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# AND ILLEGAL SELF DETERMINATION IN WEST NEW GUINEA ISLAND

Writen By: John Anari, Comp. Eng

We are from West Papua Indigenous Peoples who joint in Organisasi Pembebasan Papua Barat (West Papua Liberation Organization) want to said thank you very much on your time to hearing our voice from West Papua (West New Guinea). WPLO consist of three organization of West Papua, that is Kobe Oser, West Papua Interest Association, and West Papua Indigenous Organization.

We want to explain Debacle of Decolonization and Illegal Self Determination about the colonialism past time and the current colonialism time in our island of West New Guinea because of UN involvement last year ago and United State of America to push Dutch transferred the administration of Dutch New Guinea (West Papua) to Indonesia with the name of IRIAN Jaya (now known as West Papua) since year 1963 through illegal Self Determination in year 1969 because was done by 400s representatives of Papuan indigenous peoples and 600s Indonesian (not indigenous peoples of West New Guinea).

West Papua is the Western Part of the island of New Guinea in South Pacific Ocean (belong to Oceania and not belong to Asia) because this island established from tectonic plate of Australia plate and Pacific plate long past time ago.

The indigenous peoples of Papua came from Australia when this island connected before the glacial.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> Fransiskus Benediktus Widodo Margotomo. Misteri Pulau Berusia Jutaan Tahun. http://misteridigital.wordpress.com/2007/06/30/misteri-pulau-berusia-jutaan-tahun/



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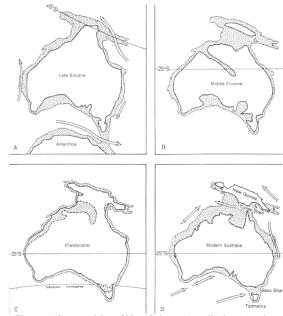


Figure. 1: Separate Map of New Guinea, Australia dan Antartica Resources: Australia Department of Environment, Water, Heritage, and the Art

Indonesian came from India, Greece, and South China, so they had long hair deferent with Papuan who had curl black hair and black skin like Aboriginal of Australia.

But when the glacial, so Indonesia island separate one by one until in Moluccas island. When they (Indonesian from Moluccas) arrived first time in the Western, they looking for the Paradise bird then teach indigenous Papuan with the Islamic religious. Some Arabian also came and call this island Papuwah (now Papua) with the meaning Slavery. Next Spain came to this island and called it Nova Guinea (New Guinea) because the indigenous of Papuan same with their colony land in Africa (now Guinea country). This is the first time for Europe came to made the colonization in this island. After it, then Portuguese came and called it Papua according to Arabian said in their colony island of Moluccas. The Spain came also for the second time and they called Isla Del Oro (Island of Gold) finally the European of United Kingdom, Netherlands Kingdom, and Germany sign London Agreement in August 1828 then separate New Guinea island into three part (Netherlands New Guinea, British Papua, and Germany New Guinea). Netherlands New Guinea now is West Papua, British Papua in the South of Papua New Guinea country, and Germany New Guinea in the north of Papua New Guinea (all part listed into Non Self Governing Territory since year 1945 – 192).



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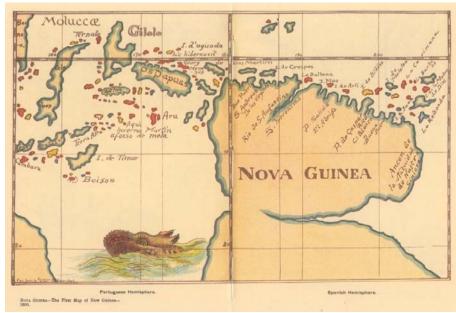


Figure. 2. Oldest Map of New Guinea Sources: National Museum of Germany



Figure. 4. Map of Colonialism in New Guinea island by Netherland, Germany and British Sources: Capture & edit from Google Earth by John Anari

Finally Dutch claimed this island by established the Fort Dus Bus in Kaimana of West Papua on 24 August 1828. Then established Office in Manokwari and then Netherlands New Guinea Province separated from Netherland Indies Province (now is Indonesia) by Dutch Government since year 1910, so in Round Table Conference in Den Haag – Netherlands since 1949 never agree to put Netherland New Guinea into Netherlands



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Indies. But Indonesia always pressure Dutch to give New Guinea island into Indonesia so Dutch agree to discussed New Guinea one year later but in 1950 Indonesia brooked the Round Table Conference Agreement so Dutch still have responsible to prepare New Guinea Independent under Dutch administration.



Figure. 5. Fort Dus Bus in Triton Bay, Kaimana (Left) and New Guinea Governor Office in Manokwari (Rights) Source: Picture by Charles. A. M. Imbiri, ST and John Anari



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Figure. 6. Grave of Class Lulofs (1873 -1922), First Governor of Dutch New Guinea Sumber : Picture by John Anari

Next in 1941 – 1942, the Japanese bombed and took control of the North of West New Guinea island but not too long because USA allies with Dutch, France, and British came back to push Japanese out from West New Guinea then established the United Nations in 1945. So, USA allies gave the administration of West New Guinea to Dutch in 22 April 1944. So, Dutch prepare independent to West New Guinea in 1944, finally Dutch put the West New Guinea administration into Decolonization list on Non Self Governing Territory 1945 – 1999 (see Non Self Governing territory).<sup>2</sup>

When Indonesia declaration their independent from Japan in 17 August 1945 UN never agree it declaration. And also after their declaration, their Indonesia parliament that was established but Japanese made and discussed about their territory only from Sumatera island in the West until Moluccas in the Eastern. This discussion occur in 18 August 1945 after declaration under Japanese control.

<sup>&</sup>lt;sup>2</sup> Committee 24. Trust and Non Self Governing Territories, 1945 – 1999. http://www.un.org/Depts/dpi/decolonization/trust2.htm



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When their declaration, the man from Java (Indonesian) who stayed in Hollandia (now is Jayapura, the capital of Papua Province now) try to provocated his students in Government School in Hollandia, so they made a underground movement with the name IRIAN (Ikut Republik Indonesia Anti Netherlands) or Follow Indonesia Against Netherlands. His name is Soegoro Atmoprasodjo.<sup>3</sup>



Figure.7. Indonesia Parliament Discussion about their territory in 18 August 1945 Sources: http://www.gimonca.com/sejarah/sejarah.shtml



Figure. 8. Sugoro Atmoprasodjo Source : Book of Api Perjuangan Pembebasan Irian Barat

After Indonesia got fully independent from Dutch in year 1949 through Round Table Conference in Den Haad on year 1949, They try to take over West New Guinea into Indonesia territory. But Dutch not agree with them, so Indonesia

<sup>&</sup>lt;sup>3</sup> Yayasan Badan Kontak Keluarga Besar Perintis Irian Barat. Api Perjuangan Pembebasan Irian Barat. Jakarta. 1986. Hal. 123



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brooked the Round Table Conference agreement in year 1950 then joint with Communist of Russia and China, so Indonesia established their Communist Party and also got the weapons from Russia to pushed Dutch out from West New Guinea. Finally, Indonesia sent their troops to West New Guinea after West Papua got independent from Dutch in 1 December 1961.



Figure. 9. Round Table Conference in Den Haag – Nederland, 1949 Source: www.swaramuslim.net



Figure. 10. West New Guinea Parliament established the National Flag of West Papua, National Anthem, and National Coat of Arm in 19 October 1961.

Sources: Radio Omroep Dok 2 Hollandia

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Colony's Name Changed

New York Times (1857-Current file); Dec 1, 1961; ProQuest Historical Newspapers The New York Times (1851 - 2001) pg. 4

#### Colony's Name Changed

HOLLANDIA, Friday, Dec. 1 (AP)—Netherlands New Guinea changed its name today to West Papua and flew a brand new Papuan flag.

The change in the colonys will not be official until the rule books are changed at The Hague.

One third of the new flag is a field of red, which stands for courage. In the center of the red field there is a large white star, which represents the Papuan people. There are seven blue horizontal stripes symbolizing the country's diverse languages and people. Six alternating white stripes stand for the island's six divisions, which some day may be provinces.

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Figure. 11. Publication of West New Guinea Independent by Newspaper of New York Times. Sources: www.wpik.org

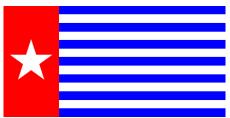


Figure. 12. National Flag of West Papua Sources: Design by John Anari, Created by Markus Wonggor Kaisiepo



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Figure. 13. National Coat of Arm of West Papua Sumber: Calender Niuew Guinea Raad tahun 1961, Created by Markus Wonggor Kaisiepo

No. 69 3

# HAI TANAHKU PAPUA

 $do = g^{-1}/_{1}$ 

5 | 3 . 2 1 2 | 1 . 7 '6 | 4 . 3 2 1 | 2 . . '

Hai ta-nah ku Pa-poe-a, Kau ta-nah la-hir-ku,

2 | 5 . 4 3 2 | 6 5 1 2 | 3 5 2 . 3 | 1 . . |

Ku ka-sih a-kan di-kau se-hing-ga a-djal-ku.

Figure. 14. National Anthem of West New Guinea Sources: http://www.antenna.nl/wvi/image/tanahku.png, Created by Ishack Samuel Kijne

Because of it, so USA and other it allies afraid then pushed Dutch, too. And also, when Dutch and USA geologist found the mineral mountain in West New Guinea in 1961 so USA lied and pressured the Dutch to transferred the administration of West New Guinea to join into Indonesia in 1 May 1963 by signed New York Agreement in this United Nations Headquarter on 15 August 1962. Althoguh The South Pacific Commission, as SPC was formerly called, was founded in Australia in 14 Februari 1947 under the Canberra Agreement by the six 'participating governments' that then administered territories in the Pacific: Australia, France,



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New Zealand, the Netherlands, the United Kingdom and the United States of America.<sup>4</sup> They established the organisation to restore stability to a region that had experienced the turbulence of the Second World War, to assist in administering their dependent territories and to benefit the people of the Pacific.<sup>5</sup> So, Freeport McMoran Company from USA payed USA government to playing the rule and finally they sent their representative Mr. Elsworth Bunker as mediator from United Nations.

Finaly, under USA presured they asked Netherlands government to attended the illegal meeting in Virgina and Rome so they made Rome Agreement in 30 September 1962 after signed New York Agreement in 15 August 1962.

This Agreement was held in Rome, the Capital of Italy at 30th September 1962 after New York Agreement 15th August 1962. This Agreement came because the suggestion of Mr. Elsworth Bunker. It was signed by Indonesia, USA, and Nederland Kingdom.<sup>6</sup>

The Rome Agreement provided among other this the following:

- 1. Referendum or the Act of Free Choice set for 1969 in the New York Agreement of August, 1962. To be delayed or possible cancelled.
- 2. Indonesia to rule West Papua for the next twenty five years (25) effective from the first of May, 1963.
- 3. Method to be use in implementation of the Act of Free Choice or Referendum would be "musyawarah system" in accordance with the Indonesian Parliamentary practice.
- 4. UN's final report on the implementation of the Act of Free Choice presented to the UN General Assembly be accepted without open debate.
- 5. The United State of America be responsible to make an investment through Indonesian State Companies for the Exploration of mineral, petroleum and other resources of West Papua.
- 6. The USA guarantees the Asian Development Bank US \$. 30 Million to be granted to the United Nation Development Programe (UNDP) to develop West Papua for a Period of twenty-five (25) years.
- 7. The USA guarantee the World Bank funds for Indonesia to plan and implement its transmigration program where Indonesian were resettled in West Papua starting from 1977.

This Agreement was signatured in the capital of Italy, Rome at 30th September 1962 after New York Agreement at 15th August 1962 in UN Headquarter. It was

<sup>&</sup>lt;sup>4</sup> Mr. H. J. Sorolea. Azas-Azas Tatanegara Nederlands Niuew Guinea Jilid II. Diterjemahkan oleh P. J. Merkelijn. Pustaka Rakyat Hollandia. Hal. 115.

<sup>&</sup>lt;sup>5</sup> South Pacific Commission. History of SPC. http://www.spc.int/en/about-spc/history.html <sup>6</sup> West Papua Indigenous Organization. ROME AGREEMENT 30 SEPTEMBER 1962. Update 2009. http://oppb.webs.com/romeagreement.htm



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signatured by 3 country; that is Republic of Indonesia, Nederland Kingdom, and United State of America.





Figure. 15. Soekarno (Indonesia President) and Nikita Kurscev (Russia President) on the left and Soekarno with Communist Cuba, Che Guevara Sources: Autralia Dokumenter Film and United Nation Center of Information in Jakarta



Figure. 16. New York Agreement, 15 August 1962. Soebandrio from Indonesia (left) and Van Royen from Dutch (right) and Elsworth Bunker behind Van Royen Sources: http://oppb.webs.com/apps/blog/show/3715548-kegagalan-dekolonisasi-papua-barat

Finaly, according to New York Agreement Dutch must leaved West New Guinea in 1 October 1962 and transferred the administration of West New Guinea to United Nations Temporary Executive Authority (UNTEA).

But UNTEA made big wrong in West New Guinea because delete the attributes and component of West New Guinea State like Papua Police, Papua Military, Papua Parliament (Nieuw Guinea Raad), Papua Flag, Papua Coat of Arm, etc. But only West New Guinea Golden (the currency of West Papua) they still used it and when this administration transferred to Indonesia in 1 May 1962, this currency changed to IRIAN Barat Rupiah. Then, it was changed to Rupiah only like Indonesia currency today.



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Figure. 17. The Currency of West New Guinea
Sources: http://4.bp.blogspot.com/\_yulosiVT3PU/TSXMbK5dvI/AAAAAAAAAAAEY/9DbfC216oqI/s1600/set+borneo.jpg and
http://i6.photobucket.com/albums/y202/omarhadad/Paper%20Notes/1950NetherlandsNewGuinea1Gulden.jpg



Figure. 18. West New Guinea Military in Manokwari Sources: Leger Moseum, Netherlands.

Before the Act of No Choice (illegal Self Determination) according to New York Agreement article 18 in year 1969, Indonesia had signed a first contract with Freeport McMoran Company in year 1967 to exploited the Mineral mountain in West Papua by Soeharto although he has not been sworn in as Indonesian president. So, now 22 countries with Freeport Company exploited the Mineral mountain in West New Guinea. The second conract before the end of first conract, too. It's impossible but reality.



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Figure. 19. Tha flags of state that exploited Mineral in West New Guinea Sources: International Airport Picture in Timika - West New Guinea



Figure. 20. Forest Degradation and River Poluted by Freeport Company in West New Guinea Sources: http://ekonomi.kompasiana.com/bisnis/2010/11/04/data-dan-fakta-kontrak-freeport/

To win the Self-Determination, then Indonesia should eradicate the indigenous Papuans so that their strength decreases. Therefore, the two leaders of Papua Martin Jimmy Wambrauw and Permenas Ferry Awom commanded by Suharto to Manokwari in 1965 to conduct a coup Communists in Manokwari but they both change the move toward national liberation struggle in West Papua. Finally, the rebellion broke out events Free Papua Organization (OPM) on July 26, 1965 in Kebar led by John Jambuani and 28 July in Manokwari, led by Permenas Awom.



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Move it to grow and fertile until today and will continue to grow if there is still the Government of Indonesia in West Papua.<sup>7</sup>





Figure. 21. Permenas Awom meet with Indonesia Military General after they lied him to controled West Papua only 25 years according to Rome Agreement.

Sources: http://oppb.webs.com/sejarahopm.htm

Indonesia finally succeeded in killing more than 500,000 indigenous Papuans so that the census population in 1969 was reduced to 800.000 soul consisted of a combination of native Papuans and the Indonesian people. Whereas in the annual report of the Minister of Foreign Affairs of the Netherlands to the Secretary General of the UN General Assembly in 1961, the number of Papuans as many as 1 million people. This is because the Indonesian military operations from the years 1963 to 1969.<sup>8</sup>

Approaching the implementation of Self-determination according to Article 18 of the Treaty of New York, which reads as follows:<sup>9</sup>

Indonesia will make arrangements, with assistance and participatoin of the United Nations Representative and his staff, to give the people of the territory, the opportunity to exercise freedom of choice. Such arrangements will include:

- a. Consultation (musyawarah) with the representative councils on procedures and methods to be followed for ascertaining the freely expressed will of the population.
- b. The determination of the actual date of the exercise of free choice within the period established by the present Agreement.
- c. Formulations of the questions in such a way as to permit the inhibitans to decide (a) whether they wish to remain with Indonesia; or (b) whether they wish to sever ties with Indonesia.
- d. The eligibility of all adults, male and female, not foreign natoinsl to participate in the act of self-determination to be carried out in accordance

<sup>&</sup>lt;sup>7</sup> West Papua Indigenous Organization. FREE PAPUA MOVEMENT HISTORY. 2009. By John Anari. http://oppb.webs.com/sejarahopm.htm

<sup>&</sup>lt;sup>8</sup> Nederland Ministry of Foreign Affair & Ministry of Home Affair. Report on Nederland New Guinea for the Year 1961 Presented to Secretary General of United Nations Pursuant to Article 73(e) of the UN Charter. Hal. 1.

<sup>&</sup>lt;sup>9</sup> West Papua Indigenous Organization. New York Agreement. http://oppb.webs.com/nyaagreement.htm



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with international practice, who are residents at the time of the signing of the present Agreement, including those residents who departed after 1945 and who returned to the territory to resume residence after the termination of Netherlands administration.

The fact itself has been violated because UNTEA not with Indonesia prepares to execute the process of Self-Determination is because UNTEA has gone on 1 May 1962 before the Self-Determination was held in 1969.

In paragraph a also violated Indonesia for not holding consultations with all members of the Board throughout the island of Papua, but only consulted on 24 March 1969 in Jayapura and then decided that the process of implementation of the Council Poll conducted according to the practice of the Indonesian Parliament. Surprisingly again, suddenly elected in 1025 consisting of representatives of indigenous Papuans 400s and 600s of Indonesia.

This is not a free election because there is no freedom for adult men and women in accordance with paragraph d of the New York Agreement. 10

To win this Self Determination, so Indonesia and USA play their role to stop all and let Indonesia government acting in this preparation. So, Indonesia made a Special Operation before Act of No Choice under the Brigade General Ali Murtopo. He is the Commander of this Special Operation under Indonesia Army Command Strategy or Komando Strategi Angkatan Darat Indonesia (Abbreviated KOSTRAD).



Figure. 22. Brigadir General, Ali Murtopo. Sources: http://oppb.webs.com/apps/blog/show/1624869-analisis-penyebab-konflik-papua

KOSTRAD took the 400s Papuan and put them in jail dormitory guarded by the Indonesian military so that should not meet with their family. Then force them to reject independence of Papua and must vote to join with Indonesia. Every day they just threatened and wooed to be integrated into Indonesia. If they are against, then they will be killed by the Indonesian military.

West Papua Indigenous Organization. Western New Guinea. http://oppb.webs.com/Western\_New\_Guinea.pdf



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While residents of Papua who did not participate in the Consultative Council of the participants, they were arrested and detained so as not to interfere with the way the process of implementation of Self-Determination



Figure. 23. The Prisoners native people in the Indonesian Military Headquarters, Ifar Gunung Sources: Center for Peace and Conflict Study – The University of Sydney

Finally, the process of Self-Determination was won by Indonesia despite UN representative Fernando Ortisan can only observe and can not take action even though the process is not in accordance with international standards such as what is contained in the New York Agreement chapter 18.<sup>11</sup>



Figure. 24. Representative of Illegal Self Determination in Fakfak Region (left) and PEPERA emblem Sources: Information Departmen of Republik Indonesia

<sup>&</sup>lt;sup>11</sup> Brad Simpson. **Indonesia's 1969 Takeover of West Papua Not by "Free Choice".** The National Security Archive, George Washington University. http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB128/index.htm



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Figure. 25. Representative of Illegal Self Determination in Wamena Region (left) and Secretary General of UN mission Mr. Ortisan Fernando spoke with Indonesia Internal Minister Mr. Amir Mahcmud.

Sources: Information Departmen of Republik Indonesia

1969 November 06 UN Secretary General U Thant presents his report on the Act to the UNGA. It consists of a summary by himself followed by reports from Ortiz Sanz and the Indonesians. 1969 November 13-19 Series of plenary meetings held at the UNGA to discuss a resolution which 'takes note' of the results of the Act and the UN's fulfillment of its role in the procedure. The resolution is sponsored by Belgium, Indonesia, Luxembourg, Malaysia, the Netherlands and Thailand. 1969 November 18 A number of African representatives at the UN hold a 'stormy' meeting on the Act and refuse to receive the Indonesian permanent representative. 1969 November 19 UNGA votes by 58 to 31 with 24 abstentions to reject a move by Dahomey for an adjournment for further consultations on the Act. It then votes by 60 to 15, with 39 abstentions, to reject a Ghanian amendment to the resolution on the Act which calls for a further act of free choice in West Irian by the end of 1975. Finally, the UNGA votes by 84 to none with 30 abstentions to pass the unamended resolution on the Act. 1969 December 15 286 refugees from the southern border area accepted the offer of amnesty and were flown to Merauke; another 40 walked back across the border. 12

<sup>&</sup>lt;sup>12</sup> Understanding Papua. History 1960 – 1969. http://www.understandingpapua.com/?page\_id=34



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1. <u>Takes note</u> of the report of the Secretary-General and acknowledges with appreciation the fulfilment by the Secretary-General and his representative of the tasks entrusted to them under the Agreement of 15 August 1962 between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian);

2. Appreciates any assistance provided through the Asian Development Bank, through institutions of the United Nations or through other means to the Government of Indonesia in its efforts to promote the economic and social development of West Irian.

1813th plenary meeting, 19 November 1969.

<sup>4</sup> Ibid., Seventeenth Session, Annexes, agenda item 89, document A/5170, annex.

<sup>5</sup> Ibid., Eighteenth Session, Plenary Meetings, 1255th meeting, para. 71.
<sup>6</sup> Ibid., Eighteenth Session, Annexes, agenda item 20, docu-

Figure. 26. UN General Assembly Resolution no. 2504 about Take Note of the Report of Secretary General of United Nations.

Sources: United Nations Publication and Information Department.





Figure. 27. Refuges of West Papua accros a border flew to save them in Papua New Guinea.

Sources: Free Papua Movement Document.

This is the UN involvement in Self Determination in West Papua finally they failed done it according to article 18 of New York Agreement and failed in it mission according to UN Charter article 73.<sup>13</sup>

Finaly, currently bad situation of human rights violence in West New Guinea because of UN involvement to let indigenous of West New Guinea life suffering in their land cause by Indonesia Colonization.

<sup>&</sup>lt;sup>13</sup> Chapter of United Nations. DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES. http://www.un.org/en/documents/charter/chapter11.shtml



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So many migrant flew to this island then indigenous here to be the minority because now Indonesian is 1,852,297 peoples (51.27%) Indonesian and indigenous Papuan only 1,760,557 peoples (48.73%). So, now the total population since Indonesia census in year 2010 is 3,612,854 Peoples (100%).<sup>14</sup>

Forest degradation still continue until today because Indonesia government still give their Company Wood operated in West New Guinea island. And also their Oil and Gas still made polluted because here there is no waste processing company, So many mineral company permited, too by Indonesia government to make forest degradation in West Papua.

So many Papuan activist jailed and killed by Indonesia Military and Police, too. So many manipulation history of West Papua in the world and in Indonesia also.







Figure. 28. Human Rights Violence and Genocide still on process by Indonesia Military and Police.

Sources: www.facebook.com/oppb.wpio





Figure. 29. Forest Degradation in West Papua by Wood Company (left) and Forest Degradation by Indonesia Transmigrant that was supperted by Word Bank according to Rome Agreement.

Sources: www.facebook.com/oppb.wpio

<sup>&</sup>lt;sup>14</sup> Jim Elmslie. West Papua Demographic Transition and the 2010 Indonesia Census: "Slow Motion Genocide" or Not?.

 $http://sydney.edu.au/arts/peace\_conflict/docs/working\_papers/West\_Papuan\_Demographics\_in\_20\\10\_Census.pdf$ 



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Figure. 30. The Demonstration in front of Dutch Embassy in Jakarta on 1 December 2001 Source: Photograper by John Anari



Figure. 31. National Liberation Army of West Papua (WPNLA) Source: www.facebook.com/oppb.wpio

So, by this Tenth Sessions of the United Nations Permanent Forum, we Recommended United Nations must review back their involvement in Debacle of Decolonization and Illegal Self Determination in West New Guina finaly UN can give our rights to Self Determination According to article 3 of UN Declaration on the rights of Indigenous Peoples and also according to article 1 of ICCPR.

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#### **ATTACHEMENT**

#### 1. CHAPTER XI: DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

#### Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

- 1. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
- 2. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;
- 3. to further international peace and security;
- 4. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and
- 5. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.



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#### 2. ROME AGREEMENT, 30 SEPTEMBER 1962

signing of the Agreement. The Rome Agreement provided among other things the following:

- (1) :Referendum or the Act of Free Choice of August, 1962. To be delayed or if possible cancelled.
- (2) :Indonesia to rule West Papua for the next twenty-five years (25) effective from the first of May, 1963.
- (3) :Method to be used in implementation of the Act of Free Choice or Referendum would be "musyawarah system" in accordance with the Indonesian Parliamentary practice.
- (4) :UN's final report on the implementation of Act of Free Choice presented to the Un General Assembly be accepted without Eretria are beneficiaries of such open debate.
- (5) :The United states of America be responsible to make an investment through Indonesian State Companies for the Exploration of minerals, petroleum and other resources of West Papua.
- (6) :The USA guarantees the Asian Development Bank US \$30 Million to be granted to the United Nations Development Program (UNDP) to develop West Papua for a period of twenty-five (25) years.
- (7) :The USA to guarantee the World Bank funds for Indonesia to plan and implément its transmigration program where indonesians were resettled in West Papua starting from 1977.

The so called Act of Free Choice was not only a violation of the United Nation's rules and principles on decolonisation. It was also an act which had no legal basis in INTERNATIONAL Law. It is therefore best described as an ACT OF NO CHOICE. Indonesians claim to

West Papua should thus he held by International Law to be void and of no legal effect. For this meason the United Nations and the International community should revise its recognition of West Papua as part set for 1969 in the New York Agreement of the Republic off Indonesia and reinstate West Papus on the lat of Noon-Self Governing Territories.

> 5. RIGHT OF WEST PAPUA AS A RECOLONISED STATE

The right of West Papua as a State and as a people also finds support in International law as a recolonised people under the same principles of international law. Such a practice is not unpracedented in international law and practice. Pecently Bangladesh and international law and practice. This right it is submitted is accorded when the post colonial state discriminate and oppresses as specific ethnic group of people within that post-colonial state. The State and the People of West Papua it is submitted qualifies under such criteria for decolonisation in post-coloniai era.

The fact is that demands to self-determination in a non-colonial situation or a post colonial situation are growing both in quantity and intensity. This is equally true of external self-determination (that is by secession) and internal self-determination (within existing state). The secession of Bangladesh from (West Pakistan) illustrates the possibility of self-determination in a postcolonial situation.

Secession from an existing State either to constitute an Independent state or to join an existing State is already recognised as one of the means of exercising self-determination

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 Manifesto Politic of National Commission of West Papua in West New Guinea Parliament building on 19 October 1961.

MANIFE ST

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Shami Jang bertanda tangan dibawah ini, banduduk tenah Robina bahagian Bacat, terdiri tari berbagii golangan, buku dan agama, mecasa terikat dan berbatu padu bebagai satu bangsa dan satu tanah air;

#### MENJATAKAN;

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- W Beckasseken haseat dan keinginan bangsa kitu akan kemechekaan hita sendici;

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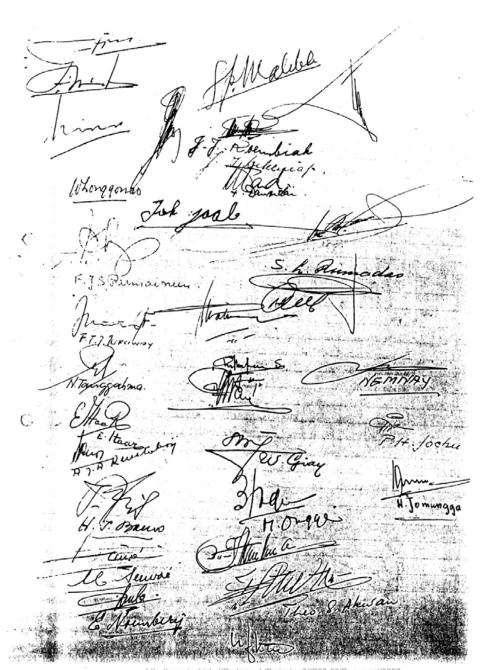
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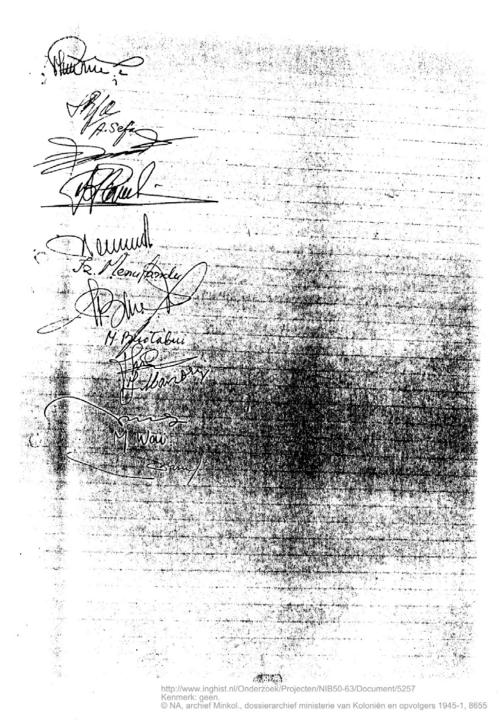
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#### **DENGAN INI MENGUMUMKAN**

Kepada semua Negara bahwa:

- 1. Berdasarkan Piagam PBB Pasal 73 bagian a dan b;
- Berdasarkan Prinsip Deklarasi PBB tentang pemberian kemerdekaan bagi daerah tak berpemerintahan sendiri dan orang-orangnya, seperti yang tertulis dalam Resoulusi PBB No. 1514 (XV) yang diadopsi oleh Majelis Umum PBB pada Sidang ke-15 dari 20 September sampai 20 Desember 1960;
- 3. Berdasarkan Hak kami yang tidak dapat diganggu-gugat, kami penduduk bagian Barat Papua, harus memiliki Negara sendiri.
- 4. Sesuai dengan hasrat dan keinginan bangsa kami untuk kemerdekaan, melalui Komite Nasional dan Parlement kami, Dewan New Guinea, mendesak Gubernur Pemerintahan Nederland Niuew Guinea dan Pemerintah Kerajaan Belanda bahwa mulai tanggal 1 November 1961:
  - a. Bendera Nasional Papua Barat harus dinaikan disamping Bendera Kerajaan Belanda
  - b. Lagu Kebangsaan kami **Hai Tanah Ku Papoea** dinyanyikan dan dimainkan bersamaan dengan Lagu Nasional Kerajaan Belanda.
  - c. Nama Negara kami menjadi Papoea Barat.
  - d. Nama Bangsa Kami adalah Bangsa Papua.

Dengan melihat ke depan, kami, bangsa Papoea, menginginkan posisi kami sendiri, sejajar dengan bangsa-bangsa merdeka dan sejajar dengan bangsa-bangsa itu, kami bangsa Papoea ingin hidup dalam perdamaian dan turut memelihara perdamaian dunia.

Melalui manifesto ini kami memanggil semua penduduk yang mencintai Negara ini dan bangsanya untuk menyebarkan manifesto ini dan memegangnya, sebagai landasan untuk kemerdekaan bangsa Papoea. <sup>15</sup>

#### Hollandia, 19 Oktober 1961

W. Inury Iz. Menufandu T.S. Akwan J.E. Bonay N. Tanggahma D. Sawom M. Wai H. Jomungga H.I. Bauw P. Poana N. Jouwe M. Buotabui Sp. Malibela A. Onim H. Mori Muzendi F. Torey T. Dansidan M.W. Kaisiëpo F.J.S. Rumainum P. Koejab W. Giay E. Itaar W. Zonggonao B. Gebze O. Nemnay M. Suwaé F. Jufuway Th. Mezet A. Sefa J.J. Roembiak A.J.A. Rumtoboy J. Manory J. Jaab E. Noembery L. Ayamiseba M. Onggé J.S. Dekeniap M. Rumainum P.H. Jochu S.L. Rumadas

<sup>15</sup> Viktor Kaisiepo. The Case of West Papua Sovereignty. Presentation in Expert Mechanism of United Nations High Commissioner for Human Rights. Page. 14 – 15.