by the Office of the high Commissioner of Human Rights ('OHCHR') shows however high awareness of human rights abuse in West Papua multiple times and mentions the regions heavy militarization.<sup>215</sup> The summary report of stakeholder submissions also paid great attention to the situation in West Papua. The report talks about West Papua as a 'conflict area' and that it still requires much improvement on the rule of law.<sup>216</sup> However, according to the Report of the Working Group on the UPR, only five countries out of forty-three mentioned the situation in West Papua during the interactive dialogue. These countries were Germany, Canada, United Kingdom, the Netherlands and France.<sup>217</sup>

In the report of the HRC on its eight session, the Council included a summary of the views expressed on the outcome by the States reviewed during the first and second UPR sessions. Regarding Indonesia, the report stated that Franciscans International, also on behalf of Pax Romana and Dominicans for Justice and Peace, was not satisfied with the response to the issues raised concerning West Papua. Franciscan International stated that the questions raised by various states on West Papua were never answered by Indonesia, and that West Papua was completely left out of the recommendations.<sup>218</sup>

In its 2012 UPR National report Indonesia mentions briefly West Papua as one of its challenged areas. The Government states that it has undertaken special measures, including dialogue with all related stakeholders, and that it has established a special Unit for the Acceleration of Development in the region. Indonesia also states that the president has been instructed to replace the previous security approach with a "welfare and justice approach".<sup>219</sup> The OHCHR compilation refers to West Papua in six out of 62 paragraphs, mostly discusses the concerns raised by the visits by the Special Rapporteurs to the region,

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<sup>215</sup> A/HRC/WG.6/1/IDN/2, 31 March 2008, paras.13-14, 29-30, 33.

<sup>216</sup> A/HRC/WG.6/1/IDN/3, 06 March 2008, paras.7-9, 15

<sup>217</sup> A/HRC/8/23,14 May 2008, paras.41, 46, 50, 52

<sup>218</sup> A/HRC/8/52, 01 September 2008, paras.368, 370.

<sup>219</sup> A/HRC/WG.6/13/IDN/1, 07 March 2012, para.125.

for example allegations of ‘village sweeping’, racial discrimination and severe restriction of freedom of expression.<sup>220</sup>

The UPR Stakeholder summary from 2012 is once again critical of the Indonesian Government for the way it has handled the situation in West Papua. The stakeholders raise concerns about for example killings and violence in connection with a Freeport strike, the frequently occurring arbitrary detention and failure to establish truth commissions for West Papua. The compilation certainly offers a clear picture of the human rights situation in West Papua, especially with regard to the limited amount of pages that the report is allowed to have (ten pages).<sup>221</sup>

At the 2012 UPR session the number of countries’ delegations mentioning West Papua in their communications or/and recommendations had increased to twelve; Switzerland, UK, US, France, Germany, Italy, Japan, Norway, Republic of Korea, Mexico, New Zealand and Canada. The number of countries participating had however also increased to 74 delegations.<sup>222</sup> Indonesia refused however to accept several recommendations of importance for West Papua.<sup>223</sup> As the second cycle of UPR is not yet completed, there is still no report discussing the outcome of the cycle, and thus this study cannot report on any comments given on the efforts undertaken by Indonesia to improve the situation in West Papua in line with the recommendations given during the session.

### **5.3. West Papua and the European Union**

The European Union profiles itself as a worldwide promoter and protector of human rights, rule of law and democracy and states that human rights are at the very heart of its relations with other countries and regions. When the EU establishes agreements on trade or

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<sup>220</sup> A/HRC/WG.6/13/IDN/2, 12 March 2012, paras.8-9, 14, 16, 43-44.

<sup>221</sup> A/HRC/WG.6/13/IDN/3, 09 March 2012, paras.9, 25, 29, 38, 49.

<sup>222</sup> A/HRC/21/7, 05 July, 2012, paras.36, 45-46, 72-73, 98, 108.3, 108.115, 109.15.

<sup>223</sup> ICP, 2013, pp.74-75.

cooperation with non-EU countries, there is always a human rights clause in the agreement, specifying that human rights are central to relations with the EU. The EU also pursues human rights dialogues with over forty countries;<sup>224</sup> Indonesia is one of these countries.<sup>225</sup> The researcher thus found it interesting to investigate how much knowledge the EU has about the conflict in West Papua, and what it has done to assist in improving the present situation.

EU published its latest annual report on human rights and democracy in the world in 2015; although the report contains a chapter on Indonesia, it does not mention West Papua.<sup>226</sup>

### **5.3.1. Bilateral EU-Indonesian relations**

Indonesia has signed a Partnership and Cooperation Agreement ('PCA') with the EU, which provides the legal and political umbrella for the bilateral relations between the two parties. Included in the PCA is a human rights dialogue. According to the European External Action Service ('EEAS') there is an enormous interest from European companies to export to and invest in Indonesia. In 2015 EU and Indonesian bilateral trade amounted to 25,3 billion Euros and same year EU represented the second biggest non-oil and gas export market for Indonesia, second only to the US.<sup>227</sup>

In April 2016, President Jokowi made a visit to the EU institutions. The EU and Indonesia decided at the meeting to boost their economic relations and further advance cooperation on global and regional challenges. EU stated it would continue to import timber from Indonesia and also strengthen cooperation on sustainable palm oil.<sup>228</sup> Indonesian Crude

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<sup>224</sup> European Union, Human Rights, at [http://europa.eu/pol/rights/index\\_en.htm](http://europa.eu/pol/rights/index_en.htm) (Consulted on 13 June 2016)

<sup>225</sup> Council of the EU, Press Release, 2014.

<sup>226</sup> The European Union, 2015, p.241.

<sup>227</sup> EEAS, EU-Indonesia Relations, at [http://eeas.europa.eu/factsheets/news/eu-indonesia\\_relations\\_factsheet\\_en.htm](http://eeas.europa.eu/factsheets/news/eu-indonesia_relations_factsheet_en.htm) (Consulted 16 June 2016)

<sup>228</sup> European Commission, Statement/16/1516, 2016.

Palm oil represents today 54 percent of all EU imports of the commodity.<sup>229</sup> The parties will also cooperate in fighting climate change and will step up their cooperation in fighting extremism and terrorism even further. *‘The European Union and Indonesia enjoy close relations based on shared values of democracy and good governance, respect for human rights, and the promotion of peace, stability and economic progress.’*<sup>230</sup>

### 5.3.2. The EU-Delegation in Jakarta

Since 1988 the EU has been represented in Indonesia by the Delegation in Jakarta. The EU delegation undertakes, facilitates and promotes all activities with Indonesia, whatever the area.<sup>231</sup> The researcher found it difficult to find documents online regarding the work the EU is doing on Human Rights in Indonesia but when contacting the EU-delegation she was kindly offered an interview with the EU Delegation’s Human Rights focal point, Florian Witt. Witt explained that most documents regarding EU–Indonesian Human Rights relations are not official documents and only distributed internally. Witt however was extremely helpful in answering thoroughly all questions asked by the researcher and showed deep knowledge regarding the political situation in West Papua. The EU-Indonesian human rights dialogue has, up until today, held five sessions. Papua tends to feature in these discussions and as far as Witt can recall, West Papua has been brought up in every session held up to date.<sup>232</sup>

The EU has a specific human rights strategy for Indonesia in which the situation is evaluated and priority issues are chosen that EU thinks are the most pressured issues to work with. The agenda for the human rights dialogue must be mutually agreed by both

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<sup>229</sup> EEAS, EU-Indonesia Relations, at [http://eeas.europa.eu/factsheets/news/eu-indonesia\\_relations\\_factsheet\\_en.htm](http://eeas.europa.eu/factsheets/news/eu-indonesia_relations_factsheet_en.htm) (Consulted 16 June 2016)

<sup>230</sup> European Commission, Statement/16/1516, 2016.

<sup>231</sup> EEAS, The Role of the EU Delegation, at [http://eeas.europa.eu/delegations/indonesia/about\\_us/delegation\\_role/index\\_en.htm](http://eeas.europa.eu/delegations/indonesia/about_us/delegation_role/index_en.htm) (Consulted on 16 June 2016)

<sup>232</sup> Florian Witt, Phone-interview, 21 June 2016.

parties, and according to Witt, West Papua remains a fairly sensitive issue. When the EU discusses West Papua with Indonesia it does not put the region as a single issue on the agenda, as that would create resistance from the Indonesian government. Instead EU may use examples from the area when discussing wider thematic issues. The EU finds the key concerns in West Papua to be freedom of expression, human rights violations carried out by Indonesian security services and the general of impunity of the police and military. The EU is also concerned by the use of sedition laws to imprison Papuans for peaceful protest.<sup>233</sup>

The EU delegations focal point for human rights also stated in the interview that the EU is following the situation in West Papua closely and travels there may not be on a frequent basis, but ‘as often as possible’. Mr. Witt himself visited the region in 2010 and 2012 and the former EU Ambassador visited West Papua in 2014. The present EU ambassador visited West Papua in early June 2016 with the aim of monitor ongoing EU projects in the area and to visit local government, civil society groups and church leaders in order to get an impression of the current mood and recent developments in the region. The EU also meets with NGOs involved in the West Papua issue on a regular basis, with Papuan activists and with proponents of the Jakarta–Papua dialogue. The EU follows this dialogue quite closely and Witt states that the dialogue has not been moving forward in the desired way, but that there have still been positive developments as the dialogue has put West Papua more on the agenda of the Indonesian government.

### **5.3.3. Sub-Committee on Human Rights**

In January 2014 the European Parliament’s Sub-Committee on Human Rights held a hearing on human rights abuses in West Papua. Members of the European Parliament (‘MEPs’) underlined that the situation in West Papua had been ignored for too long and called for increased EU involvement. Zely Ariane from the organization ‘National Papua

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<sup>233</sup> Idem.

Solidarity’ in Jakarta asked the EU to put pressure on the Indonesian government to continue their commitment to hold a dialogue with the Papuans.<sup>234</sup> Shortly after the meeting, 16 MEPs were signatories on a letter to the then High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, with the aim of bringing further attention to the ‘*pressing human rights situation*’ in West Papua.<sup>235</sup>

The researcher had the opportunity to interview Zely Ariane, and according to her unfortunately the meeting at the sub-committee did not get the result her organisation had hoped for. The meeting was however followed up by the International Coalition for West Papua.<sup>236</sup> The ICP stated in May 2015 that they had indeed been invited once again to the European Parliament on 05 May 2015 to again discuss the situation in West Papua.<sup>237</sup>

#### **5.3.4. Parliamentary Questions**

By searching the European Parliaments (‘EP’) database, the researcher found that since 2006 EU institutions and bodies have received ten parliamentary questions regarding the situation in West Papua. The questions given are spread across the investigated time period. Parliamentary questions were asked by MEPs from various institutions and bodies of the EU and showed quite wide knowledge about the situation in West Papua.<sup>238</sup>

Some of the questions asked were:

In September 2006, Margrietus Van Den Berg asked the EU Council if a previously planned visit by the troika of EU ambassadors to West Papua had taken place. The EU

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<sup>234</sup> ICP, Access to West Papua and human rights abused raised in EU Parliament hearing, 23 January 2014, <http://us5.campaign-archive1.com/?u=e9aacf53193e3e7e43248d15e&id=5d8205938e&e=3dd1fa705e> (Consulted at 17 June 2016)

<sup>235</sup> EP, MEP letter to Catherine Ashton, 26 March 2014.

<sup>236</sup> Zely Ariane, E-mail interview, 03 June 2016.

<sup>237</sup> ICP, 2015b.

<sup>238</sup> EP, Search Results for West Papua, at <http://www.europarl.europa.eu/portal/en/search?q=west%20papua&start=0> (Consulted 14 June 2016)



council representative replied that the visit was put on hold, because of considerations of the *'high degree of sensitivity the situation in Papua generated in domestic Indonesian political affairs and in order not to jeopardise both the ongoing peace process in Aceh and the Aceh Monitoring Mission'*.<sup>239</sup> In March 2008 Proinsias De Rossa repeated the question about the planned West Papua visit by the EU Troika. This time the Council answered that the visit had taken place in the form of a fact-finding mission to gather insight into the West Papuan political and socio-economic situation and stated that according to EU the local authorities are *'genuinely committed to implementing programmes to accelerate development'*.<sup>240</sup>

Cornelis de Jong from the Netherlands asked the Commission in January 2011 questions connected to freedom of religion or belief in Indonesia and West Papua. De Jong raised concerns about the hardships the Papuans are facing, e.g. humanitarian challenges, discrimination, inadequate healthcare and environmental degradation. High Representative Ashton answered that the EU provides assistance in West Papua, especially in the health sector but also on supporting rights issues and the increase of democratic participation. Ashton stated that EEAS closely follows the West Papua situation and that EU respects the territorial integrity of Indonesia.<sup>241</sup>

In June 2012 Fiorello Provera asked the High Representative about the curtailment of NGO work in West Papua and if there were any plans to discuss this matter with the Indonesian President. Provera also asked what measures EU officials stationed in Indonesia are taking to monitor events in the region. Catherine Ashton answered on the behalf of the Commission that she followed the developments in West Papua closely and that the matter

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<sup>239</sup> EP, Parliamentary questions, 01 September 2006, <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2006-1517&language=EN> (Consulted 14 June 2016)

<sup>240</sup> EP, Parliamentary questions, 06 March 2008, at <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2008-1278&format=XML&language=EN> (Consulted 14 June 2016)

<sup>241</sup> EP, Parliamentary questions, 18 January 2011, at <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2011-000058&format=XML&language=EN> (Consulted 14 June 2016)

was important for the EU's overall relationship with Indonesia and that *'The EU supports the steps taken by the Indonesian Government and Papuan representatives on the political and economic future of Papua and West Papua.'*<sup>242</sup>

In 2014 James Carver from the UK asked the Commission to clarify its official opinion on the issue of sovereignty over West Papua. The Commission replied that the EU respects the territorial integrity of Indonesia and that EU regards both Papua and Papua Barat as being a part of Indonesia.<sup>243</sup> This was the last time West Papua was the subject of a Parliamentary question.

#### **5.4. The West Papua Conflict – Forgotten, Ignored or neither?**

As discussed earlier in this thesis numerous studies and articles refer to the conflict in West Papua as *one of the most forgotten conflicts in the world today*. In order to understand the factors behind the West Papuan conflict being largely unknown internationally, the researcher first had to understand if this is because the international community simply has *forgotten* about the conflict or if it more deliberately *ignores* the conflict.

In order to come to a conclusion on the matter, the researcher based her result on both her own research into what organisations such as UN and EU have done regarding the situation in West Papua, and on the opinions of the people interviewed for the study.

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<sup>242</sup> EP, Parliamentary questions, 04 June 2012, at <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-003036&language=EN> (Consulted 15 June 2016)

<sup>243</sup> EP, Parliamentary questions, 03 September 2014, at <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2014-006539&format=XML&language=EN> (Consulted 14 June 2016)

#### **5.4.1. Forgotten, Ignored or Neither According to the Respondents**

The interviews with the respondents regarding whether in their opinion the conflict in West Papua is forgotten, ignored or neither, generated a wide range of answers.

The majority of the respondents (9 out of 20) answered that in their opinion the conflict is more consciously ignored than simply forgotten. However some of these respondents also stated that this depends on what part of the world one is referring to. Thus the answer that the conflict was being both forgotten and consciously ignored at the same time was the second most popular answer (7 out of 20). Four respondents emphasized that West Papua is certainly not forgotten in the Pacific, and that the interest and level of awareness is constantly growing. Vanuatu Government minister of Lands and Natural Resources, Ralph Regevanu, stated that his country is starting to see other Melanesian states publicly support the West Papuan cause.<sup>244</sup> Jason MacLeod also stated that it is no longer accurate to generalize that the international community is ignoring the West Papuan conflict as the MSG process has led to the conflict becoming increasingly internationalized.<sup>245</sup>

Only one respondent, a journalist, stated that the West Papuan conflict is a ‘forgotten conflict’, and that the evidence of that is in the dearth of news coverage.<sup>246</sup> Three respondents stated that in some parts of the world one cannot even say that the conflict is forgotten; instead it has basically never been known at all.<sup>247</sup>

Arnie Saiki stated that social media has really opened the door for the independence movement, as before the social media era the international community was given little information about the situation in West Papua. According to Saiki this change happened sometime around 2007-2008 and thus the international community could not be said before that time to have neither forgotten nor ignored West Papua, as to all intents and purposes

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<sup>244</sup> Regevanu, E-mail interview, 24 May 2016.

<sup>245</sup> MacLeod, E-mail interview, 20 June 2016.

<sup>246</sup> Ferrie, E-mail interview, 16 May 2016.

<sup>247</sup> Interviews with Angel, Miller, Kirksey

there was no information on the issue. However, according to Saiki the U.S. is a country that has consciously neglected the issue, although in the context of struggles world wide, he doesn't believe West Papua is specifically neglected.<sup>248</sup> Former U.S. State Department official, Edmund McWilliams, also stated in his interview that the U.S is notably one of the governments deliberately ignoring the conflict.<sup>249</sup>

Dr Nicole Georgeou and journalist Rohan Radheya both expressed in their interviews that also the Australian government consciously ignores the West Papuan conflict. According to Georgeou, the conflict has been forgotten as a result of being consistently ignored. Jeremy Bally from Canada looks at it the other way around; saying that because of the conflict having been forgotten, especially by the media, it makes it easier to consciously ignore.

Lastly, in the interview with Ahinsa Angel the researcher was given a statement of some interest. Ahinsa would like to refine 'consciously neglected' to 'consciously dismissed as unimportant' as a nation or a people; this because West Papua certainly has not been ignored, forgotten or neglected in regard to the value of its natural resources, only in its people's right to self-determination and freedom from repression.<sup>250</sup>

#### **5.4.2. Forgotten, Ignored or Neither According to the Researcher**

The aim of this question is to investigate how the international community perceives and acts in the conflict in West Papua *today*. Historically our world seemed different, places that were located far away from the 'Western world' were certainly more likely to go forgotten mostly because of their locations; unless people had been to the area, and could report on what they had seen and heard, how could the rest of the world know about it? Today's world is different, no matter how secluded a location is, and how 'undeveloped'

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<sup>248</sup> Saiki, Email-interview, 24 May 2016.

<sup>249</sup> McWilliams, E-mail interview, 27 May 2016.

<sup>250</sup> Angel, E-mail interview, 17 June 2016.

the area is, there is most likely to be some kind of connection to the outside world – Internet and social media have greatly changed the way the international community can collect information.

Regarding the question if West Papua is forgotten, ignored or neither, the researcher has come to the conclusion that the answer lays somewhere in between these alternatives. As one respondent said in an interview;

*‘today there is enough information out there, real facts and possible factual information, that if the people on top of the world community really cared about West Papua, they could quite easily look into what is going on over there’.*<sup>251</sup>

The researcher agrees with the respondent; West Papua may not be breaking news, but there is still enough information available for someone to find most of the information he is looking for. While conducting the study the researcher has come across news articles from the Guardian, the New York Times, BBC, and Al Jazeera. Local media outlets in the Pacific, especially Radio New Zealand, is following the situation closely and publishes information about the conflict at least once per week.<sup>252</sup> For this report, information from respected and well-established NGOs such as Amnesty, HRW and the International Crisis Group has been used. The two most recent main human rights reports used for this study, ICP’s ‘Human Rights in West Papua 2015’ and CJPC Brisbane’s ‘We will loose everything’ contain a complete description of the situation on the ground in West Papua and this information has been echoed by other well-known NGOs. There have also been several books on the subject published during the years, most available for purchase or free on well-known websites such as amazon.com.<sup>253</sup> With ULMPW gaining observer status in the MSG, West Papua has gained increased attention especially in the Pacific region and

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<sup>251</sup> ‘Anonymous 1’, Interview by Skype, 18 June 2016.

<sup>252</sup> For Radio New Zealand Articles see <http://www.radionz.co.nz/search/results?utf8=✓&q=west+papua> (Consulted on 06 July 2016)

<sup>253</sup> For books available for purchase online see [https://www.amazon.it/s/ref=nb\\_sb\\_noss?\\_\\_mk\\_it\\_IT=ÅMÅŽŌÑ&url=search-alias%3Daps&field-keywords=west+Papua](https://www.amazon.it/s/ref=nb_sb_noss?__mk_it_IT=ÅMÅŽŌÑ&url=search-alias%3Daps&field-keywords=west+Papua) (Consulted on 06 July 2016)

more and more solidarity groups are being created connected to the issue. West Papua is definitely not forgotten or ignored by most of its Melanesian neighbours. This interest has also started to spread to Europe, where the meeting in the British Parliament may mean more attention for West Papua in Europe.<sup>254</sup> This development shows that the situation in West Papua may not yet be well known, but it is not completely forgotten.

This study has primarily investigated what has been said and done regarding the situation in West Papua primarily on the EU and UN level and found that in neither of these policy-making institutions is the West Papua conflict completely unknown. The review of the work done by the UN human rights treaty bodies showed that the West Papuan situation has been mentioned both during discussions and in reports. CCPR, CRC, CESCR, CEDAW, CERD and CAT all drew some level of attention to the ongoing situation, although the attention given by CERD and CAT was rather sparse. As presented earlier in this chapter, most reports written by UN treaty bodies talk about West Papua as a ‘militarized area’ and a ‘conflict area’. Even if each and every report does not present comprehensive information about the situation in West Papua, the reports show that there is a certain level of awareness that a conflict in West Papua is ongoing, and that in this context of conflict there are serious violations of human rights present.

This study found that the Human Rights Council might not have held numerous meetings related to the conflict in West Papua, but they have however in recent years been informed about the situation. The researcher also found that UN Special procedures have given some level of attention to West Papua, with the main problem being Indonesia’s unwillingness to allow access for special rapporteurs to investigate the situation further. West Papua was mentioned during both UPR sessions dedicated to Indonesia, however, as the study presented earlier this chapter, the amount of States choosing to explicitly criticize Indonesia over the human rights situation in West Papua is still sparse. As both the OHCHR compilation and the stakeholder summary raised attention to the situation in West Papua,

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<sup>254</sup> See Supra n.181.

there was plenty of information given to the reviewing States about ongoing human rights abuse in the region. In 2008 engaged NGOs were not satisfied with the way Indonesia refused to reply to questions raised by other states regarding West Papua, and if one looks at the 2012 National Report drafted by Indonesia, the country still does not acknowledge the seriousness of human rights violations taking place in West Papua. Instead Indonesia wants to convince the international community it is dealing with ‘the challenged area’ through a “welfare and justice report”. Based on the fact that the reviewing countries were given comprehensive information regarding the human rights situation in West Papua, but still very few choose to mention the region in its communications, the researcher draws the conclusion that most States deliberately choose to leave West Papua out of the discussion. In UPR the situation in West Papua has thus shown to be more consciously ignored by the international community.

The research into what the EU has done regarding the West Papua situation found that although very little has been reported by media, there has not been a complete lack of attention to the issue. The EU Delegation to Jakarta’s spokesperson on human rights, Florian Witt, demonstrated during the interview undertaken, great awareness of the current Human Rights situation in West Papua and was up to date on the latest political developments in the region. He stated that the EU is well aware of and concerned by human rights abuses in the area and that the EU ambassador has, as recently as June 2016, undertaken a field trip to the region. The interview showed however that the EU is choosing to thread lightly with regard to West Papua, and when it discusses the issue with the Indonesian government, the EU makes sure it places the issue in a wider context in order to not create resistance from the Indonesians.

In Europe hearings have been held in the EU Parliament’s Sub-Committee on Human Rights and numerous MEPs have called on the EU to give further attention to the issue. The parliamentary questions asked shows that there are several MEPs with comprehensive knowledge of West Papua. The study has thus shown that West Papua has not been

forgotten by the EU; one could however argue that considering the size and power held by the EU the amount of attention given to the West Papua issue is not sufficient.

To conclude, the information collected by this study has shown that the conflict in West Papua has not been completely forgotten by the international community. It may not be a topic that is very high on the international agenda, but it has still made its way into most of the human rights instances at UN and EU level.

The reason why the researcher believes the answer to this question lays somewhere between *forgotten* and *ignored* is because awareness about West Papua has been shown to differ a lot depending on where in the world we look. As Eben Kirksey said in his interview;

*“in certain parts of the world West Papua has never existed in peoples consciousness. It is the naïve realism, and a reality that very few people are aware of”.*<sup>255</sup>

Policy makers are only humans; it would be impossible to be aware of every conflict and human rights situation in the world. There will always be an ongoing process on what to pay attention to or not. The researcher believes this process is sometimes consciously made and sometimes not. Virgil Hawkins states in his theory that for a conflict to be ‘forgotten’, it must first have been noticed.<sup>256</sup> In the case of West Papua, for a country without any historical bond to West Papua or Indonesia, there is a possibility there has never been any knowledge about the region at all. One could therefore say that in some parts of the world, the conflict is more ‘*unknown*’ than *forgotten*.

However, with states that have historical connections with Indonesia such as the Netherlands, the USA or Australia, it is different. Also with today’s human rights mechanisms at the UN, discussed above, it is hardly likely that any State has never heard about the situation in West Papua. Hawkins explains that failure to respond to neglected

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<sup>255</sup> Kirksey, Phone interview, 19 May 2016.

<sup>256</sup> See *supra*, n.36.



conflicts is often not accidental or unintentional. Behind the neglect there are a series of deliberate and conscious decisions taken by the world actors. According to Hawkins these conflicts are not ignored by chance; they are ignored because it suits the interests of those who otherwise could intervene.<sup>257</sup> This study has found that governments worldwide, especially the ones located close to Indonesia such as Australia and New Zealand, but also states connected to Indonesia through trade relations, are largely aware of the situation in West Papua. These states have not forgotten about West Papua, they are instead more likely to deliberately *ignore* the plight of the Papuans. They are aware of the ongoing human rights abuses; some states have even brought this up at UN and EU human rights forums. However, somewhere on the way to the much-sought action, this information must become lost because there are no signs that the human right situation in West Papua is improving, rather it is deteriorating.<sup>258</sup> Virgil Hawkins would most likely refer to the conflict in West Papua as a “stealth” conflict; a conflict that is consciously not given any attention or response.<sup>259</sup> *Why* this may be the case is presented in the next chapter, 6. *‘The Forgotten/Ignored Conflict.’*

## 5.5. Conclusion

Based on the document research made by the researcher combined with information given from interviews, the study concludes that the answer to the question if the West Papua conflict is simply forgotten or more deliberately ignored most likely lays somewhere between the two alternatives.

The conflict can be said to be forgotten, or more correctly ‘never known’, in some parts of the world as the conflict basically has never managed to make it into people’s consciousness. The study however finds the conflict to be more deliberately ignored by the

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<sup>257</sup> See supra, n.39.

<sup>258</sup> See supra, n.132.

<sup>259</sup> See supra, n.36.

international community in large, for example by the UN and EU as the researcher found great awareness within these organizations that has not been followed up by any concrete action. According to Hawkins theory West Papua would thus fit into the concept of a 'stealth conflict'.

The final part of the thesis, 6. *'The forgotten/ignored conflict'*, will thus mainly concentrate on presenting the likely casual factors behind the conflict in West Papua essentially being deliberately ignored.

## **6. THE FORGOTTEN/IGNORED CONFLICT**

This chapter aims to answer the key research question of the study; what are the main factors contributing to the West Papua conflict being forgotten/ignored by the international community?

The first part of the chapter, *6.1, 'Factors behind the West Papua conflict being forgotten/ignored'* presents information the researcher has gained from interviews with the various experts on the subject. The Second part, *6.1. 'Correlation with Hawkins theory on stealth conflicts'*, ultimately aims to combine all the data collected during the study and presents what according to the researcher, are the main factors behind the West Papua conflict being largely forgotten/ignored. This part will analyse to what extent the findings of the study correlate with Hawkins theory, and if there are aspects of the situation in West Papua that go beyond the theory on what makes stealth conflicts.

### **6.1. Factors Behind the West Papua Conflict Being Forgotten/Ignored**

The researcher received a wide range of answers when asking the respondents what factors are most likely behind the conflict in West Papua being largely forgotten or ignored. However, the respondents were united on what makes up the two primary factors; national/political interest and difficult media access.

#### **6.1.1. National/Political Interest**

14 respondents out of 20 stated one of the main factors behind the conflict being ignored is connected to the national/political interest of the States making up the international community. Eleven people said that many States do not want to raise the West Papua issue,

as they prefer to keep a friendly relationship with the Indonesian government. Maire Leadbeater explained that Western governments prefer to say they respect Indonesia's territorial integrity and have entrenched geo-strategic reasons for choosing not to challenge Indonesia.<sup>260</sup> Edmund McWilliams stated that the US Government is one of the governments not willing to risk damaging their relationship with GoI, which the US government believes would be the consequence of any substantive change in US policy regarding West Papua. During his time as Political Counselor at the US Embassy (1996-1999) and within the State Department (1999-2001), McWilliams argued for candid reporting on Indonesia, especially in the context of annual US State Department human rights reporting. He was at this time opposed by the US Defense Department and elements within the State Department determined to shield the Indonesian Government and especially the Indonesian military from any US official criticism.<sup>261</sup>

Apilena Sapioper, Minister of Information for the National Government for the Republic of West Papua in exile, also stated that many governments choose to keep friendly relations with Indonesia instead of pushing for action on the West Papua issue. When Apilena was five years old her family decided to flee from West Papua across the border to PNG as her father was a political activist and had already been imprisoned around ten times. In 1994 UNHCR helped Apilena's family seek refuge in the Netherlands where she is still living today. Sapioper has been involved in lobbying for the West Papua cause in EU, and in her opinion EU is not giving the conflict in West Papua much attention. She states that she believes the diplomatic relations between EU and Indonesia is much more important for EU than caring for the Papuan people '*who die through the Indonesian regime*'.<sup>262</sup>

Eight out of the twenty respondents mentioned explicitly that national interest is connected to economic factors. According to Matthew C Wale West Papua's resource rich land creates a fertile ground for collusion between Indonesia and the West to keep the conflict

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<sup>260</sup> Leadbeater, E-mail interview, 25 May 2016.

<sup>261</sup> McWilliams, E-mail interview, 27 May 2016.

<sup>262</sup> Sapioper, E-mail interview, 17 June 2016.

away from international public scrutiny.<sup>263</sup> Jeremy Bally stated that the fact that Indonesia is on the rise in terms of international trade relationships is one of the reasons why governments internationally do not take any action on the issue.<sup>264</sup> Journalist Rohan Radheya said that especially now in a time of economic crisis no one wants to be the first to jeopardize relations with a giant such as Indonesia.<sup>265</sup>

West Papua's resources came up in many of the interviews and Edmund McWilliams stated that US corporations such as Freeport conspire with the Indonesian government to preclude any close monitoring of their operations in the region. According to McWilliams the US-Indonesian Society, a lobby in Washington DC, has for decades operated to prevent knowledge of the reality of suffering among Papuans from becoming known among the American people and especially within the US Congress. The lobby is composed of major US corporations with interests in Indonesia and former US officials who have had close ties with the Indonesian establishment.<sup>266</sup> Ralph Regevanu also mentioned Freeport as a main factor behind the conflict being deliberately ignored as states want to keep the profits flowing from the Freeport mine, which according to Regevanu goes to big companies in all major OECD countries.<sup>267</sup>

Another factor mentioned by two of the respondents is the belief that because Indonesia is the largest Muslim country in the world the West needs 'Western friendly' Indonesia in the fight against extremist terrorism. Hence the International community, especially Western countries, are reluctant to risk their diplomatic relationship with Indonesia for a cause as 'unimportant' as West Papua.<sup>268</sup> According to Dr. Elmslie the rise of China has also played a role. Many countries want to support Indonesia as it is seen as an important power for

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<sup>263</sup> Wale, E-mail interview, 23 May 2016.

<sup>264</sup> Bally, E-mail interview, 09 June 2016.

<sup>265</sup> Radheya, Interview by voice recording, 11 June 2016.

<sup>266</sup> McWilliams, E-mail interview, 27 May 2016.

<sup>267</sup> Regevanu, E-mail interview, 24 May, 2016.

<sup>268</sup> Wale & Elmslie, E-mail interviews, 23 May 2016 & 21 June 2016.

regional strategic balance that can counter the rapid increase in China's geopolitical and military power.<sup>269</sup>

### **6.1.2. Difficult Media Access**

The second most common factor mentioned by the respondents is connected to the difficulty of the media gaining access to the area. Without international media access it is difficult for information about West Papua to reach the masses. McWilliams stated in his interview that the Indonesian governments has been largely successful in preventing international monitoring of the plight of the Papuans all the way back to the Suharto era. On the rare occasions international personnel are able to enter West Papua, they are closely monitored and those Papuans with whom they have contact with are harassed and threatened.<sup>270</sup>

The restriction on the foreign press is, according to journalist Rohan Radheya, one of the main factors that leads to the conflict being underreported internationally. According to Radheya the fact that the Indonesian government censor local journalists also contributes to the conflict being neglected. Local journalists are not allowed to speak to the 'rebels' and the separatists often believe local journalists are used as spies by the Indonesian army. The restriction on foreign press would not be a problem if the international media trusted the local journalists in Papua, but they do not. International editors are reluctant to engage with local journalists or independence activists because news is very difficult to verify, especially information from the independence movement, as they tend to exaggerate the situation because they want freedom.<sup>271</sup>

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<sup>269</sup> Elmslie, E-mail interview, 21 June 2016.

<sup>270</sup> McWilliams, E-mail interview, 27 May 2016.

<sup>271</sup> Radheya, Interview by voice recording, 11 June 2016.

However, the policy of media restriction can, according to one respondent, have the reverse effect to the one intended by the Indonesian government. According to Eben Kirksey the current media restriction has the consequence of radicalizing anyone going to West Papua. If one goes there and has the experience of being monitored by the government, this often causes a sense of outrage and injustice on behalf of the people of West Papua. Thus, if media was allowed into Papua, there would be much more popular awareness that West Papua exist, but Kirksey also imagines that a range of different opinions on the region would emerge if people were allowed to freely travel to the region. The limited scrutiny creates opinions that are not favourable for the Indonesian government.<sup>272</sup>

### **6.1.3. Lack of Credibility**

Lack of credibility is closely connected to the restriction of media access. The respondents described this in different ways. Arne Saiki stated that because large newspapers have not reported on West Papua, lack of legitimacy is a factor behind the conflict being neglected.

Rohan Radheya said that there have been cases where incorrect information has been spread on the Internet, which decreases the credibility of the West Papuan activists. An example was a picture circulated in June 2016 of a butchered woman said to be from Sentani in West Papua. The woman was supposed to have been killed by the Indonesian army. The photo went viral and even a governor from PNG shared the picture. In the end it turned out that the picture was not even from West Papua, instead it was from Nigeria. This leads to foreign journalists not wanting to ‘get burnt’ by using unverified news and thus they choose to not report about the conflict at all. According to Radheya Papuan leaders many often lack the insight on what is credible or not and that most Papuan leaders today at the diplomatic table lack the skills to bring the West Papuan issue forward. Indonesia on the other hand, has many qualified and sophisticated politicians with university degrees from

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<sup>272</sup> Kirksey, Phone interview, 19 May 2016.

countries such as the US, New Zealand or Sweden. The Papuans are mostly refugees, musicians and so on; everything but ‘real politicians’. Thus the Indonesians know how to ‘play them’. The Papuans lack insight into international relations and how to put forward a credible case on the diplomatic agenda.<sup>273</sup>

Robert Anderson states that the conflict in West Papua is neglected because it is misrepresented as a particular type of conflict in which an invading state is committing genocide against an indigenous population that is being defended by an armed insurgency, with the support of a vocal civil society that is being actively hunted and killed. People hear about the West Papua conflict but when they look critically at the claims of aspirant leaders of an independent Papua they end up seeing those claims dissolve. According to Anderson the claims of diaspora activists and their foreign supporters fall apart due to the absence, not the presence, of bodies; those who investigate claims of genocide do not find them. The way activists uses the word ‘genocide’ when describing the conflict attracts attention and conflates Papua with Rwanda, the Holocaust and so on, but when this claim is investigated it is dismissed. Anderson states that this unfortunately causes people to dismiss the more valid claims of exploitation and abuse, and that if people with desire to help the Papuans focused on the real problems they would might be more successful.<sup>274</sup>

#### **6.1.4. Historical Context**

The West Papuan historical background came up in several of the discussions with the respondents. April Ingham mentioned that the history of the UN and US relationship with Indonesia still contributes to the conflict being largely neglected today.<sup>275</sup> According to Edmund McWilliams for example the US government is not prepared to acknowledge that

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<sup>273</sup> Radheya, Interview by voice recording, 11 June 2016.

<sup>274</sup> Anderson, E-mail interview, 07 June 2016.

<sup>275</sup> Ingham, Phone interview, 28 May 2016.



Jakarta's control of West Papua is based on the flawed 1969 'Act of Free Choice'.<sup>276</sup> Apilena Sapioper also believes that the agreements made in the past between the Dutch, the UN and Indonesia still negatively affect the International community's willingness to act on the West Papuan issue today.

### **6.1.5. The Independence Movement**

The dynamics around the Papuan independence movement was another subject that frequently occurred during the interviews. The fact that the West Papuan activist movement lacks a cohesive and united leadership was mentioned as one of the underlying factors for the conflict being largely forgotten/ignored.<sup>277</sup> Ralph Regevanu stated that until today there has been a lack of an articulate, and international-media savvy leadership for the independence movement.<sup>278</sup> According to April Ingham there have been so many different factions working on the issue that the question has been who has the authority to represent the cause?<sup>279</sup>

### **6.1.6. Miscellaneous Factors**

Another factor mentioned as significant reason behind the conflict being largely forgotten or ignored is the element of the conflict being of such low intensity. Jared Ferrie, Asia Editor at IRIN, stated in his interview that the conflict has gone forgotten because casualty rates are low and there are few combatants that are poorly armed and cannot inflict much damage.<sup>280</sup> Jeremy Bally talked about the same factor in his interview; because the conflict

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<sup>276</sup> McWilliams, E-mail interview, 27 May 2016.

<sup>277</sup> Wale, E-mail interview, 23 May 2016.

<sup>278</sup> Regevanu, E-mail interview, 24 May, 2016

<sup>279</sup> Ingham, Phone interview, 28 May 2016.

<sup>280</sup> Ferrie, E-mail interview 17 May 2016.

has been low level for such a long time it has been difficult for media to find a narrative momentum for the media to latch onto. There have been a number of large massacres but the conflict has gone on for such a long time with a few deaths in between these larger events and thus the conflict has not been ‘breaking news’. For this sparse media attention to translate into government action is difficult.<sup>281</sup>

Ahinsa Angel mentioned a factor that connects to what Rohan Radheya mentioned during his interview (see 6.1.3. ‘*Lack of Credibility*’). According to Angel, the Government has run a very sophisticated and very effective diplomatic propaganda campaign over the past 30 years to make it look like the situation in West Papua is peaceful and improving. This provides diplomats from other countries with an excuse for their wilful blindness, justifying West Papua being taken off the agendas of international meetings and proceedings at the UN.<sup>282</sup> Also Zely Ariane mentioned that most States believe Indonesian democracy is a great example of post-authoritarian regime in South East Asia and consider Indonesia to have taken care of the West Papuan issues in a good way.

## **6.2. Correlation with Hawkins theory on Stealth conflicts**

### **6.2.1. National/Political Interest**

Hawkins states that there is no way around the fact that today’s world is continually dominated by the ideology of nationalism and therefore the national interest is most likely the most critical factor in determining if a foreign conflict will gain attention or not. According to Hawkins, strategic military and economic interests are the main concerns States consider. According to Hawkins, unless a conflict is significantly affecting the national interests of other countries, there is a little chance the conflict in question will gain

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<sup>281</sup> Bally, E-mail interview, 09 June 2016.

<sup>282</sup> Angel, E-mail interview, 17 June 2016.

international attention.<sup>283</sup> The West Papua conflict is not severe enough to threaten the neighbouring countries through either large numbers of refugees or other economic or physical destabilization influences. However, national interest can, according to Hawkins, also work in the opposite way; in some cases it may be in the national interest to keep attention away from an ongoing conflict for which attention would be inconvenient.<sup>284</sup> This study has shown that this is most likely what is happening with West Papua and the number one factor why the conflict can be said being largely ignored. Most States would probably prefer if the conflict in West Papua did not exist at all, but they do not want to risk their own country's strategic interest with Indonesia by pushing the government to resolve the situation.

By combining information from the document based research with information from interviews with the respondents the researcher has come to the conclusion that there are three main elements behind States not wanting to risk their relationship with Indonesia:

1. The fact that Indonesia is increasingly becoming one of the most important economies in the world, projected to be somewhere between the 7<sup>th</sup> and 9<sup>th</sup> largest by 2030. The country has a geostrategic location and also described as 'the future of Asia' and may be seen by states as an important power for regional strategic balance that can counter China's rapidly increasing political and economic power. Indonesia is a popular trading partner and few States are willing to risk the benefits their country gains from keeping a friendly relationship with Indonesia.<sup>285</sup> The researcher found that the way EU manages the West Papua issue is a great example of how most States act with regard to the conflict. The EU has signed a PCA with Indonesia and in this agreement there is a human rights dialogue. The EU however is fully aware of how sensitive the West Papua issue is for GoI and thus chooses to never directly criticize Indonesia for its human rights abuses in the region. Instead the EU

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<sup>283</sup> See Supra n.45.

<sup>284</sup> See Supra n.46.

<sup>285</sup> See Supra n.119.

lightly tries to push for change by placing examples of rights abuses from West Papua in a larger context, never mentioning a problem being a specific ‘Papua issue’. The study found the EU to be fully aware of the situation in the region, but with bilateral trade amounting to 25,3 billion Euros, it is unlikely the EU would want to risk its relationship with a South-East Asian giant by giving too much attention to the conflict in West Papua.<sup>286</sup> The same pattern is seen when studying foreign policy of countries such as the US, Australia and New Zealand.<sup>287</sup>

2. With Indonesia being the world’s biggest Muslim-majority country it is an important ally in the war against terrorism. Since the ‘Bali-Bombings’ in 2002, Western countries, especially the US, UK, and Australian governments have been sponsoring the Indonesian counter terrorism squad ‘Detachment 88’. This force is also used to fight Papuan separatists that the Indonesian government brand as ‘terrorists’.<sup>288</sup> In April 2016 the EU and Indonesia decided to step up their cooperation in the fight against extremism and terrorism.<sup>289</sup> It is highly unlikely the EU or any other Western country would want to risk damaging their relations with such an important partner in the battle against terrorism by pushing the West Papua issue.
  
3. The conflict in West Papua may be considered by many to be ‘forgotten’. This study has however showed that the region’s resources are however everything but forgotten. Not only the Indonesian government is benefiting from the rich land of West Papua, companies from all over the world are lining up to invest in the conflict region. As very few Papuans benefit from the wealth of the land this has

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<sup>286</sup> See Supra n.227.

<sup>287</sup> See Supra n.186-191.

<sup>288</sup> See Supra n.118.

<sup>289</sup> See Supra n.230.

been said to form the nucleus of the insecurity in the region.<sup>290</sup> Freeport has been present in the area since before Indonesia officially took over West Papua from the Dutch. The study found that declassified U.S. policy documents have disclosed that the support Washington gave to Indonesian rule in West Papua was to a large extent based on Freeport getting permission to carve up the regions vast amounts of gold and copper. For decades the company managed to operate in the Indonesian business climate of nepotism, collusion and corruption with complete impunity. The military operations connected to the mining operations have been the main source of human rights abuses in the area. Still today Freeport and other companies active in West Papua are hiring Indonesian security forces to guard their operations. These are the same forces that are accused of grave human rights abuses such as torture and extrajudicial killings.<sup>291</sup>

Australia, China, UK, South Korea, Japan and States from the Middle East are only a few examples of the nationalities of companies benefiting from West Papua's resources.<sup>292</sup> As resource extraction both directly and indirectly are linked to the West Papuan conflict, this is most likely one contributing factor to many States being reluctant to criticise the Indonesian government for its rule over West Papua; how can a State who's companies are practically sponsoring the violence against the Papuans, criticize Indonesia? With the money West Papua is bringing to both the Indonesian and other governments, the conflict has simply not yet become enough of a political problem for the international community to tackle to issue of the ongoing violence.<sup>293</sup> According to Hawkins theory it would be in the national interest for governments to keep focus away from West Papua, as it would be inconvenient if the conflict gained further attention worldwide. The wealth of natural resources can thus be seen being rather a curse rather than a blessing for the

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<sup>290</sup> See Supra n.150.

<sup>291</sup> See Supra n.154-160.

<sup>292</sup> See Supra n.165.

<sup>293</sup> See Supra n.171.

Papuans, as these resources effectively make States worldwide complicit in the conflict.

West Papua is often painted as a very complex case and it would be easy to settle with the conclusion that ‘there is lack of political or legal will to resolve the issue’ by the international community. Hawkins however states that behind the popular notion of ‘lack of political will’ there are actual factors hiding explaining why *the will* is not there.<sup>294</sup> The international community as described by Hawkins is not only branches of state governments; it also refers to regional and international organizations such as the UN and the EU.<sup>295</sup> The researcher believes it is important to emphasize that international organizations does not exist in a vacuum; they are created by States for States and the national/political interest of governments will thus unavoidable set the agenda for international action on conflicts such as the one in West Papua. Any lack of political will among the international community is thus closely connected to States worldwide gaining nothing on pushing Indonesia to resolve the conflict in West Papua.

### **6.2.2. Geographic Proximity and Access**

The West Papua conflict has most likely gone largely forgotten and ignored partly because of its geographic location and limited access. For Western countries such as the US and EU countries the conflict is simply located too far away for many people, both the public and policy makers, to care. At the moment the conflict is such low intensity that it does not affect neighbouring countries such as PNG and Australia significantly. We can however see increased attention for the conflict in the Pacific region, and this is likely to be partly because the conflict is closer to their own states than the region is, for example, to a European country or the US. If the conflict was to intensify and thousands of refugees tried

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<sup>294</sup> See Supra n.41.

<sup>295</sup> See Supra n.40.

to cross the Australian and PNG borders, both the Australian and PNG governments and its citizens would most likely pay more attention to the conflict.

Hawkins theory states that the geographic proximity factor is not only limited to the location of states, it is also connected to location of certain sectors, such as the offices of media stations. Easy access to the conflict is also important in order to draw attention to the conflict.<sup>296</sup> In both these ways West Papua is disadvantaged. As this study has shown, the Indonesian government has effectively managed to isolate West Papua by restricting access to the media, UN personnel, diplomats and NGOs. There can be no international media stations based in West Papua, and international media is reluctant to gather information about the conflict from a local source, as they are considered unreliable. Without consistent media coverage from the more established news outlets, government action is more difficult to achieve. There has been no ‘CNN effect’ assisting the Papuans in their struggle.

West Papua’s difficult geographical setting and poor infrastructure further hinders the ability to collect information about human rights abuses in the region. Legal restrictions requiring foreigners to apply for special travel permits to visit many areas of West Papua make it even more difficult for people to gain information about the situation, even if they try to do it ‘undercover’.

The researcher however questions if better access to the area would lead to increased attention to the conflict. In line with what Eben Kirksey said in his interview; in many ways the Indonesian government is making it harder for itself by shutting journalists, international NGOs and academics out of West Papua as this creates the impression that there is something seriously wrong taking place in the region. This strict government policy is what has mainly caused international criticism. Without this policy in place, perhaps a more nuanced view of the conflict would be available to the world. 2016 has seen an increase in political demonstrations and accompanying arbitrary arrests of peacefully

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<sup>296</sup> See Supra n.48.

protesting Papuans. This draws international attention and creates a picture that Indonesia definitely ‘has something to hide’.

### **6.2.3. Ability to Identify**

West Papua is not only far away geographically from most countries that make up the international community. It is also far away for most people in terms of national, linguistic, historic and cultural ties. According to Hawkins, the ability of actors to identify with victims or participants of a conflict is closely connected to these perceived ties.<sup>297</sup> A regular ‘John Doe’ in, for example the US, Australia or the EU, is in many ways totally the opposite from the typical Papuan. Someone living a normal city life in Europe would likely find it very difficult to identify with an indigenous Papuan; their lives are simply far too different. Group identity has, according to Hawkins, shown to facilitate a sense of affinity or solidarity with other members of the same or a similar group.<sup>298</sup> This may be why many activists, NGOs and policy makers engaging in the West Papuan issue hold characteristics that connect them to the Papuans. This study has shown that many of the NGOs involved in the West Papuan issue such as ICP and CJPCB have religious Christian connections and thus they identify with the Christian Papuans struggling in the world’s largest Muslim country. Also the fact that the Pacific states are the ones spearheading the West Papua issue at the UN is most likely because they feel a strong connection to the Papuans through their common Melanesian roots, which awakens the feeling of ‘it could have happened to me’ that is, according to Hawkins, important in order for a conflict to gain wider support.

Also historically we can see that the ability to sympathise played a role in the level of support within the UN West Papua has managed to raise. After the act of Free Choice, several African countries spoke out against the referendum, most likely because they could relate to how the Papuans were feeling as they had also been colonised and thus were afraid

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<sup>297</sup> See Supra n.49.

<sup>298</sup> idem.



similar ‘Acts’ would be attempted in Africa. African UN ambassadors who spoke, rejected Jakarta’s argument of the Papuans being too ‘primitive’, reminding the UN that this should never be used as an excuse to postponing independence in any country.<sup>299</sup>

The researcher believes the ability to identify with victims of conflict affects the level of attention a conflict gets both in an intentional and unintentional way. As discussed in Chapter 5.3 *‘The West Papua Conflict – forgotten, ignored or neither’*, in some parts of the world West Papua has never existed in people’s consciousness.<sup>300</sup> If one does not identify with victims of a conflict it is highly likely any information coming ones’ way simply gets ignored. It does not mean the person necessarily consciously chooses to ignore the victims; instead the human brain simply may not be able to register every tragic situation one hears or reads about. This does not only apply to the public but also to policy makers. The ongoing process of what to pay attention to or not can thus also unconsciously be determined by the way one identifies with the victims.

#### **6.2.4. Ability to Sympathize**

According to Hawkins’ theory, there are some cases in which actors may care about victims of conflict without having the perceived ties as mentioned above. This is when it is easy for people to sympathize with victims of a conflict, for example when one of the actors is portrayed as particularly evil and the other one seen as good and innocent.<sup>301</sup> The West Papuan activists are constantly trying to paint Indonesia as the evil occupier undertaking genocide against the Papuans, but it has not been very successful at an international level. Indonesia is instead widely seen as a case where an authoritarian state successfully has managed to transition to democracy; a ‘role model’ for other Muslim states to follow.<sup>302</sup>

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<sup>299</sup> See supra n.107-108.

<sup>300</sup> See Supra n.255.

<sup>301</sup> See Supra n.51.

<sup>302</sup> See Supra n.115.

The Indonesian government has also successfully convinced international actors that they have moved away from the former ‘security approach’ in West Papua to a more ‘welfare and justice approach’.<sup>303</sup>

The international community thus most likely does not see a clear case of good versus evil when it comes to West Papua. If Indonesia still had been under the Suharto dictatorship and Suharto himself was seen as personifying the acts of evil carried out against the Papuans, maybe the conflict would get more attention. The current Indonesian president, Jokowi, is a public figure personifying everything but evil. Jokowi has, since the start of his presidency, indicated a determination to change the Indonesian policy in West Papua, and even if no change has been visible on the ground, the government is very good at convincing the international community that they ‘are doing something’.<sup>304</sup> The study saw clear evidence of this by looking at the way the EU has been dealing with the issue. The EU and other international actors continue to say that they are supporting the steps taken by the GoI on the political and economic future of West Papua.<sup>305</sup> Measures implemented by Indonesia, such as the Special Autonomy Law, seem to be enough for the international community to hold back any serious pressure for change, even if these policies have made no real difference to the Papuans.

Hawkins also states that images of starving, crying babies and helpless mothers often assist in drawing attention to a conflict.<sup>306</sup> As West Papua has been effectively closed to any media is not until recently images of Papuans killed by security forces have started to leak onto the Internet and different social media. However, most of the pictures are of beaten or killed activists who are men, and do not seem to raise enough attention. Pictures of starving children and helpless mothers are largely absent.

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<sup>303</sup> See Supra n.219

<sup>304</sup> See Supra n.133.

<sup>305</sup> See Supra n.240, 242.

<sup>306</sup> See Supra n.51.

The term ‘genocide’ generally awakens a reaction in the international community, according to Hawkins.<sup>307</sup> There have been several academic texts published on the subject and there are divided opinions as to whether the situation in West Papua amounts to genocide or not (*see 1.5.1. ‘Previous Studies on West Papua’*). According to the researcher it is difficult to know if labelling the situation in West Papua as genocide has worked in favour of the Papuans or not.

#### **6.2.5. Simplicity**

Hawkins theory states that the easier it is for the actors to understand a conflict, the more likely it is that the actors will devote sustained attention to it. Hawkins compares this to sports; where the simpler a game is, the more likely it is to attract people’s interest.<sup>308</sup> In this respect the West Papuan conflict has difficulties on several levels. Firstly, the conflict has been ongoing for almost half a century, which means that the actors have changed over the years. Although the conflict emerged out of the flawed Act of Free Choice, this took place such a long time ago that it is unlikely that many people are interested enough to learn the facts behind the Papuans grief and sense of injustice. The fact that the Papuan independence movement, up until today, has been largely divided, very likely contributes to the conflict being largely forgotten or ignored. As West Papua has 312 officially designed tribes and thousands of clans speaking approximately 269 languages<sup>309</sup>, it is understandable that the movement has been difficult to unite. Lack of a united leadership with many Papuan groups trying to be the voice for the cause has certainly caused confusion in the international arena. Since ULMWP brought together many of the actors of the Independence movement the cause has attracted more international attention.<sup>310</sup> A united group of West Papuan activists would most likely draw further attention to the West

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<sup>307</sup> Idem.

<sup>308</sup> See Supra n.52.

<sup>309</sup> See Supra n.73.

<sup>310</sup> See Supra n.175.

Papuan conflict, as with a united leadership the conflict could be easier to understand. The common picture of the West Papua conflict is painted as if the indigenous Christian Papuans having their land occupied by Muslim-majority Indonesia, that severely abuses their human rights. However, in reality the conflict is more complex than this, but, according to Hawkins, if the conflict can at least be simplified, it is more likely to receive international attention.<sup>311</sup>

#### **6.2.6. Sensationalism**

The West Papuan conflict is everything but sensational. It is a low-level conflict where for many years the Papuan fighters mostly hid in the jungle far away from the public eye. There are no bombs exploding, no public mass-executions or hijacked planes crashing. As mentioned earlier, there are not many visually horrifying images being spread across media. What mainly goes on in West Papua are mass-demonstrations, torture, intimidation of activists and journalists and occasionally the military or police kill a few Papuans.<sup>312</sup> This is of course awful and horrifying; but it is not a situation severe enough to attract attention from the outside world. Villages are being burned by Indonesian military and many of the people suffering the conflict flee into the jungle away from the public eye where their suffering stays unreported. Even if according to Hawkins such circumstances are responsible for most conflict related deaths, it does not create a dramatic effect enough for most actors to care.<sup>313</sup> Yes, the Papuans are dying from high levels of untreated HIV/AIDS, malnutrition and other diseases connected to being neglected by the government,<sup>314</sup> but none of this is sensational enough to provoke sufficient international response.

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<sup>311</sup> See Supra n.52.

<sup>312</sup> See Supra n.132-133.

<sup>313</sup> See Supra n.53.

<sup>314</sup> See Supra n.77-80.

### **6.2.7. Additional factors**

Virgil Hawkins theory of what makes stealth conflicts summarises possible main factors behind the conflict in West Papua being largely forgotten/ignored by the international community. The researcher found however some elements that could not directly be linked to any of the six factors described by Hawkins.

#### **Historical Context**

In line with some of the respondents, the researcher believes the historical context behind the conflict in West Papua today still contributes to the situation being largely ignored by the international community. The researcher believes that the fact that the US and other Western countries, and thus indirectly the UN, supported the Indonesian takeover of West Papua to prevent the spread of communism in the region, is still today a ‘pebble in the shoe’ of the international community. The study found the UN sponsored Act of Free Choice deeply flawed, as would be considered any referendum in which only 1,024 individuals represented approximately one million people. The UN and its member states were fully aware that any outcome of the election would not reflect the wishes of the Papuan people. Despite this, the UN went ahead and adopted Resolution A/L.576, noting that the defective act left West Papua in the hands of the Indonesians.<sup>315</sup>

Some may argue that the Papuan right to self-determination and the human rights abuses in the region are two different things. The study however finds that these two factors closely connected. Human rights abuse in West Papua is related to the fact that most Papuans feel that they have been robbed of their land. Mass arrests in connection to demonstrations, extrajudicial killings, torture and other abuses are in most cases connected to Papuans raising their voices against what in their eyes is an Indonesian occupation of their country. Any attempt by the international community to resolve the West Papuan conflict would have to take this into consideration. This means that in order to resolve the conflict in West

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<sup>315</sup> See Supra n.109.

Papua, the UN would have to rectify its historical errors. The researcher believes this is not something the international community is willing to do, and thus the conflict may be easier to ignore than acknowledge.

### **Racism**

History shows that the Papuans, since colonial times, have been considered as incapable and backwards. For example Henry Kissinger, the then US national security adviser, wrote in a letter to president Nixon, that a Papuan referendum on independence would be ‘meaningless among the Stone Age cultures of New Guinea’.<sup>316</sup> This study has found indications that this view still persists with the Indonesians believing Papuans to be ‘primitive’ and ‘backward tribal people’. This view of the Papuans not being capable of governing themselves may be one contributing factor as to why the issue is largely ignored internationally. The Special Autonomy Law and other policies have been accused of being designed to ‘civilise’ the Papuans, and this study has found that the international community largely supports these policies. An intentional or unintentional racist view of the Papuans not being able to govern themselves may thus prevent the international community from taking any action regarding the conflict as they believe the Indonesians already handle the ‘Stone Age’ Papuans in a suitable manner. Also Indonesian racism against Papuans may contribute to low levels of national support for the cause, and without internal support it is harder for the Papuans to achieve wider international support.

### **Lack of Credibility**

By combining findings from document research with input from the respondents, the researcher found that lack of credibility might be another factor contributing to the conflict in West Papua being largely ignored by the international community. As discussed earlier in this chapter the lack of international news coverage is likely to contribute to the conflict

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<sup>316</sup> See Supra n.154.

lacking credibility, but this is not the only element behind the international community not finding the claims connected to West Papua reliable. As Rohan Radheya stated in his interview, many West Papuan activists exaggerate the situation in the region and even publish information regarding the conflict that is factually not true. Robert Anderson mentioned during his interview; absence of bodies, not the presence, may lead people investigating West Papua to subsequently neglect the conflict, as they are not able to find evidence of genocide they have been told about.

There is also truth in the fact that the West Papuan representatives may lack the diplomatic skills to put the issue on the international agenda. Or more correctly, the Indonesian diplomats 'outdo' the Papuans when it comes to political discussions and appear more credible than their Papuan counterparts. As this study has shown, the Indonesian government has been very effective in convincing the world that they are dealing with the West Papuan conflict in the best manner possible. Government policy of intimidation of Papuan activists, journalists and even social workers also prevents information of the conflict from spreading.

Another unavoidable factor is that the conflict may simply not be severe enough for the international community to devote enough attention to the issue. With major wars raging on our planet, economic crisis, 'war on terror' and a so called 'refugee crisis' being the main topics on the international agenda, a small, seemingly insignificant conflict such as the one in West Papua simply does not make the cut. According to Hawkins there will always be an ongoing process of selection and elimination of what conflicts deserve international response<sup>317</sup>, with only 22 known deaths caused by the Indonesian security forces between April 2013 and December 2014, the West Papuan conflict does not manage to raise enough attention.<sup>318</sup> Even though the conflict in West Papua is said to have a death toll of at least 100,000 Papuans, there is not enough evidence to verify this number, and too much time

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<sup>317</sup> See Supra n.37.

<sup>318</sup> See Supra n.133.

has passed since any larger massacre has happened, to be able back up such assertions with reliable evidence.<sup>319</sup>

### **6.3. Combining and comparing factors**

Hawkins theory on stealth conflict states that six factors indicate what international actors commonly hold as important in influencing a response to conflict. These factors however may carry different weight and even conflict with each other. The researcher found that the conflict in West Papua largely fits Hawkins formula on what defines a conflict as a ‘stealth’ conflict. There is national/political interest present in *not* acknowledging the conflict. West Papua is located in a part of the world far from most Western countries and is extremely difficult to access for any observers and media. Most people would find it difficult to identify with the Papuan victims and the international community most likely does not see a clear case of good versus evil as Indonesia effectively convinces the world they ‘are doing something’. The conflict is also not sensational enough to attract wider attention. The conflict would however be sufficiently clear for the world to understand if people only knew it existed.

National/political interests is what Hawkins find to be most important for policy makers in deciding levels of response and attention they will devote to each conflict.<sup>320</sup> The strength and level of interest of the actor involved is a key determinant in the process.<sup>321</sup> The actors indirectly involved in the West Papua conflict could be said to be amongst the strongest in the world, with actors such as the US, UK, EU, Australia, China, and Japan all profiting from the conflict not gaining much attention. The study has also found it is also up for debate as to whether even the UN as an organization benefits from the issues around the conflict not being touched upon. The main organization being interested in the issue is the

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<sup>319</sup> See Supra n.281.

<sup>320</sup> See Supra n.45.

<sup>321</sup> See Supra n.59.



MSG<sup>322</sup>, but the real power of the MSG is questionable as it is primarily made up of small Pacific Island States. It is still too early to say, but the researcher finds it unlikely that the MSG will be able to create the bandwagon effect needed for the rest of the international community to take the West Papuan issue seriously. Without backing from stronger countries there is little chance of the Papuans having their voice heard. Hawkins also states that sometimes plain luck can determine the interest and response to conflict<sup>323</sup>. The study sees little evidence of the Papuans having had such 'luck'.

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<sup>322</sup> See Supra n.177.

<sup>323</sup> See Supra n.59.

## 7. DISCUSSION

With few recent fight related deaths, the conflict in West Papua may seem insignificant to the international community. With major wars raging across our globe it is understandable organizations such as UN and the EU do not devote full attention to each and every human rights situation. The West Papua conflict has however some characteristics that the researcher argues the international community should consider when deciding if the conflict deserves additional attention and action. The historical context is one of them. This study has found that severe neglect by the international community, with the US and also the UN in the lead, contributed to the Papuans losing their right to self-determination because of the cold-war politics of the time. The conflict may not cause high death rates today, but since the 1960s at least 100,000 Papuans have been killed and this combined with government neglect, means they now risk extinction as a people. West Papua deserves increased attention in order to correct historical errors.

The second factor is connected to the plundering of the West Papuan land that began even before the Indonesian take-over. The researcher argues that if it had not been for vast natural resources found on West Papuan land, Indonesia would probably not have claimed the region. Also, the study has found that without the world's largest gold-deposit, the US most likely would not have supported the plan of Indonesian rule to the same degree as it did. Only with Indonesia governing the region, Freeport could feel sure of getting permission to carve up West Papuans natural resources. The Papuans have certainly become victims of the 'paradox of plenty', also referred to as 'the resource curse'.

One could argue that companies such as Freeport, and also important trading partners such as the EU and US, could be major catalysts for changes for the better in the region. With today's increasing pressure on companies to conduct socially responsible business operations, it would be desirable for a company such as Freeport, that the people of West Papua be given their inherent human rights as stated in international law. Indonesia is

heavily dependent on income from the region and pressure from international business partners on changing the status quo could make a significant difference to the everyday life of the Papuans. BP is a good example of a business model in West Papua not sponsoring the Indonesian military, and still managing to run a successful operation.

It is understandable that actors such as the EU and US choose not to risk their own benefits by lobbying for the rights of the Papuans; that is the reality of the world we live in. It is understandable but not acceptable. When the national/political interests of the world actors are allowed to set the agenda of what conflicts are ignored or not, it demonstrates the international system of organizations such as the UN has a long way to go before we can secure the human rights of the victims of conflicts such as the one in West Papua. Studying the case of West Papua one can easily come to the conclusion that there is a severe weakness in the international system of deciding what conflicts and human rights situations deserve attention. The world experiences a distorted response to conflicts, with Western perspectives dominating the agenda-setting process. As Hawkins states in his theory, great danger arises when all world actors develop and follow similar priorities in their selection of what conflicts that are important. Without a system in place pointing out the ongoing systematic failure<sup>324</sup>, situations like the one in West Papua may escalate into major conflicts far more complicated to deal with than would have been if action had been taken in advance. This study found that 2016 has shown an increase in protests by the Papuans, accompanied by severe crackdowns from the Indonesian government. Ignoring West Papua will not lead to the problem going away; if the international community does not play its cards right, it may have to deal with another situation resembling what occurred in East Timor.

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<sup>324</sup> See *Supra* n.37.

## 8. CONCLUSION

The principal aim of this study was to find the causal factors behind the conflict in West Papua being largely forgotten/ignored by the international community. By investigating the historical and present context of the West Papuan situation, and combining this data with information from West Papuan ‘experts’, the researcher outlined a theory on why the conflict in West Papua seem to have been largely overlooked.

In order to find the correct causal factors, the researcher first had to understand if the conflict in West Papua is unintentionally forgotten or more deliberately ignored by the international community. The study found that the answer to this question lays somewhere between forgotten and ignored depending on what part of the world one is referring to, with ‘never known’ being a more correct term to describe the perception of the conflict in some parts of the world. However, within organizations such as the UN and EU the study found that the conflict is not unknown. The international community has been adequately informed of the ongoing situation West Papua with powerful actors such as the US, UK and Australia all being aware of the situation. As this awareness has not been followed up by any concrete action, the study concludes that it is most likely that a large part of the international community fundamentally ignores the conflict West Papua. The researcher thus went on to investigate why this supposedly deliberate neglect may be taking place.

The respondents interviewed for the study were united on what they believe are the two main factors are behind the conflict in West Papua being ignored. According to the respondents the primary factor is connected to the national/political interest of states in maintaining a friendly relationship with the Indonesian government. West Papua’s difficult media access was the second most commonly mentioned factor by the respondents. Other factors mentioned were lack of credibility, the historical context and fact that the West Papuan activist movement up until today has lacked a cohesive and united leadership. Also factors such as the low-intensity of the conflict, and the ability of the Indonesian

government to convince the international community that the situation is improving, were discussed.

By combining the findings from the document research with statements from the respondents the researcher concludes that, in line with the opinions of the majority of the respondents, national/political interest is most likely the number one factor behind the West Papua conflict being largely ignored by the international community today. States do not want to risk trade-relationships with Indonesia, they wish to keep Indonesia as a major ally in the war against terrorism and companies from states all over the world benefit from the vast resources the West Papuan land offers.

The study found the conflict in West Papua largely fits Hawkins formula on what makes a conflict go 'stealth', as according to Hawkins, for a conflict to manage to get wider attention there must be a national/political interest at stake for States to be involved; the conflict must be in geographic proximity and easy to access and it must be easy for people to identify and sympathize with the victims. In addition to this the conflict must also be easy to understand and be sensational. By reversing this formula the researcher can explain how West Papua easily gets ignored as it is seemingly in the national/political interest of powerful States that the conflict does not get any attention. West Papua is located far from most Western countries, difficult to access, it is hard for most people to identify with the victims and the Indonesian government have successfully managed to convince the international community the conflict is not a clear case of 'good versus evil'. The conflict is also not sensational enough to gain worldwide attention. If we exclude the historical context the West Papua conflict is however quite easy to understand, but as long as the world does not even know the conflict exists this is no help. There has been no bandwagon effect helping the conflict gain attention and neither have the Papuans had much luck in getting their voices heard.

The study found a few factors that could not be placed under any of the six factors described by Hawkins; historical context, racism, lack of credibility and the fact that the

conflict in West Papua may not be severe enough for the international community to devote attention too.

Hawkins argues in his theory that the problem with conflicts being neglected is systematic, with Western perspectives dominating the international agenda-setting process. This case study of West Papua has showed that this is indeed an accurate observation. The fact that national and political interests largely determine the international agenda of what conflicts get attention or not shows a severe infringement of the international system, resulting in the victims of ‘forgotten’ conflicts not getting the protection they are entitled to.

### **8.1. Further Research**

Any research connected to the West Papuan conflict is greatly needed as there is relatively little published on the subject. Further studies on the increased support to the cause in the Pacific and how the ULMWP lobbying in the MSG turns out would be needed as well as research on the success of the Jokowi governments supposedly improved West Papua policy. The researcher would also be interested to conduct further studies on the West Papua conflict’s connection with the resource curse and if there are many other ‘forgotten conflicts’ in the world that also are connected to the resource industry.

Finally, the researcher believes there is a need to undertake further research on the possibility of the Responsibility to Protect doctrine being applicable to the situation in West Papua; although the situation in West Papua may not amount to genocide, one could argue there is a clear case of ‘crimes against humanity’ taking place.

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### *With main purpose of answering Research Questions*

Interview with Anderson, Robert ‘Bobby’., *Lee Kuan Yew scholar at the National University of Singapore's Lee Kuan Yew School of Public Policy and has managed community-driven development, ex-combatant reintegration, livelihoods, infrastructure, and other projects for organizations including USAID, the World Bank, and the International Organization for Migration. He worked in Papua, Indonesia from 2010 until 2015*, by E-mail, 07 June 2016

Interview with Angel, Ahinsa., (Ahinsa Angel is a pen name, respondent wish to remain anonymous), *Author of Vanishing Tribes: unheard voices from West Papua*, by E-mail, 17 June 2016.

Interview with Anonymous 1., *Papuan Social worker*, by Skype, 18 June 2016.

Interview with Ariane, Zely., *Coordinator National Papua Solidarity (NAPAS)*, by E-mail, 03 June 2016.

Interview with Bally, Jeremy., *Pedalling for Papua Campaign*, by E-mail, 09 June 2016.

Interview with Elmslie, Dr. Jim., *founding Co-convener of the West Papua Project at the Centre for Peace and Conflict Studies*, Sydney, by E-mail, 21 June 2016.

Interview with Ferrie, Jarred., *Asia Editor IRIN*, by E-mail, 17 May 2016.

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Interview with McWilliams, Edmund., *West Papua Advocacy Team and former US State Department official*, by E-mail, 27 May 2016.

Interview with Miller, John M., *National coordinator at East Timor and Indonesian Action Network*, by E-mail, 11 June 2016.

Interview with Radheya, Rohan., *Video/photo journalist based in Netherlands and South East Asia, specializes in underreported stories*, by E-mail by voice recording, 11 June 2016.

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Interview with Saiki, Arnie., *Coordinator of Moana Nui Action Alliance, California*, by Email, 24 May 2016.

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Interview with Florian Witt, *EU Delegation's Human Rights focal point*, by phone, 21 June 2016.

Interview with Anonymous 2., *Indonesian PHD Student specializing in West Papua*, by phone, 19 July.

Interview with Collins, Joe., *Secretary of the Australian West Papua Association, Sydney*, by e-mail, 18 June 2016.

### **Miscellaneous**

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## **ANNEX**

Main interview questions used for the purpose of the study:

1. What is your view on the international awareness regarding the conflict in West Papua? Would you say the conflict is simply forgotten or more consciously ignored by the international community? Or maybe neither of the two?
  
2. What do you believe are the three main factors behind the conflict in West Papua being largely forgotten/ignored by the international community today? You are more than welcome to contribute with more than three factors in case you feel three are not enough.