

Human Rights report - West Papua 2011



Thousands of people march in West Papua in November 2011 demanding their right of self determination through a referendum

The West Papuan people are now calling for peaceful dialogue with Jakarta, and although not unanimous, the will is there. The international community should place pressure on Jakarta to resolve West Papuans' issues of concern. If we don't, we will see increasing conflict in West Papua which in turn could affect the region

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AWPA Human Rights report - West Papua 2011

Summary

The human rights situation in West Papua¹ continued to deteriorate with the Indonesian security forces conducting numerous military operations throughout West Papua in 2011.

In January 2011, three soldiers were put on trial for the torture of two West Papuan men that was captured on video and circulated on the Internet in October 2010. The video footage caused outrage around the world. The soldiers received light sentences of between 8 and 10 months and were not even charged with torture but with disobeying orders. The message West Papuans take from this is they will receive no justice under Indonesian rule.

A number of articles in the Sydney Morning Herald in August 2011 reported on leaked Kopassus documents which showed lists of West Papuans who are supposed to be supporting separatism when in reality they are members of civil society organisations concerned about the human rights situation and the welfare of the people of West Papua. The documents show that the level of spying by the Indonesian military on West Papuans is oppressive, with agents spying at every level of West Papuan society. There is an obvious systematic campaign to intimidate both human rights defenders and the West Papuan peoples a whole ".

In October 2011 there was a crackdown on the 3rd Papuan Peoples congress where security forces used excessive force when arresting up to 300 Papuans. Up to six people were reported killed and a number of the organisers arrested and charged with treason. The trial against those charged with treason began on Monday 30 January 2012. Their names are Forkorus Yaboisembet, Edison Gladius Waromi, Agust M. Sananay Kraar, Selpius Bobii, and Dominikus Surabat

There were a number of incidents of shootings around the giant Freeport copper and gold mine during the 3-month strike by workers for better conditions. A large number of rallies also took place throughout the year with demonstrators calling for their right to self-determination, for a referendum and rejecting the special autonomy package.

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



One of the peaceful rallies by thousands of West Papuans calling for a referendum in November 2011. Photos posted (including one on cover) by Victor Yeimo of the West Papua National Committee (KNPB) on AWPA facebook page.



Amnesty International in its annual report 2011 on Indonesia states
The security forces tortured and otherwise ill-treated detainees, and used excessive force

against protesters, sometimes leading to death. No adequate accountability mechanisms were in place to ensure justice or act as an effective deterrent against police abuses. The criminal justice system remained unable to address ongoing impunity for current and past human rights violations. Restrictions on freedom of expression were severe in areas such as Papua and Maluku.

Amnesty International also believes there are at least 100 political activists in prison for peacefully expressing their views in areas seeking independence such as Maluku and Papua. An article in the Jakarta Globe (4 January 2012) titled “2011 a Busy Year for Human Rights Investigations in Papua” quotes the head of the Papua office of the National Commission on Human Rights (Komnas HAM) as saying they “looked into 58 alleged violations of human rights in 2011, and was anticipating investigating at least that many cases in 2012”, and, “In almost 65 percent of human rights violation cases in Papua, the perpetrators are TNI [Indonesian Armed Forces] and National Police members,”

An extract below

The Papua office of the National Commission on Human Rights looked into 58 alleged violations of human rights in 2011, and was anticipating investigating at least that many cases in 2012. Jules Ongge, the head of the Papua office of the commission known as Komnas HAM, said on Wednesday that the majority of those cases involved officers in the military and National Police. “In almost 65 percent of human rights violation cases in Papua, the perpetrators are TNI [Indonesian Armed Forces] and National Police members,” Jules said. Papua officially became part of Indonesia in 1969 and since has seen a low-level insurgency. Rights groups have repeatedly condemned security forces that are charged with killing civilians and imprisoning peaceful activists. Of the 58 cases reviewed last year, two of the most serious — regarding the persecution of civilians in Puncak Jaya and the deadly crackdown on the Papuan People’s Congress in Abepura in October — have been forwarded to Komnas HAM Jakarta for further investigation.

<http://www.thejakartaglobe.com/news/2011-a-busy-year-for-human-rights-investigations-in-papua/488989>

Also in the Jakarta Post (14 January 2012), “Torture widespread in Papua”. The article reported

“A survey jointly conducted by the Partnership for Governance Reform (Kemitraan) and the Legal Aid Institute (LBH) found that torture is a common practice among members of the National Police in Papua and has become the chief means for extracting information from suspects”. Article at

<http://www.thejakartapost.com/news/2012/01/14/torture-widespread-papua.html>

In May 2012 it will be forty nine years since Indonesia took over administration of West Papua from UNTEA in 1963 and the West Papuan people still continue their struggle for justice and self-determination. The large number of peaceful rallies by

thousands of West Papuans calling for a referendum indicate just how unhappy West Papuans are with Jakarta's rule over their lives. Jakarta and the international community should be asking the question, why?

Australian- Indonesian relationship.

The Lombok Treaty

This treaty between Australia and Indonesia, officially titled "Agreement Between the Republic of Indonesia and Australia on the Framework for Security Cooperation", is commonly known as the "Lombok Treaty".

<http://www.dfat.gov.au/geo/indonesia/ind-aus-sec06.html>

Former Foreign Minister Alexander Downer and his Indonesian counterpart, Hassan Wirajuda, signed the agreement on the Indonesian island of Lombok on the 13 November 2006. On the 7th February 2008 in Perth, Former Foreign Minister Stephen Smith (now defence Minister) and his Indonesian counterpart finalised the formalities in an exchange of notes bringing the Lombok Treaty into force. The treaty has 10 articles covering a number of areas including cooperation on defence, counter terrorism, maritime security, emergency preparedness and transnational crime. A number of articles in this treaty are of concern and in particular, parts of article 3 covering defence ties with the Indonesian military.

Article 3

Areas and forms of cooperation

The scope of cooperation of this Agreement shall include:

Defence Cooperation

In recognition of the long-term mutual benefit of the closest professional cooperation between their Defence Forces,

1. Regular consultation on defence and security issues of common concern; and on their respective defence policies;
2. Promotion of development and capacity building of defence institutions and armed forces of both Parties including through military education and training, exercises, study visits and exchanges, application of scientific methods to support capacity building and management and other related mutually beneficial activities;
3. Facilitating cooperation in the field of mutually beneficial defence technologies and capabilities, including joint design, development, production, marketing and transfer of technology as well as developing mutually agreed joint projects.

Article 2.3 which states,

"The Parties, consistent with their respective domestic laws and international obligations, shall not in any manner support or participate in activities by any person or entity which constitutes a threat to the stability, sovereignty or territorial integrity of the other Party, including by those who seek to use its territory for encouraging or committing such activities, including separatism, in the territory of the other Party;"

Although not stated this article (2.3) is likely a direct reference to West Papua. The impact the treaty would have on the issue of West Papua and ties with the Indonesian military was raised in a large number of the submissions to the Joint Standing Committee on Treaties (JSCOT) re the treaty.

<http://www.aph.gov.au/House/committee/jsct/6december2006/subs.htm>

The concerns raised by civil society organisations in their submissions about the treaty are still valid. Numerous reports in the past few years have raised concerns about the ongoing human rights abuses not only in West Papua but also throughout the archipelago. Australian defence force personnel train and hold exercises with the Indonesian security forces.

The background to why West Papua is of such significance in this treaty although never mentioned, is the fact that in January 2006, 43 West Papuan asylum seekers arrived in Australia causing a deterioration in relations with Indonesia when they were granted Temporary Protection Visa's. Jakarta was becoming concerned about growing support for West Papua in Australia and with the memories of the Australian lead International Force for East Timor (INTERFET), Indonesian was guaranteeing its sovereignty over West Papua, thus article 2.3 (above).

Although Indonesia has made great progress towards democracy in the past few years President Yudhoyono is in his last term in office. Democracy in Indonesia is fragile and there is no guarantee the next president of Indonesia will continue the reform process. West Papua remains the elephant in the room in the Australian-Indonesian relationship.

Australia helps train the Indonesian military

The Australian Government states that “ the Australian Defence Force provides ongoing training to the Indonesian military that emphasizes human rights awareness, accountability and respect for the rule of law. We believe that our support for increased professionalism within Indonesia's security forces will continue to result in improvements to their human rights record”.

The ongoing human rights abuses committed by the security forces show this policy is a failure. As Komnas HAM reported they, “looked into 58 alleged violations of human rights in 2011, and was anticipating investigating at least that many cases in 2012”, and, “In almost 65 percent of human rights violation cases in Papua, the perpetrators are TNI [Indonesian Armed Forces] and National Police members”.

West Papua -one of our nearest neighbours

West Papua is one of our nearest neighbours. The West Papuan people face great challenges including ongoing human rights abuses, the exploitation of their natural

resources with little or no benefit to themselves, the danger of becoming a minority in their own land as the result of migrants arriving daily (a demographic time bomb?) and a HIV/AIDS epidemic. The Australian Government has always been concerned about instability in the region to our north but as events in 2011 have shown, it is the Indonesian security forces which are causing the instability in West Papua.

Recommendations

In light of the ongoing human rights abuses in West Papua, AWPA urges the Australian Government

to raise the deteriorating human rights situation in West Papua with the Indonesian President

to re- think its policy of ties with the Indonesian military until such time that Indonesian military personnel involved in past human rights abuses are brought to justice and the culture of the Indonesian military becomes of an acceptable standard to both the Australian people and Australian military.

to hold an inquiry into how our training and aid to the Indonesian security forces impacts on the West Papuan People.

to urge the Indonesian government to release the five West Papuan activists, arrested at the end of the 3rd Papuan Peoples Congress and are now on trial charged with treason. They were simply expressing (peacefully) their political views

to urge the Indonesian Government to release all West Papuan political prisoners as a sign of good faith to the West Papuan people.

to request permission from the Indonesian Government to allow a cross-party parliamentary fact finding mission to West Papua to not only investigate the human rights situation in the territory but to see how Australia can help the West Papuan people in capacity building in the fields of health and education.

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

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

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



The issue of West Papua is not going away. A rally in Manokwari on the 8 February 2012. Posted on AWPA list by Herman Waingai

The following is a snapshot of some of the incidents and military operations that occurred in West Papua in 2011. It is by no means exhaustive. Many of the military operations are in response to shooting incidents allegedly by the OPM (Free Papua Movement). However, many reports have documented that the security forces create incidents to show that they are needed to counter so called separatism. There is also competition between the military and police over resources. Reports have documented the security forces involvement in resource extraction (both legal and illegal). The impact of these military operations are creating a traumatized population living in fear.

Military operation in mountain of the Black Soil

Up to 300 members of the security forces (military and police) conducted a military operation in the hills around Nafri village searching for the perpetrators of a shooting that occurred in the village early on the 1st August. In the incident four people, including a member of the TNI were killed. Because a Morning Star flag was found near the incident the Jayapura Police were quick to blame the Free Papua Movement (OPM) for the attack in which unidentified assailants sprayed a small bus with bullets as it passed through Nafri village. However, Forkorus Yoboisembut, chairman of the Papua Traditional Council (DAP), claimed that there was more to the incident than met the eye. "This could be the work of people who do not want to see stability in Papua," he told the Jakarta Globe. The local rebel commander, Lambert Pekikir denied involvement in an ambush saying the OPM fighting for independence would not randomly kill their own people. Members of Detachment 88 were also brought in to hunt for the unidentified attackers <http://www.antaraneews.com/en/news/74433/anti-terror-police-mobilized-to-hunt-opm-separatists>



Travel Atlas Indonesia (Periplus)



Sweeping operation. Photos from Bintang Papua



Another shootout took place in the Tanah Hitam mountain on Tuesday 16 August after the banned Morning Star flag was raised a day before Indonesia Independence day. According to witnesses a shootout ensued after a joint team of police and military officers arrived to take it down. Papua police spokesman Sr. Comr. Wachyono said the joint forces were currently sweeping the mountain to find the perpetrators and prevent more incidents from taking place. <http://www.thejakartaglobe.com/news/banned-morning-star-flag-raised-in-papua-shootout-ensues/459625>

During the military sweeps of the area police claim they found documents that allegedly belong to the OPM including flags, ammunition of various types, bows and arrows, mobile phones and a list of up to 19 OPM members.

On the 1st September 15 people were arrested in Kotaraja by a combined police and military force. Kotaraja is not far from Abepura and Nafri where the military operation had recently taken place. During the round up shots were fired in the direction of the Wahno Baptist Church. Those arrested are alleged to have been involved in shootings in Nafri and alleged to have caused unrest during an Idul Fitri ceremony that was being held on the premises of Brimob. Police also confiscated traditional equipment such as arrows, machetes and knives



Police show one of the flags found during military operation (Cenderwasih Pos)

Extract from Bintang Papua article dated 8 September 2011 in relationship to the arrests

Although thirteen of the fifteen Papuans who were arrested on 31 August have since been released, the National Human Rights Commission's (Komnas HAM) Papua branch is continuing to pay serious attention to what happened, said Mathius Murib, deputy chairman of the commission. 'We have been paying close attention to what has happened from the start up to the present moment,' he said. 'The proper procedures were not followed and the people who were detained were subjected to mal-treatment, and what is even more disturbing is that a child of 7 or 8 years old was kidnapped at the same time,' he said.

Kontras also raised concerns about the arrests around the Vuria Kotaraja housing complex.

Extract from report on KONTRAS's web site

Police Deny Torture Claims Following Arrests and Raid

Jayapura district police have been accused of torturing 15 witnesses who were initially suspected of being members of the Free Papua Movement (OPM) in a violence related case in Abepura. On Sunday September 4 the coordinator of the Commission for Missing Persons and Victims of Violence (Kontras), Haris Azhar, said that the individuals were taken away by police then mistreated before being released. "Thirteen of them have already been released by police. They have undergone medical examination for their injuries. The victims are residents of the Vuria Kotaraja housing complex. They are members of the Wahno Baptist Church congregation in Kotaraja", said Haris. The 15 were arrested on charges of carrying out a shooting at Nafri village in Abepura, Jayapura, on Monday August 1, which resulted in the death of three civilians and a member of the Indonesian military (TNI). Haris said that during Wednesday's arrest (31/8) police failed to present

arrest or search warrants. Those arrested were asleep or preparing to go out into the fields. The names of the individuals tortured are Yawanus Kogoya, Tinus Wenda, Siki Kogoya, Arinus Wenda, Yusman Kogoya, Mis Kogoya, Bodi Kogoya, Wen Wenda, Denias Kogoya, Ekimar Kogoya, Panius Kogoya, Yeskiel Kogoya and one other who's name is unknown. According to Haris, they were struck with rifle barrels, kicked, cuffed, beaten and stepped on with military boots while handcuffed or tied.

As a result the victims suffered bruising to their faces, bodies and feet. During the raid, continued Haris, the police fired gunshots. Police also sized bows and arrows, machetes, knives and other items from the location along with documents related to the OPM. Kontras has condemned the torture as part of the negative stigma attached to Papuans that is developing among law enforcement officials. Haris warned that the practice of torture is an inhuman act and conflicts with Indonesian laws. Law Number 5/1998 on the Convention Against Torture states that Indonesia is bound by the International Convention Against Torture.

http://www.kontras.org/index.php?hal=dalam_berita&id=4969

Military operations in the Paniai region

Military operations have been ongoing in the Paniai region causing the displacement of thousands of people, villages burned and reports of villages be strafed by helicopters. According to a report in Jubi (29 December) referring to a military operation in November and December 2011, "The operation has been on-going ever since Brimob troops from East Kalimantan were sent to Paniai in the second week of November" Jubi also commented that this operation will continue as the security forces hunt for the OPM who have moved from Eduda (one of their base camps into woodland areas following an attack by the security forces. The Free Papua Organization says 14 of its members were killed during the attack

<http://www.thejakartaglobe.com/news/opm-says-14-guerillas-were-killed-in-police-raid-on-hideout-in-paniai/485002>

VIVAnews reported that – "In the aftermath of the occupation of the OPM headquarters by Indonesia's security forces in Eduda, Paniai, the situation has become more tense. Hundreds of villagers around Eduda were evacuated" <http://us.en.vivanews.com/news/read/272754-papua-witnesses-another-acts-of-violence>

During the military operations local people fled their homes becoming internal refugees. The Jakarta Post (7 December) reported that "about 500 inhabitants of Dagouto village in Paniai Regency, Papua, have opted to leave their homes and seek refuge following the deployment of 150 Mobile Brigade officers to their area, Paniai tribe council chief John Gobai said Wednesday". "Our people have become refugees at Uwatawogi Hall in Enarotali, Paniai, for several weeks. They are now afraid they may not be able to celebrate Christmas at home," John told reporters at the National Commission on Human Rights (Komnas HAM)."

<http://www.thejakartapost.com/news/2011/12/07/fearing-police-500-villagers-take-refuge-paniai.html>

An article in JUBI, (17 December) reported that the National Human Rights Commission (Komnas HAM) had “urged the chief of police to immediately withdraw his Brimob troops from the district of Paniai”

Extract from article

“The National Human Rights Commission (Komnas HAM) has urged the chief of police to immediately withdraw his Brimob troops from the district of Paniai and not to send any more troops there. This request is made in a letter signed by the deputy head of Komnas HAM, M. Ridha Saleh, which is a follow-up of the complaint made by the chairman of the Regional Traditional Council (DAD) in Paniai several days ago. He said that the complaint was made because of two recent incidents involving members of the police force. One was shooting in the vicinity of the copper-and-gold mine in Degheuwon which led to the death of a civilian and the other relates to the situation following the dispatch of 150 additional Brimob troops who arrived in Enarotali on 11-14 November 2011. In the second place, the Brimob post which was set up in the midst of several kampungs, should be removed. Thirdly, to immediately conduct an investigation into what caused the death of Mateus Tenouye. Fourthly, to restore a conducive situation so as to enable the people in the district of Paniai to go about their daily activities. And fifthly, to speedily hold dialogue with all parties involved in conflicts and to help the community to resolve problems that have occurred in the district of Paniai”.

Another article in the Jakarta Globe (22 December) reported that “The Australian government has confirmed that it is investigating reports that an Australian-owned mining company was involved in ongoing Indonesian military operations in Paniai, West Papua”. <http://www.thejakartaglobe.com/news/australian-owned-miner-involved-in-papua-military-operations-report/486320>

In the article the Institute for Human Rights Study and Advocacy (Elsham), reported that Densus 88 had been embedded with police Mobile Brigade (Brimob) units during operations against suspected members of the West Papua Liberation Army (TPN), based at Eduda, Paniai. (Note. Australia has been involved in helping train this unit, Detachment 88 or Densus 88).

Free Papua Organization says 14 of its members were killed during the attack <http://www.thejakartaglobe.com/news/opm-says-14-guerillas-were-killed-in-police-raid-on-hideout-in-paniai/485002>

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Not winning the hearts and minds

In May the military began a “socialising programme “ in Puncak Jaya with the idea of renovating homes, churches and markets while in July the people of the region suffered another military operation with reports of up to 600 members of the security forces involved in sweeps through the region resulting in civilian and military casualties. This is all reminiscent of the US programme in Vietnam to try and win the “hearts and minds” of the Vietnamese people.





The following report is from Piron Moribnak (translated by Tapol)

ARMY'S SOCIALISING PROGRAMME IS BEING USED TO CRUSH TPN/OPM LED BY GOLIAT TABUNI IN PUNCAK JAYA

The doubts of people living in the central highlands about a socialising programme launched by the commander of Cenderawasih Military Command/XVII to create harmony which has been under way since 2 May 2011 have been confirmed. The programme is nothing more than a shield which became clear when troops involved in the socialising programme suddenly halted these activities and started to conduct sweepings as part of a military operation. Since 6 - 8 July, fully armed troops have surrounded the headquarters of the TPN/OPM under the command of General Goliat Tabuni in Tingginambut and a battle has been raging since 5 July during which three TNI soldiers were shot in Kalome, district of Tingginambut, and were flown by helicopter to Jayapura.

The TNI's programme to build houses for the local people and to give sermons at prayer meetings on Sundays as well as to carry out mass medical treatment for local communities has failed to win the support of the local communities. They have rejected TNI sermons in the churches, while the offer of medical treatment has failed to persuade the local people to get medical treatment free of charge. On the contrary, the local people have chosen to remain silent and have fled from locations where mass medical treatment is on offer. This is because the Papuan people living in Puncak Jaya regard the military as murderers of the Papuan people and have refused to accept these military programmes.

The army's socialising programme in Puncak Jaya is nothing but a shield and a cover-up of the violation of human rights at a time when human rights are of paramount importance throughout the world.

The TNI is concealing its plan to crush General Goliath Tabuni by means of military operations so as to enable them to counter our doubts about these socialising activities because we have been disrupted and have taken measures to protect ourselves. It is an irony that we Papuan people do not possess the means to resist the TNI which has all the necessary equipment whereas Goliath Tabuni has nothing more than a few of weapons, making it very difficult for him to mount a proportionate response. Is there a country anywhere in the world that is willing to supply military weapons to Goliath Tabuni to make it possible for him to make a proportionate response? ... if General Goliath is forced to end his struggle ... at the hands of the TNI? [/Several gaps in this sentence make it difficult to decipher the precise meaning. TAPOL/]

We pray that there is nowhere in the world for their protection and that Almighty God will protect us. This is our response to the call by the chief of police in Puncak Jaya via the intermediary of the head of the district of Mulia for the local people to halt all their activities from 8 July and to remain in their homes from 6pm every evening.

NOTE: General Goliath Tabuni is now seriously cornered because of his lack of weapons and we call for the prayers of the Papuan people everywhere in the fight against the NKRI military and for strength from the Almighty God.

<http://www.freewestpapua.org/index.php/news/1583-west-papuarmys-socialising-programme-is-being-used-to-crush-tpnopm-led-by-goliath-tabuni-in-puncak>

The 3rd Papuan People's Congress

The 3rd Papuan People's Congress was held between the 17 and 19 October. Shortly after the Congress and as part of a celebration, the Morning Star flag was raised and a declaration of Independence read out. Indonesian security forces accompanied by armored vehicles immediately moved in to break up the gathering firing live rounds resulting in six people been killed. The security forces also used batons, bamboo poles and the butts of rifles during the arrest of up to 300 delegates resulting in serious injuries. Six people were charged with treason. There may be more casualties as many of those attending the congress fled into the bush in fear of their lives from the security forces. 5000 people are reported to have attended the Congress.



Police arrest attendees of the Third Papuan People Congress in Abepura.
Photo: Reuters (in SMH 20 Oct 2011)

A report in the Jakarta Globe (25 October) said that human rights groups believed that there were strong indications that security forces committed human rights abuses during the deadly crackdown on delegates in Abepura.

An extract from the Jakarta Globe article

Ridha Saleh, deputy chairman of the National Commission on Human Rights (Komnas HAM), said it appeared likely that officers assaulted and fired at participants at the Papuan People's Congress, which took place last week. A day after the incident, the bodies of six participants were found near the local military headquarters, reportedly with gunshot wounds. "The participants did not put up any kind of resistance, yet they were taken down, beaten and shot at," Ridha said. "That this resulted in fatalities clearly makes this a serious rights violation."

Human rights organizations around the world condemned the heavy handed response by the security forces to a peaceful congress. AWPA wrote to Foreign Minister Kevin Rudd twice concerning the crackdown. AWPA also called on the Foreign Minister to hold an inquiry into how our aid and training to the Indonesian military impacts on the lives of the West Papuan people <http://news.ninemsn.com.au/national/8366263/rudd-called-on-to-launch-indon-inquiry>

Although the majority of the delegates were released five were charged with treason. They are Forkorus Yaboisembet, Edison Gladius Waromi, Agust M. Sananay Kraar, Selpius Bobii, and Dominikus Surabat,

The National Commission on Human Rights (Komnas HAM) reported that it had found that 96 out of 387 participants at the third Papuan Peoples Congress had been assaulted by police officers. The commission's investigation found that police

officers had seized millions of rupiah from participants, four cars and several pieces of electronic equipment. According to the investigation, police officers also destroyed seven motorbikes. The commission reported that participants had also lost 50 cellular phones. Jules said that the commission had urged the Papua Police to return any property belonging to the participants. Komnas HAM also recorded several deaths. <http://www.thejakartapost.com/news/2011/11/03/96-assaulted-papuan-congress-says-komnas-ham.html> Amnesty International also called on the Indonesian government to act on Komnas HAM's findings that human rights violations were committed by Indonesian security forces at the Congress. <http://www.amnesty.org/en/library/asset/ASA21/034/2011/en/51a0893e-f8b1-46e0-9223-abeefc6a735a/asa210342011en.html>

Amnesty also criticized an internal police disciplinary hearing in Jayapura, which found the former Jayapura Police Chief Iman Setiawan guilty of violating the Disciplinary Code for "his inability to co-ordinate police officers under his command". Amnesty in its statement said "The fact that eight Indonesian police officers involved in a violent crackdown on a peaceful gathering that left three dead have only been given written warnings, is a failure of human rights accountability" <http://www.amnesty.org/en/news/indonesia-'slap-wrist'-police-violence-papua-accountability-failure-2011-11-23>

The trial against five Papuan activists for treason began on Monday 30 January. The five men, Forkorus Yaboisembut, Edison Waromi, Selpius Bobii, Domingkus Sorabut and Agustinus Kraar are charged with treason. The Judge at the Jayapura district court said, "The defendants jointly tried to commit treason with the intention of allowing the country or part of the country to fall into the hands of the enemy," and, "They acted together to declare Papua an independent region, which constitutes an act of treason."

Human Rights Watch has urged the Indonesian government to drop the charges against the five Papuan activists who are being prosecuted for peacefully expressing their political views. Elaine Pearson, deputy Asia director at Human Rights Watch said "The Indonesian government should show its commitment to peaceful expression by dropping the charges against these five Papuan activists," and "It's appalling that a modern democratic nation like Indonesia continues to lock up people for organizing a demonstration and expressing controversial views."

Freeport Strike

The Freeport mine is a symbol to West Papuans of the exploitation of their natural resources from which they receive little benefit. A three-month strike began on the 15 September with workers asking for better conditions. Although the company's revenue was reported to be \$30 million a day, Freeport workers received between \$1.50-\$3.00 per hour. This is the lowest wages of any Freeport mining facility and the striking

workers had been simply asking for an increase in their pay level. Freeport makes huge profits and its Grasberg mine and it is the world's largest single reserve of both copper and gold. In the first half 2011, the company paid US \$1.4 billion in financial obligations to the Indonesian government. From 1992 to June 2011, the company paid \$12.8 billion to the Indonesian Government. In 2008, Freeport admitted it had paid around "US\$1.6 million through wire transfers and checks to provide 'monthly allowances' to police and soldiers at and around the Grasberg mine," (reported by Agence France-Presse). The payments were made "in contravention of a series of legal measures aimed at stopping military units working as paid protection." In a report in the Jakarta Globe (28 Oct 2011) the police admitted that they accepted millions of dollars from Freeport to provide security for the mine. According to the human rights group Imparsial, the police received \$64 million from Freeport between 1995 and 2004.

Freeport McMoran is a US company which controls over 90 percent of PT Freeport Indonesia while the Indonesian Government holds the remaining 9.36 percent. Rio Tinto also has a share in Freeport investing US \$500 million of new capital in Freeport for a 12 per cent stake in the US mining business. Rio Tinto also agreed to finance a US\$184 million expansion of the Grasberg mine and in return received 40 per cent of post-1995 production revenue that exceeded certain output targets, and from 2021 a 40 per cent stake in all production. In addition, Rio Tinto would receive 40 per cent of all production from new excavations elsewhere within West Papua

During the strike a number of shootings occurring around the mine. In one incident Petrus Ayamiseba, a striking worker was killed when Indonesian security forces fired on striking workers in Timika. A number of other workers were seriously injured. Eleven people were reported killed in clashes between workers, police and unknown assailants. Production at the mine was crippled and infrastructure sabotaged including a pipeline.

The Commission for Missing Persons and Victims of Violence (Kontras) accused the Police of a Conflict of Interest in Papua. Kontras said it found that senior police had threatened a labor organizer from the All-Indonesian Workers Trade Union (SPSI). It said Sudiro, SPSI's chief workplace organizer for Freeport's Grasberg mine, had reported that Timika Police Chief Denny Siregar called him and made a death threat. Sudiro also said Papua Police chief Bikman L. Tobing had harassed him with insulting language. According to Kontras, such aggressive language and threats constituted violence against the unionist. The state secretary under former president Abdurrahman "Gus Dur" Wahid, Bondan Gunawan, says he believes the daily allowances that PT Freeport Indonesia gives to the police have an indirect effect on the conflict in Papua. "It will make the law enforcers side with the foreign company," Bondan said on Saturday during a discussion called "A Never-Ending Conflict in Papua".

The workers agreed to end their strike on Dec. 14, 2011 after Freeport agreed to increase their salaries up to 39 percent and to improve benefits. The strike had paralyzed Freeport Indonesia's giant copper and gold mine with losses for the company reported as high as \$18-million (U.S.) per day.

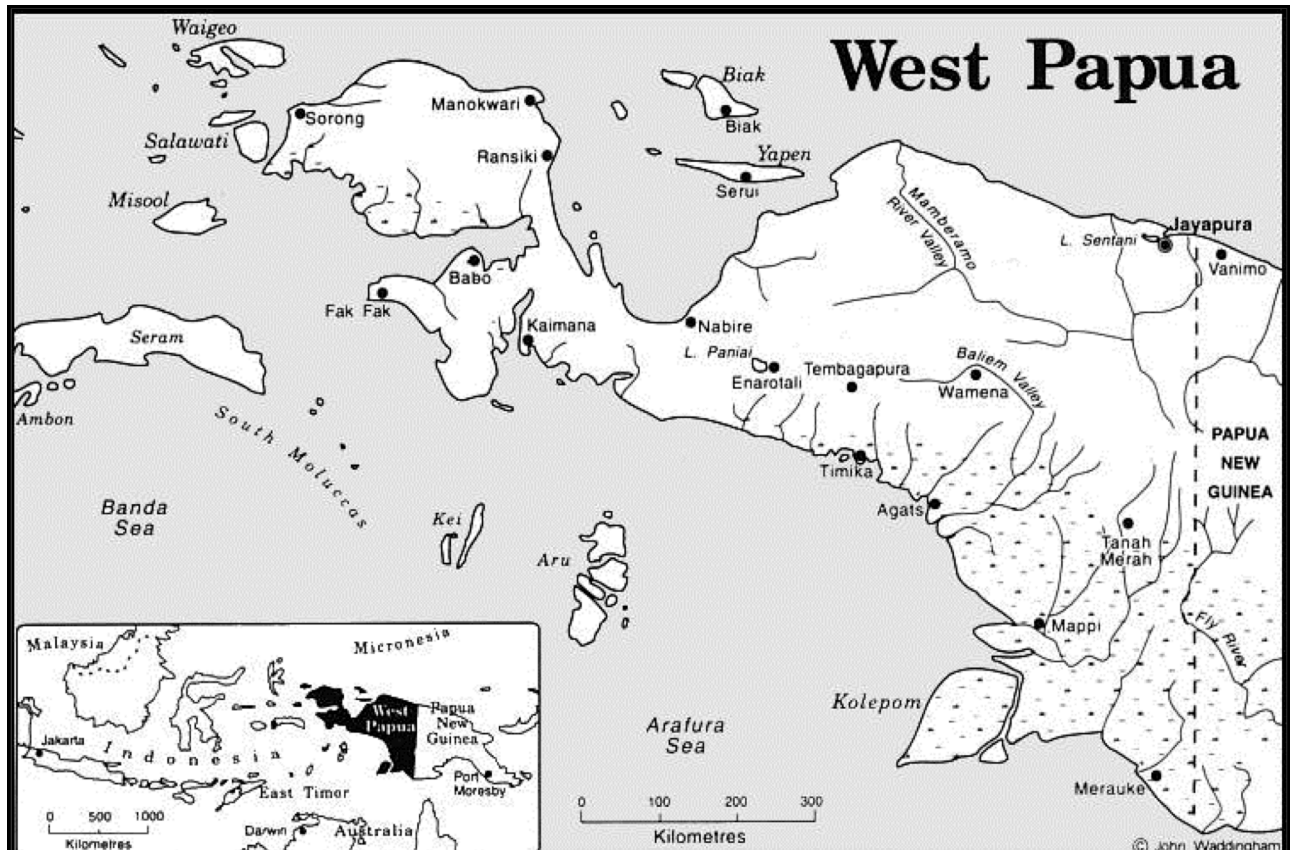
1 December West Papua National Flag Day

The majority of rallies marking the 50th anniversary of the first raising of the Morning Star flag in 1961 went off verily peacefully. However, in Timika the security forces opened fire on the unarmed crowd injuring a number of people critically. Five people who were involved in the flag-raising incident are to go on trial. Approximately 120 security force personnel dispersed the gathering after the crowd who were watching a traditional dance joined in cheering and running in a large circle around the Morning Star flag as it was raised on a bamboo pole. Yet again a peaceful gathering was attacked by the security forces simply because a flag which is extremely important to the West Papuan people as a symbol of their identity was raised in celebration.



1st December flag raising photos from

http://photoblog.msnbc.msn.com/_news/2011/12/01/9135446-indonesian-troops-open-fire-to-break-up-separatist-protest-in-papua



For further information or to receive regular updates on West Papua, contact, The Secretary AWPA (Sydney) email: bunyip@bigpond.net.au

New e-book

A new e-book *Comprehending West Papua*, edited by Professor Peter King, Jim Elmslie and Camellia Webb-Gannon from the University's Centre for Peace and Conflict Studies, is a collection of papers and essays from an eponymous conference held at the University last year. The book brings together the thoughts and observations of West Papuan intellectuals, religious leaders and independence activists from around the world. A must read for anybody interested in the issue of West Papua

http://sydney.edu.au/arts/peace_conflict/practice/Comprehending%20West%20Papua.pdf

About the Australia West Papua Association (Sydney)

The Australia West Papua Association (AWPA) is a human rights organisation focusing on the territory of West Papua. AWPA's role is to lobby both the Australian Government and the International Community to raise concerns about the human rights situation in West Papua. The West Papuan people face great challenges including ongoing human rights abuses, the exploitation of their natural resources with little or no benefit to themselves, the danger of becoming a minority in their own land and a HIV/AIDS epidemic. AWPA raises awareness in the international community about the historical wrongs and history of West Papua and supports the right of the West Papuan people to self-determination.

