

# INDONESIA

## HUMAN RIGHTS AND PRO-INDEPENDENCE ACTIONS IN PAPUA, 1999-2000

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## I. SUMMARY

In December 1999, Indonesia's new President, Abdurrahman Wahid, announced that he would watch the first sunrise of the new century from the easternmost province of Irian Jaya. It was an unusual choice—the province, roughly the size of France, has a population under two million in a country of over two hundred million, and its capital, Jayapura, is some 3,500 kilometers (2,100 miles) from the Indonesian capital, Jakarta—but Wahid's announcement was clearly intended to signal a major change of policy after more than thirty years of authoritarian rule. At a ceremony at an army base near Jayapura on January 1, 2000, Wahid declared that the province would from that day forward be called "Papua," an important gesture of reconciliation toward the indigenous population of the province, who call themselves "orang Papua" (Papuan people). For decades, the name had been all but taboo as the embodiment of forbidden aspirations to political and cultural autonomy.<sup>1</sup>

Since coming to power in October 1999, the Wahid government has introduced significant reforms in Papua in the face of widespread demands for independence. In addition to the name change, which has yet to be officially endorsed by Indonesia's parliament, the government has declared that peaceful expression of pro-independence sentiment will no longer be punished as it had been in former years, and it released over sixty Papuans from jail as part of a nationwide amnesty for political prisoners. The government's actions, however, have not been consistent and abuses have continued. While it has permitted a number of peaceful demonstrations, which usually take the form of symbolic raising of the "Morning Star" flag signifying an independent Papua, other such rallies have been forcibly dispersed by police with resulting injuries to demonstrators. Likewise, even as Indonesia's Minister for Law and Legislation announced on December 13, 1999, that all Papuan political prisoners would be released, five men involved in a peaceful flag-raising which had taken place in the town Genyem on July 1, 1999, were charged with rebellion by a state prosecutor in Jayapura. Although those charges subsequently were dropped, at the time this report was being prepared authorities were continuing investigations into a series of peaceful flag-raising ceremonies held throughout the province on December 1, 1999 and nine people already had been named as suspects.

Human Rights Watch takes no position on Papuan claims to self-determination, but it supports the right of all individuals, including independence supporters, to express their political views peacefully without fear of arrest or other forms of reprisal. To the extent individuals are arrested and imprisoned for peaceful participation in symbolic flag-raising ceremonies, such treatment constitutes arbitrary arrest and detention in violation of international standards. According to the U.N. Working Group on Arbitrary Detention, which visited Indonesia in February 1999, the majority of individuals then facing charges in connection with flag-raising ceremonies in Irian Jaya were being held for peaceful expression of their views and, as such, their detention was arbitrary and in violation of international law. Under the new administration, the number of cases is down, but Indonesia has continued to prosecute organizers of peaceful protests.

Papua, Indonesia's largest province, comprising more than one-fifth of the country's total land area, was first put under Indonesian control in 1963. It was formally incorporated into Indonesia in 1969 in a still controversial, U.N.-approved process. For many years, the province was categorized as a military combat zone (*Daerah Operasi Militer* or DOM; literally, Military Operations Area) and under an effective state of martial law, ostensibly because of the threat posed by the Free Papua Movement (*Organisasi Papua Merdeka* or OPM), an armed group engaged in a generally low level guerrilla campaign for independence from Indonesian rule. At the same time, many Papuans sought to express their support for independence through peaceful means, notably the symbolic public raising of the "Morning Star" flag which had first been flown openly when local people sought to free the territory from Dutch colonial rule in 1961.

Under Soeharto, who ruled Indonesia for thirty years until forced to resign by popular protests in 1998, such flag-raising ceremonies and other pro-independence manifestations were ruthlessly suppressed. Demonstrators were forcibly dispersed and assaulted, and leading activists were subjected to arbitrary arrest and detention. Such activists frequently were prosecuted and imprisoned under harsh laws dealing with subversion and rebellion, as well as the notorious "hate sowing" articles of the Indonesian penal code.

Indigenous Papuans, who are Melanesians and darker-skinned than the numerically and politically dominant Javanese and members of most other ethnic groups in Indonesia, were also subject to ethnic and racial discrimination. While Indonesian rule brought unprecedented economic development, it also resulted in an influx of immigrants from other parts of Indonesia and caused resentment among Papuans as the benefits went disproportionately to foreign investors and these immigrants. When Soeharto was forced from power in May 1998, many of these long repressed sentiments could be made public for the first time.

When he took over following Soeharto's resignation, President B.J. Habibie initially made efforts to recognize and apologize for the human rights violations committed under his predecessor. But the new administration's willingness to acknowledge past abuses in general terms was not accompanied by concrete measures to establish justice or redress for the victims. In the meantime, demands for independence mounted.

The strength of pro-independence sentiment was unmistakable as early as February 1999, when 100 leading Papuan leaders met with President Habibie to initiate what was being hailed as a "National Dialogue" on Papuan concerns. But the leaders presented President Habibie with a single demand: independence. This clearly shocked and displeased the Habibie government, which had encouraged the National Dialogue up to then, and the process was soon suspended. In April 1999, the government reverted to the methods used during the Soeharto era, attempting to round up independence supporters and censor discussion of the subject. The crackdown included bans on expression, assembly, and association, arbitrary arrests, and widespread intimidation of independence supporters. With nationwide demands for democratization still mounting across Indonesia, however, opposition voices could not easily be silenced. The result was an uncertain atmosphere in which, even as the crackdown was underway, Papuan leaders continued to assert their right to advocate Papuan independence. In July and September 1999, at least four demonstrators were seriously injured, one of whom subsequently died in custody, and thirty-two were arrested after police moved in to disperse what had initially been peaceful flag-raising ceremonies.

In October 1999, following democratic elections, a new government took office in Indonesia under President Abdurrahman Wahid, and promptly initiated a number of reforms. Openly acknowledging the errors of the past, the new administration moved quickly to allow greater freedom and to permit the open expression of pro-independence views. Peaceful Papuan flag-raising, which had been broken up under Soeharto and Habibie, were now permitted and were held without police interference in at least a dozen places in Papua on December 1, 1999. The next day, however, there was a violent clash between police and demonstrators at a flag-raising in Timika in which six people were shot by police and dozens were injured. When he met local community leaders at Jayapura on December 31, President Wahid assured them that flag-raising and other peaceful expression of pro-independence views should and would be considered protected acts of free speech. At the same time, Wahid stated unambiguously that the Indonesian government was not prepared to accede to Papuan demands for independence.

During a visit to Irian Jaya in December, 1999, Indonesia's new minister for human rights, Hasballah Saad, acknowledged the link between the past lack of accountability for human rights abuses suffered by Papuans and the growth of the separatist movement within the territory, and announced that a new center for human rights study and advocacy would be established in Irian Jaya. "If human rights are not respected . . . that could in turn provoke people to ask what maintaining the unity of the Republic is for," Saad was quoted as saying. "This circumstance could in turn encourage people to fight for an independent state."<sup>2</sup>

This report details violations of civil and political rights in Papua from the beginning of 1999, including those associated with the National Dialogue and subsequent symbolic flag-raising ceremonies. At the outset, it provides an overview of independence demands, then describes the rise and fall of the National Dialogue and the crackdown that followed. It also reviews developments since President Abdurrahman Wahid came to power in October 1999.

As this report was being prepared, Human Rights Watch learned of disturbing developments in Merauke and Nabire in which groups of armed Papuan neighborhood patrols (*Satgas Papua*) clashed with police and troops, an

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<sup>2</sup> "Rights abuses fed separatism in Irian Jaya," *Jakarta Post*, December 10, 1999; "Indonesia proposes rights center in Irian Jaya," *Human Rights Watch*, December 9, 1999.

incident in Fak Fak in which villagers clashed with the entourage of a local government official, and communal violence in Entrop, near Jayapura, in which a Papuan mob attacked non-Papuan shopkeepers. There were also reports that, in response, non-Papuan transmigrant residents in the province were being provided with firearms by government officials, and that, in at least one district, an East Timor-style pro-government militia was being set up. These reports, if true, make it all the more imperative that respect for basic civil and political rights and strict implementation of the distinction between peaceful advocacy and violent criminal acts be made components of any long-term solution in Papua. Although the Indonesian government has recognized such rights in principle, it has not yet consistently respected those rights in practice.

## II. RECOMMENDATIONS

### **Human Rights Watch calls on the Government of Indonesia:**

- to uphold its international obligations to respect freedom of speech, of the press, of assembly, of association, and of peaceful demonstration, and to cease arrests, harassment, and arbitrary detention of individuals based on their political views.
- to amend or repeal all articles of the Criminal Code which have been used to imprison individuals for their legitimate peaceful activities, including the provisions of the old subversion law which have been retained in the revised code, and so-called “hate-sowing” articles, all of which remain in force. The latter include: Article 154, “...the public expression of feelings of hostility, hatred or contempt toward the government;” Article 155, prohibiting the expression of such feelings or views through the public media; Article 160, prescribing the “incitement” of others to disobey a government order or to break the law; Article 134, prohibiting “insulting the President;” and Article 137 providing criminal penalties for anyone who “disseminates, demonstrates openly or puts up a writing or portrait containing an insult against the President or Vice President.”
- to repeal or amend article 106 of the Indonesian Criminal Code, outlawing “rebellion,” to bring it into accordance with international standards. As currently exists, the law allows for prosecution of those engaged in peaceful advocacy of independence.
- to ensure that any legislation relating to the holding of demonstrations does not restrict the peaceful exercise of freedom of expression and assembly. In October 1998, a new law on “Freedom of Expression in Public Places” was passed. The law states that three days’ notice should be given to the police of demonstrations, rallies, large gatherings and public speeches. The law, widely criticised by human rights and political activists, requires that the police be informed of the purpose of the event and the names and addresses of the organisers. Papuan activists claim that the law has been selectively applied in ways that have violated the right to peaceful assembly.
- to adhere at all times to international standards governing the policing of civilian protest:
  - Peaceful, lawful assemblies should not be disturbed;
  - Officials should at all times act in accordance with the United Nations’ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, including its requirements that all law enforcement officials exercise restraint in the use of force and act in proportion to the nature of the threat they face, “minimize damage and injury and respect and preserve human life,” and use firearms only when less dangerous means are not practicable.
- to treat all individuals arrested or detained during protest rallies in accordance with internationally recognized standards of criminal justice:
  - Under no circumstances should individuals be arrested for exercise of their rights to free expression, association and assembly;

- Individuals arrested for suspected participation in violent acts should be informed immediately of the charges against them, and be presumed innocent unless and until proven guilty according to law in a public trial with all guarantees necessary for their defense;
- No individuals arrested or detained should be subjected to battery;
- All claims of use of excessive force by security forces against protesters and other civilians should be subject to full and impartial investigation by an independent body, and those found responsible should be prosecuted to the full extent of the law.

### III. BACKGROUND

FLAG-RAISING—RAISING THE “MORNING STAR” BANNER TO SYMBOLIZE AN INDEPENDENT PAPUA—HAS BEEN THE MOST COMMON FORM OF NON-VIOLENT PROTEST BY PAPUANS FOR THIRTY YEARS. THE FLAG HOISTED DURING PRO-INDEPENDENCE PROTESTS IS THE ONE THAT FLEW OPENLY IN THE REGION FOR EIGHT MONTHS IN THE EARLY 1960S. WHEN INDONESIA GAINED INDEPENDENCE FROM THE NETHERLANDS IN 1949, THE REGION THEN KNOWN AS WEST IRIAN REMAINED A DUTCH TERRITORY. IN THE 1950S, THE DUTCH BEGAN A DECOLONIZATION PROCESS THERE; IN 1961, AN ELECTED COUNCIL COMPRISED MOSTLY OF INDIGENOUS PAPUANS COMMISSIONED THE CREATION OF A NATIONAL ANTHEM AND FLAG. ON DECEMBER 1, 1961, THE “MORNING STAR” FLAG WAS FLOWN BESIDE THE DUTCH TRICOLEUR FOR THE FIRST TIME. FULL INDEPENDENCE WAS ENVISIONED FOR 1970.

INDONESIA, HOWEVER, VIEWED THE DECOLONIZATION PROCESS AS A DUTCH EFFORT TO CREATE A PUPPET STATE WITHIN ITS RIGHTFUL BOUNDARIES. NEARLY ALL OF INDONESIA’S NATIONALIST LEADERS VIEWED ALL DUTCH POSSESSIONS IN THE REGION, AS WELL AS THE PORTUGUESE COLONY OF TIMOR AND BRITISH POSSESSIONS ON BORNEO AND THE MALAY PENINSULA, AS RIGHTFUL PARTS OF INDONESIA. ON DECEMBER 19, 1961, INDONESIA’S LEADER, SOEKARNO, LAUNCHED A CAMPAIGN TO “RETURN” WEST IRIAN TO INDONESIA. TERMED THE “THREE COMMANDS OF THE PEOPLE” (*Tri Komando Rakyat* OR *TRIKORA*), THIS AIMED “TO SABOTAGE THE NETHERLANDS COLONIAL GOVERNMENT’S INTENTION TO SET UP ITS OWN PUPPET GOVERNMENT IN THE REGION, TO FLY THE INDONESIAN FLAG IN WEST IRIAN, AND TO MOBILIZE THE INDONESIAN PEOPLE IN DEFENSE OF THE INDEPENDENCE OF INDONESIA.”<sup>3</sup> ON JANUARY 11, 1962, SOEKARNO APPOINTED THEN-COLONEL SOEHARTO (WHO WAS TO REPLACE HIM AS INDONESIA’S LEADER IN 1965) AS HEAD OF THE MANDALA COMMAND TO “LIBERATE” WEST IRIAN.<sup>4</sup> INDONESIAN TROOPS WERE SOON PARACHUTING INTO ITS JUNGLES.

SKIRMISHES BETWEEN DUTCH AND INDONESIAN FORCES ESCALATED TENSION IN THE REGION, AND THE DUTCH GOVERNMENT, UNDER STRONG PRESSURE FROM THE UNITED STATES, ABANDONED ITS PLANS FOR WEST IRIAN. ON AUGUST 15, 1962, THE NETHERLANDS SIGNED A U.S.-BROKERED AGREEMENT IN NEW YORK, UNDER WHICH WEST IRIAN WAS BROUGHT UNDER A TEMPORARY U.N. TRUSTEESHIP, THE UNTEA, IN OCTOBER 1962, THEN TRANSFERRED TO INDONESIA ON MAY 1, 1963.

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<sup>3</sup>History of the Republic of Indonesia. Library of the Indonesian Embassy. <http://www.permias.org/okki/library/history.phtml>

UNDER THE NEW YORK AGREEMENT, INDONESIA WAS REQUIRED TO HOLD AN ACT OF FREE CHOICE (*PENENTUAN PENDAPAT RAKYAT, OR PEPERA*) TO ENABLE THE INHABITANTS OF WEST IRIAN TO DETERMINE THEIR OWN FUTURE. THIS WAS HELD IN JULY 1969 BUT, ACCORDING TO MANY PAPUANS AND OTHERS, WAS FAR FROM FREE. SOME 1,025 PAPUAN REPRESENTATIVES, REPORTEDLY HAND-PICKED BY JAKARTA, WERE CONVENED UNDER INDONESIAN MILITARY SUPERVISION, AND ASKED TO CHOOSE WHETHER OR NOT THEY WANTED INTEGRATION WITH INDONESIA. THE RESULT WAS UNANIMOUSLY IN FAVOR OF INTEGRATION. PAPUANS ASSERT THAT IT SHOULD HAVE BEEN CONDUCTED ON A ONE-PERSON-ONE-VOTE PRINCIPLE BUT THE PROCEDURE HAD NOT BEEN SPECIFIED IN THE NEW YORK AGREEMENT, WHICH CALLED FOR THE POPULAR CONSULTATION TO BE HELD "IN ACCORDANCE WITH INTERNATIONAL PRACTICE."<sup>5</sup> ACCORDING TO INDONESIA, THE METHOD USED WAS APPROPRIATE GIVEN THE FORMIDABLE GEOGRAPHY AND WHAT THEY SAW AS THE LOW LEVEL OF SOCIAL, ECONOMIC, AND CULTURAL DEVELOPMENT THEN EXISTING IN WEST IRIAN. A BOLIVIAN DIPLOMAT, FERNANDO ORTIZ-SANZ, AND SIXTEEN SUPPORT STAFF OVERSAW THE PROCESS FOR THE UNITED NATIONS; ON SEPTEMBER 6, 1969, ORTIZ-SANZ REPORTED TO THE U.N. SECRETARY GENERAL: "I REGRET TO HAVE TO EXPRESS MY RESERVATION REGARDING THE IMPLEMENTATION OF ARTICLE XVIII OF THE AGREEMENT, RELATING TO THE RIGHTS, INCLUDING THE RIGHTS OF FREE SPEECH, FREEDOM OF MOVEMENT AND OF ASSEMBLY, OF THE INHABITANTS OF THE AREA. IN SPITE OF MY CONSTANT EFFORTS, THIS IMPORTANT PROVISION WAS NOT FULLY IMPLEMENTED AND THE ADMINISTRATION EXERCISED AT ALL TIMES A TIGHT POLITICAL CONTROL OVER THE POPULATION."<sup>6</sup> DESPITE THIS REPORT, THE UNITED NATIONS ACCEPTED THE RESULTS IN RESOLUTION NO. 2504, ADOPTED ON NOVEMBER 19, 1969, WITH THIRTY ABSTENTIONS AND NO NEGATIVE VOTES.

IN SEPTEMBER 1969, WEST IRIAN WAS OFFICIALLY INCORPORATED AS THE TWENTY-SIXTH PROVINCE OF INDONESIA; INDONESIA RENAMED IT IRIAN JAYA IN 1973. ALSO IN 1969, WEST IRIAN WAS DECLARED A MILITARY OPERATIONS AREA (*DAERAH OPERASI MILITER, OR DOM*), OSTENSIBLY TO COMBAT ARMED OPPOSITION TO INDONESIAN RULE BY GUERRILLAS OF THE FREE PAPUA MOVEMENT (OPM), A LOW-LEVEL RESISTANCE MOVEMENT THAT NEVER COALESCED INTO THE UNITED OR ORGANIZED FRONT ITS NAME IMPLIES. THE MILITARY OPERATIONS ZONE IN IRIAN JAYA WAS THE LONGEST IN INDONESIAN HISTORY. DOM STATUS REMAINED IN EFFECT IN THE PROVINCE UNTIL OCTOBER 1999, FIVE MONTHS AFTER THE FALL OF SOEHARTO, WHEN DOM STATUS WAS LOWERED ONE DEGREE TO THE CATEGORY OF CRITICAL CONTROL AREA (*PENGAWALAN DAERAH RAWAN.*)

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<sup>5</sup> Agreement Between Indonesia and the Netherlands concerning West New Guinea (West Irian), signed at U.N. Headquarters, New York, August 15 1962. Article XVIII of the agreement states: Indonesia will make arrangements, with the assistance and participation 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. . . the eligibility of all adults, male and female, not foreign nationals, to participate in the act of self-determination to be carried out in accordance with international practice, who are resident at the time of the signing of the present Agreement and at the time of the act of self-determination. . . ."

<sup>6</sup> Report by the Representative of the Secretary-General in West Irian, submitted under Article XXI, Paragraph 1, of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands Concerning West New Guinea (West Irian). UN Document No A/7723. The New York Agreement had called for UN experts to remain in the territory from the time of the transfer of West Irian to Indonesia to the Act of Free Choice to assist with preparations for the vote. However, no U.N. representative was present from May 1, 1963 to August 23, 1968 due to the temporary withdrawal of Indonesia from the U.N. during that period. The agreement also called for the participation of local "representative councils" in designing the Act of Free Choice, but in practice, as described by Ortiz-Sanz, the central government designed the act and then brought it to the councils for approval. The government rejected Ortiz-Sanz suggestion that at least the more accessible and politically aware coastal populations be polled using a one-person-one-vote method. Instead, Indonesia expanded existing provincial councils into "consultative assemblies," according to a formula whereby each 750 people would be represented by one person. Additional council members were popularly elected, though UN observers were able to attend the election of only 20 percent of the members, or 195 people (after Ortiz-Sanz insisted that at least some of the elections be repeated.) No opposition members were allowed to join the councils because, Ortiz-Sanz wrote, Indonesia's position was that "only those political groups which existed legally would be represented." In a letter to him the government explained: "those few people - possibly existing -'not in favour of retaining the ties' with the Republic of Indonesia are ... not organized in legally existing groups or parties in West Irian." The Act of Free Choice was carried out in serial sessions of the consultative assemblies between July 14 and August 2, 1969. The procedure consisted of so-called "musjawarah" (consensus) deliberations rather than voting. Each session began with pro-Indonesia speeches by government officials and, beginning at the fourth assembly, a telegram from Soeharto was read in which the president expressed gratitude for the pro-Indonesia results of the previous assemblies. At each meeting some 20 assembly members spoke, then all

Between 1969 and 1998, the province was the site of low-level armed conflict between government forces and OPM guerrillas—disparate bands of insurgents often armed with traditional weapons. The OPM's principle tactics were sporadic attacks on army posts and hostage-takings. Two OPM acts achieved international notoriety, however, by effecting foreign individuals and interests. In 1977, insurgents cut a copper slurry pipeline from the old Ertsberg mine site owned by the U.S. company Freeport McMoRan. (The nearby, gigantic Grasberg mine, in operation since the early 1990s and also owned by Freeport, has the world's largest proven gold reserves and the third largest copper reserves.) In January 1996, an OPM group kidnapped a group of scientists and other civilians from various countries who had been conducting research in highland forests. Thirteen people were held for four months while guerrillas demanded money and international recognition for the independence cause. After negotiations by the International Committee of the Red Cross failed to win the hostages' release, the Indonesian army began an extensive assault on the Mapnduma region, killing many civilians. A few days later, the hostages ran for freedom after two of their number, both Indonesian, were killed, apparently by guerrillas or by people avenging family members killed in the army operation.<sup>7</sup>

Government counterinsurgency operations targeted not only armed groups but also civilian opposition groups. As a result, the independence movement was driven underground, local groups reported a stream of atrocities, and fear was pervasive.<sup>8</sup> AS ELSEWHERE IN INDONESIA, CIVILIANS SUFFERED DISPROPORTIONATELY DURING ARMY OPERATIONS. INVESTIGATORS AFFILIATED WITH LOCAL CHURCHES AND HUMAN RIGHTS ORGANIZATIONS, AS WELL AS INTERNATIONAL NGOs, HAVE DOCUMENTED MANY ATROCITIES BY GOVERNMENT TROOPS IN THE PROVINCE. IN 1999, FOR EXAMPLE, THE ROBERT F. KENNEDY MEMORIAL CENTER FOR HUMAN RIGHTS AND THE ABEPURA-BASED INSTITUTE FOR HUMAN RIGHTS STUDIES AND ADVOCACY (KNOWN LOCALLY BY ITS INDONESIAN ACRONYM ELSHAM) DOCUMENTED CASES OF RAPE, AND OTHER FORMS OF SEXUAL VIOLENCE AGAINST LOCAL WOMEN AND GIRLS BY THE INDONESIAN MILITARY IN VILLAGES IN THE CENTRAL HIGHLAND REGION OF THE PROVINCE.<sup>9</sup> THE NUMBER OF CIVILIAN CASUALTIES THAT RESULTED FROM NEARLY THREE DECADES OF MILITARY IMPUNITY IN THE ISOLATED PROVINCE IS NOT KNOWN; NO COMPREHENSIVE INDEPENDENT INVESTIGATION HAS EVER BEEN ATTEMPTED. IN LATE 1999, THE DIRECTOR OF ELSHAM TOLD A NEWSPAPER HE HAD DOCUMENTATION OF 921 DEATHS RESULTING FROM MILITARY OPERATIONS CONDUCTED IN VARIOUS PARTS OF IRIAN JAYA BETWEEN 1965 AND 1999.<sup>10</sup> MANY PAPUANS BELIEVE THE ACTUAL NUMBER IS AT LEAST SEVERAL TIMES THAT FIGURE.

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<sup>7</sup>The Institute for Human Rights Study and Advocacy, which conducted a long investigation of the incident, suggests that the army may have purposely derailed negotiations by other parties so it could take credit for ending the crisis, as it eventually did. Soeharto's son-in-law Prabowo Subianto was in charge of the army operation. *Operasi Militer Pembebasan Sandera dan Pelanggaran Hak Asasi Manusia di Pegunungan Tengah Irian Jaya*, Lembaga Studi dan Advokasi Hak Asasi Manusia (ELSHAM) Irian Jaya, Jayapura, Agustus 1999.

<sup>8</sup>Human Rights Watch interview, Benny Giay, September 27, 1997. Mr. Giay explained that the fear was strongest among Papuans in areas where the army was active, but that a climate of fear prevailed even for those in urban areas. He recounted the following anecdote: "In December 1996, all schools and offices were closed for two days. There was a panic. [It was said that] the OPM had come and would invade Abepura [a town located near the provincial capital and home of the province's leading university]. A woman had a garden in the hills. People heard a noise, shouting in the hills and said that the OPM was coming. Children were sent home from school and everything closed down. It wasn't the OPM, but highland students working in the woman's garden. It's typical for people from the highlands to chant while they work." Giay concluded: "The government tells us it wants stability, but it encourages rumors. I wrote a letter to the local paper, saying there is no 'trigger' for such a panic, no mastermind, it's in all of us. The military presence creates an internal thought, 'they're here to protect us,' an atmosphere of fear of rebels. The kindling is there, just light a match, [say] 'OPM,' and everyone scatters."

<sup>9</sup>RFK Memorial Center for Human Rights, *Rape and Other Human Rights Abuses by the Indonesian Military in Irian Jaya (West Papua) Indonesia* (Washington, D.C.: RFK Memorial, May 1999).

<sup>10</sup>Human Rights Watch, "Urban, Menarik Dukungan," *Tekad No. 3/Tahun II*, 29 November - 5 Desember 1999, vol. 12, No. 2 (C)

In an unpublished article exploring Papuan attitudes toward outsiders, Benny Giay, a priest, has described incidents of military brutality in the Paniai region of the remote interior mountains of Irian Jaya which appear to have indelibly traumatized the communities that experienced them, achieving a near legendary status, though it is not clear how common they were. According to one account, a man was strung up by soldiers on an archway erected and decorated to celebrate Indonesian independence day, and then bayoneted to death when they were not satisfied with his answers when they interrogated him about the OPM. In another incident, three young men, whose screams could be heard in neighbouring villages, are alleged to have been killed by soldiers by having metal rods inserted through their anuses and out of their mouths.<sup>11</sup>

This period was also marked by aggressive economic development, led by Freeport McMoRan's massive mineral extraction operations in the mountains near Timika (located in the south-central section of the province), but which also included the creation of plantations, fisheries, and burgeoning retail trade. The overwhelming majority of entrepreneurs and shop owners were immigrants from other parts of Indonesia. Papuans widely and repeatedly protested the manner in which the Indonesian government had, in their view, ceded traditional lands and other resources belonging to Papuan communities to foreign and other non-Papuan investors and to Indonesian immigrants, including hundreds of thousands of non-Papuan settlers supported by the Indonesian government's official transmigration programs. Papuans also noted the disproportionate distribution of benefits – monetary, political, social and otherwise – associated with these business operations, which accrued financial profits, social status, and political power to non-Papuans. Papuans have continued to insist that these government policies and practices made them virtual strangers and second class citizens in their own land by destroying independent indigenous governance structures, livelihoods, cultures, and the social fabric, and by displacing the Papuan population through immigration and other state-sponsored schemes. Papuans also reported widespread ethnic and racial discrimination. Many Papuans complained to Human Rights Watch that they were routinely denigrated as “stupid” or “primitive” by Javanese and other ethnically non-Papuan employers.<sup>12</sup>

By the end of the Soeharto era, spontaneous immigration and government transmigration programs had shifted the composition of the provincial population to the point where, in some places, indigenous Papuans had become a minority. Transmigrants received government-built houses and financial assistance, while immigrants dominated the economy as taxi drivers, bank clerks, shop keepers, and government employees. Extractive industries such as mining, logging, fisheries, and palm-oil plantations flourished, while locals found their food sources polluted and their ancestral lands concessioned. Indigenous tribe members often learned that their lands had been sold off by the government only after earth moving equipment had already disfigured the landmarks by which they defined its boundaries.<sup>13</sup>

Many Papuans have also long claimed that little has been done to prepare the region's indigenous residents for a greater role in the government or economy. Under Soeharto, indigenous languages and cultural forms were considered backward or threatening to national unity.<sup>14</sup> Development ideology, school curricula, and the media emphasized an Indonesian national culture instead. But rather than inculcating a sense of “Indonesian-ness,” the approach led many in Irian Jaya to conclude that Indonesian society had no place for them.

In the euphoria following Soeharto's resignation in May 1998, anything seemed possible in Indonesia. Demonstrations that had never been allowed before, discussions on topics that were previously taboo, even fundamental changes in the political landscape and a restructuring of the highly centralized political system of Soeharto's “New Order” were thinkable for the first time in recent memory. In Irian Jaya, the expectation of change was perhaps even greater than elsewhere, as the accumulated resentment of three decades of harsh and often discriminatory Indonesian rule, and the shared belief that international politics had cheated them out of having their own country in the 1960s, combined to give many a sense that it was time to revisit the question of independence.

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<sup>11</sup> Dr. Benny Giay, “Masyarakat Hidup di Bawah Teror dan Tekanan,” 1999, unpublished.

<sup>12</sup> Human Rights Watch interviews, Jayapura, September 1 and 2, 1997.

<sup>13</sup> “Dialog Nasional Papua: sebuah kisah ‘Memoria Passionis’ (kisah ingatan penderitaan bangsa),” Sekretariat Keadilan dan Kedamaian, Keuskupan Jayapura, March 1999.

<sup>14</sup> An extreme example is the case of Arnold AP, an ethnomusicologist at Cenderawasih University in Jayapura who founded a troupe in the early eighties to perform indigenous music and dance. When the group, *Mambesak*, and AP's compositions became popular, he was arrested and jailed without charges, on November 30, 1993. He remained in police custody until his death: his bruised body, with bullet wounds in the stomach, was discovered in a hospital by a Papuan employee in April 1994. The police claimed AP was shot during an escape attempt, but Papuans widely believe the ~~Human Rights Watch~~ Human Rights Watch, a version supported by a fellow prisoner who later escaped to Papua New Guinea. *Asia* 2000, Vol. 21, No. 2 (64)



It is unclear how many bonafide members of the OPM remain active in the post-Soeharto era. On August 12, 1999, Indonesian military spokesman Brigadier General Idris Gasing told a visiting Japanese diplomat that there were about 287 armed guerrillas on the Irian Jaya-PNG border.<sup>15</sup> A December 1999 Internet posting by a person claiming to represent "the people fighting in the jungle" sought donations to fund a "first time ever" meeting of 250 rebels from three regional commands "fighting separately for the same goal."<sup>16</sup> Sporadic attacks by OPM rebels continue to be reported. In May 1999, an OPM group seized eleven hostages near Arso, a town on the Papua New Guinea border, in an attack on a commercial plantation. The attack left four dead and three wounded. The leader took the hostages across the border and demanded money and weapons from the PNG government. PNG soldiers succeeded in rescuing the hostages unharmed on May 31.<sup>17</sup> In late 1999 and early 2000, there were also increasing reports of incidents involving armed Papuan neighborhood patrols (*Satgas Papua*), including clashes between such patrols and security forces in Nabire and Merauke.

In the past two years, however, the most significant development has been the emergence of a broad civil-society-based independence movement that goes far beyond an insurgency led by a handful of rebels. The civilian movement, as described below, has repeatedly expressed its commitment to pursuing its goals through peaceful means— an aim it has not always achieved, as flag-raising repeatedly led to clashes with police and minor outbreaks of communal violence. After Soeharto resigned, Papuans, for the first time during their history as Indonesian citizens, were able to discuss their grievances openly.

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<sup>15</sup> "Sekitar 287 Anggota OPM Bersenjata," *Cenderawasih Pos*, August 13, 1999.

<sup>16</sup> The pitch was contained in an E-mail sent from an address in the United Kingdom to a listserv disseminating general Irian Jaya news. The author cited a total budget of \$815 US dollars for a three day meeting to be attended by 250 people. It also said the real name of the armed movement was National Liberation Soldiers (*Tentara Pembebasan Nasional*).

<sup>17</sup> There have been reports that Hans Boman, who led the hostage-taking, was being supplied with weapons and alcohol by the Indonesian army. Human Rights Watch, "Settlers rescued after being held hostage in PNG," *Sydney Morning Herald*, 2000, March 6, 21, 90. 2 (C)

## IV. THE RISE AND FALL OF THE NATIONAL DIALOGUE ON IRIAN JAYA

Separatist flag-raising across Irian Jaya in the first week of July 1998 were the first sign that post-Soeharto freedoms of association and expression might be used to mount a civil-society-based campaign for independence. The demonstrations, not all of which were peaceful, led to shootings of demonstrators by security forces in the provincial capital, Jayapura, and in the district of Biak; to arrests in Sorong, Wamena, and Jayawijaya; and to rioting by angry mobs in Manokwari.<sup>18</sup>

In Jayapura, on July 3, 1998, an undercover policeman was beaten to death by angry crowds, and soldiers fatally shot a student. In Biak, a group of Papuans managed to keep a separatist flag aloft for four days, but were brutally dispersed on the morning of July 6. After a year-long investigation, a local human rights organization reported that five civilians had died, thirty-seven had been wounded, and three had gone missing as a result of the army operation in Biak.<sup>19</sup>

Alarmed by the widespread and volatile demonstrations, the Habibie government announced on July 22, 1998 that it would send a parliamentary fact-finding team to Irian Jaya to discuss local grievances, under the chairmanship of then-deputy speaker of the Indonesian Parliament, Abdul Gafur. Members of the team spent much of August in the province before concluding that independence demands were the result of human rights violations, popular unhappiness with government-sponsored transmigration projects, concerns about Islamicization in a traditionally Christian area, and the underrepresentation of indigenous Papuans in the local government — and from the “latent influence of the OPM.”<sup>20</sup>

Meanwhile, church leaders, activists, and intellectuals in Irian Jaya resolved to find a more effective, less violence-prone channel for Papuan aspirations, and, on July 24, 1998, a new organization called the Forum for the Reconciliation of the Irian Jaya Society (FORERI) was formed. In a statement, FORERI's founders asserted that what Papuans wanted was “an opportunity to handle their own affairs,” through one of three possible forms: full independence, wide-ranging autonomy within the Indonesian unitary state, or the formation of a federal system in which Irian Jaya would enjoy substantial autonomy.<sup>21</sup>

The question of Irian Jaya's political status could not be considered taboo, FORERI's founders asserted, because it had been raised at three important moments in Indonesia's history. On all three occasions, they said, the majority of Papuans had been shut out of the debate. In 1945, when the territorial extent of the new Republic was debated at meetings of the Committee for the Preparation of Independence, not a single Papuan had been present. At meetings in New York in 1962, when the Netherlands agreed to transfer control of its territory to Indonesia, Papuans had attended as part of Dutch and Indonesian delegations but had not been allowed to speak on their own account. In 1969, only 1,025 Indonesia-appointed delegates had participated in the Act of Free Choice specified by the New York Agreement, and resistance “was met with the force of arms.”<sup>22</sup>

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<sup>18</sup> See Human Rights Watch, “Human Rights and Pro-Independence Actions in Irian Jaya,” December 1998; Human Rights Watch, “Indonesia Alert: Trouble in Irian Jaya,” July 6, 1998.

<sup>19</sup> “Nama Tanpa Pusara, Pusara Tanpa Nama: Laporan Pelanggaran HAM di Biak, Irian Jaya,” Institute for Human Rights Study and Advocacy, Jayapura, July 1999.

<sup>20</sup> “Gafur: Bahaya Laten OPM Masih Ada di Irian Jaya,” *Media Indonesia* (Jakarta), August 3, 1998.

<sup>21</sup> “Forum for the Reconciliation of Irian Jaya Society (FORERI),” July 24, 1998. Signed by the Reverend Herman Saud, MTh, chair of the Christian Evangelical Church (GKI) in Irian Jaya; Dr. Leo Laba Ladjar OFM, Bishop of Jayapura; The Rev. Dr. Benny Giay, on behalf of the regional chair of the Christian Missionary Alliance (GKII); Theys Eluay and Tom Beanal, traditional leaders; Selviana Sanggenafa SH and Yusan Yeblo, Women's Group; Gerson Abrauw, Maria Korano, and Martinus Werimon, students.

The FORERI statement went on to assert that more than thirty years as part of Indonesia had left Papuans with a perception that the central government was more concerned with exploiting the territory's abundant natural resources than improving the conditions of its people. State-perpetrated killings, rapes, torture, and other violations of civil and political rights, it was said, had led many local people to conclude that Indonesia's so-called development policies were, in effect, no more than a brutal form of colonization. In conclusion, the FORERI statement observed that demands for self-governance required careful study and open dialogue, not a unilateral offer of greater autonomy within Indonesia, and it called for a referendum to determine Papuan opinion on the matter.<sup>23</sup>

On July 29, 1998, in a meeting at the Matoa Hotel in Jayapura, FORERI members broached the idea with the parliamentary fact-finding team of holding a "national dialogue" on the future of Irian Jaya. The Habibie government cautiously welcomed the idea, and concrete discussions on how to conduct a national dialogue began in October 1998, involving Papuans in both Jakarta and Jayapura, provincial government officials, parliament members, and staff of the State Secretariat in Jakarta. That month, FORERI submitted a draft framework for the talks to the government in Jakarta.<sup>24</sup> In November, the State Secretariat appointed FORERI the official facilitator of the National Dialogue.

After several months' negotiations, the State Secretariat issued the final framework document on February 16, 1999, in which it outlined three stages for the Dialogue on the Future of Irian Jaya. First, there would be a "heart-to-heart talk" between President Habibie and a representative group of 100 Papuans on February 26, 1999. Then, a policy workshop would be held in late March, to be attended by "delegates from every regency and city district, traditional community leaders, religious leaders, government representatives, veterans of the military campaign against the Dutch in Irian Jaya, participants in the 1969 Act of Free Choice, specialists, and representatives of the central and regional governments."<sup>25</sup> Finally, following the workshop, joint recommendations on follow-up steps would be presented to the president and parliament.<sup>26</sup>

In a country where authority is highly concentrated in the national capital, the National Dialogue as described in the framework was probably one of the most inclusive plans for policy formation that had ever been envisioned for an outlying province. Moreover, it was given added weight by the fact that it was based on a proposal that had originated in the province.

The original draft framework that FORERI submitted to the State Secretariat in October, however, had called for an even wider range of participants, including international observers.<sup>27</sup> It called for a guarantee of safety for participants from Irian Jaya, before, during, and after the dialogue, and provided for participants to express their views to the president in their native languages, instead of the national language Bahasa Indonesia. The final framework omitted these points but retained as topics for discussion issues such as land rights, unemployment, inequality, and human rights.

The key difference between the FORERI draft and the final framework concerned the history of Irian Jaya's integration into Indonesia. Whereas the original framework had cited that history as "the source of a sense of injustice," the final version made clear that the political status of the province was not up for negotiation. Although noting that "there are sectors of the population in Irian Jaya which judge that the [Act of Free Choice] did not accommodate their aspirations for self-determination," the final framework emphasized that the international community had validated the process by which West Irian was "returned" to the Republic of Indonesia. The government's version of the framework emphasized that the New York Agreement had not specified a one-person-one-vote procedure but instead had called for "consultations with representative councils on procedures and appropriate methods to be followed for ascertaining the freely expressed will of the population." The government's version did not

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<sup>23</sup> Ibid.

<sup>24</sup> Copy and translation on file at Human Rights Watch.

<sup>25</sup> "Kerangka Acuan Dialog Masyarakat Irian Jaya Dengan Bapak Presiden Mengenai Nawasan Masa Depan Irian Jaya," Menteri Sekretaris Negara Republik Indonesia, February 16, 1999.

<sup>26</sup> On February 25, one day before the scheduled meeting with Habibie, Secretary of State Akbar Tanjung issued a ministerial decree naming members of a committee to oversee the dialogue and organize the policy workshop, and ordering that expenses incurred were to be deducted from the State Secretariat's budget. "Keputusan Menteri Sekretaris Negara Nomor: KEP-14/M.SESNEG/2/1999 Tentang Panitia Dialog dan Lokakarya Mengenai Nawasan Masa Depan Irian Jaya." Committee members included the Secretary of State and several of his staff, the Governor of Irian Jaya, the regional military commander and police chief, members of parliament, FORERI staff Willy Mandowen and Octovianus Mote, as well as "representatives of government and non-government institutions, to be determined."

<sup>27</sup> The draft framework called for 560 "representatives of Irianese people" and 75 "representatives of national and international institutions, organizations and individuals." International guests were to have included representatives of the United Nations, UNHCR, Amnesty International, Human Rights Watch, several embassies including the Netherlands, the US, ASEAN

mention that the New York Agreement also specified that the consultation be held "in accordance with international practice," which, Papuans argued, required a one-person-one-vote procedure to have been used.

While the details of the framework for the National Dialogue were being worked out, there was a rising sense of expectation in Irian Jaya. Local newspapers, taking advantage of Indonesia's new found press freedom, reported each new development, and all over Irian Jaya, people of widely differing backgrounds found they could openly discuss an issue which they could only speak about in secret during the Soeharto era. According to one civil servant from the Merauke district, for example, many people saw the National Dialogue as a new chance for self-determination, one which, unlike the first, was being widely explained and prepared for in Irian Jaya.<sup>28</sup>

To counter claims by the army, police, and regional government that only a small group of agitators wanted independence, Papuan community leaders developed a strategy to conduct an informal referendum, offering a choice between provincial autonomy, a federal state, or independence. The wide and almost spontaneous proliferation of the survey, beginning in November, demonstrated the flourishing of province-wide networking despite Irian's formidable geography and lack of infrastructure. In a small riverside town in Merauke district, for example, one man spent two nights typing a survey on 1000 sheets of paper for distribution to 32 villages.<sup>29</sup> In the district of Yapen Waropen on the north coast, surveys were delivered by boat to 153 towns in eight subdistricts; 16,496 people voted.<sup>30</sup>

The survey results were brought to Jakarta as input to the National Dialogue. Over ninety percent of "many thousand" voted for independence, according to one person involved in the dialogue process.<sup>31</sup>

On February 15, when the February 26 date for the meeting with President Habibie in Jakarta had been set, FORERI staff called each of Irian Jaya's thirteen districts and instructed that four-person delegations be selected as democratically as possible in the time available. Twenty-five places in the "Team of 100" had been reserved for Papuans living outside Irian Jaya: a committee from Jakarta flew to cities with sizable Papuan communities and held meetings at which the twenty-five participants were selected. The remaining members were chosen from social groups in Irian Jaya, such as Muslim communities, women's organizations, and students.<sup>32</sup>

The selection process was completed late at night on February 21, when teachers, civil servants, paramedics and nurses, tribal leaders, students, priests, activists, and a few one-time members of the OPM converged on Jayapura. Only one district had been able to narrow its selection down to four people; many would-be delegates were turned away in last minute judgements by FORERI facilitators. Despite its flaws and the speed with which it had been put together, it was without doubt the most representative body of Papuans ever assembled. As the team rode to the airport on February 23, accompanied by FORERI staff and regional government officials, residents from villages all along the thirty kilometer road to the airport in Sentani lined up to watch them pass.<sup>33</sup>

#### TEAM MEMBERS INCLUDED:

- Tom Beanal, an Amungme tribal leader from Timika and a plaintiff in a lawsuit against the U.S. company Freeport McMoran. Beanal was chosen as leader of the Team of 100;
- Herman Awom, assistant general secretary of the Evangelical Christian Church of Irian Jaya in Jayapura;
- Conradus Bauw, a leader of the Mbaham Mattu tribe in the Fak-Fak district on Irian Jaya's south coast;
- Diaz Gwijangge, a member of the Nduga tribe from Mapnduma, Jayawijaya district, and an anthropology major at Irian Jaya's foremost university, Universitas Cenderawasih in Jayapura;
- Muhammad Said Sabuku, a social worker and community leader from the town of Kaimana in the Fak-Fak district, and, rare among Papuans, a Muslim;
- Marike Rumbiak, a nurse from the island of Biak off Irian Jaya's northern coast;
- Frans Kamepict, a member of the Asmat tribe from the vast plain in the south of Irian Jaya, who works as a paramedic in the city of Merauke;
- Maria Korano, a theology student in Jayapura, originally from Biak;
- Yakovina Isir, a high school geography teacher in the city of Sorong on the western tip of Irian Jaya;
- Marthen Yusuf Tanawani, head of the tradition council of Yapen Waropen District and an employee in the regional office of the Department of Information;

<sup>28</sup> Human Rights Watch interview in Merauke, September 2, 1999.

<sup>29</sup> Human Rights Watch interview in Merauke, September 2, 1999.

<sup>30</sup> Human Rights Watch interview in Abepura, July 25, 1999.

<sup>31</sup> Human Rights Watch interview in New York, October 26, 1999.

<sup>32</sup> Human Rights Watch interview in Abepura, July 24, 1999.

- Yorrys Raweyai, a Jakarta resident born in Serui. His father, an ethnic Chinese merchant from Ujung Pandang, was considered a hero of the Indonesian cause because during the Dutch era he smuggled letters from pro-Indonesian Papuans aboard ships carrying his goods to Jakarta. Yorrys moved to Jakarta in the 1970s; a leader of the notorious, often violent, pro-government youth group Pemuda Pancasila, he became close to New Order political figures and eventually to members of the Soeharto family.<sup>34</sup>

On the morning of February 26, after a prayer service at their Jakarta hotel, team members lined up to sign a joint statement which a small group had been delegated to compose. Then they boarded a bus and arrived at the Palace of State in time for a luncheon where team members chatted with ministers of Habibie's "Reform Cabinet." Official business began with a brief welcome from Irian Jaya's Governor Numberti, after which journalists were required to leave.<sup>35</sup>

While all the Papuans in the room knew the basic thrust of the group statement, FORERI staff and even some team of 100 members heard it for the first time when Tom Beanal stood up and delivered it. From its first sentence, the statement made clear that the delegates from Irian Jaya had not come to Jakarta to discuss failures of development policy. The statement said:

The core problem that has caused political instability and insecurity in West Papua (Irian Jaya) from 1963 until today is not the failure of development but the political status of West Papua which on December 1, 1961 was declared an independent nation among other nations in the world. The declaration [of independence] represented the best avenue for fulfillment of the hopes and goals of [the people of] West Papua, but nevertheless it was annexed by the Republic of Indonesia.

We honestly wish to convey to the President of the Republic of Indonesia that there is no other alternative [basis] from which we can consider and evaluate the Indonesian Government's continued wish to develop West Papuan people in the context of the unified state of the Republic of Indonesia.

Therefore, today, Friday February 26, 1999, before the President of the Republic of Indonesia, we the people of West Papua state that:

First, we the people of West Papua wish to remove ourselves from the unified state of the Republic of Indonesia to realize independence and full sovereignty among the other nations in the world.

Second, to immediately form a transitional government in West Papua under the supervision of the United Nations (UN) democratically, peacefully and responsibly in March 1999 at the latest.

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<sup>34</sup> Yorrys continues to be a controversial figure. Because of his wealth and political connections he yields considerable influence in Papuan circles, as elsewhere in Indonesia, and is the leader of the traditional council for the Papuan community in Jakarta. The richest member of the Team of 100, he financed a welcoming ceremony for them at the airport in Jakarta and a press conference at the team's hotel following the meeting with Habibie on February 26, 1999. Many observers believe that Yorrys continues to have close ties to the Soeharto family and accuse him of involvement with paramilitary groups. See Andrew Kilvert, "Soeharto Forces 'Building Militias,'" *Sydney Morning Herald*, January 21, 2000.

Third, if no solution is reached to the first and second points of the political statement, we therefore demand: a. To immediately hold an international dialogue with the government of the Republic of Indonesia, the people of West Papua and the United Nations. b. That we, the people of West Papua, herewith state that we will not take part in the general election of the Republic of Indonesia in 1999.<sup>36</sup>

According to participants, the statement caused clear consternation among the twenty-one cabinet ministers seated behind President Habibie.<sup>37</sup> It was precisely one month since Habibie's announcement that Indonesia would consider independence for East Timor if its people rejected provincial autonomy.

After the statement was read, other designated speakers expressed their support for its contents. One man who had participated in the 1969 Act of Free Choice spoke about the climate of terror that had existed at the time and its influence on those participating. Another described a particularly grisly human rights violation in Sarmi, Jayapura in 1992, in which he said Indonesian soldiers had killed a man, roasted his body, and then told his family to eat it.<sup>38</sup>

At this point, the Indonesian government's protocol officer unexpectedly deviated from the list of agreed speakers and invited to the microphone three people from the back of the room who were not members of the Team of 100. There were outraged shouts and challenges when the interlopers, all residents of Jakarta, said they represented Papuans in favor of provincial autonomy.<sup>39</sup>

In the midst of a now tense atmosphere, Habibie waved away a booklet handed to him by State Secretary Akbar Tanjung, and spoke without notes, stating that a response prepared by his assistants could be photocopied and handed out later.<sup>40</sup> He had been advised not to meet with the group, he said, but had felt it was his duty to do so. He acknowledged the truth of what had been said, describing it as an honest reflection of a painful experience, and stating that he appreciated the "dignified" way in which it had been communicated. "The aspirations you have expressed are important, but founding a country isn't easy; let's contemplate those aspirations again," Habibie said. "Go home, and take my greetings to the Papuan people."<sup>41</sup>

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<sup>36</sup> For a list of signatories, see Appendix II.

<sup>37</sup> Human Rights Watch interviews in Abepura, August 19, 1999 and in New York, October 21, 1999.

<sup>38</sup> Ibid.

<sup>39</sup> The three were Andi Hakim, Ali Mochtar, and Jacobus Dimara, the last an elderly pro-integration veteran. The provincial government of Irian Jaya, which had been largely shut out of facilitating or participating in the dialogue, also brought a "Team of 150" to Jakarta in March; Habibie declined to meet with them.

<sup>40</sup> This account of Habibie's response was given by Octavianus Mote, a key facilitator of the National Dialogue and former Jayapura bureau chief of the newspaper *Kompas*, who was present at the time.

<sup>41</sup> It was considered noteworthy that Habibie used the expression "Papuan," a term usually avoided in Jakarta because of its political overtones, and also that he characterized the Team of 100 statements as true, instead of saying they were the product of manipulation. Human Rights Watch

AFTER THE MEETING, TOM BEANAL, YORRYS RAWEYAI, AND FORERI'S SECRETARY GENERAL, WILLY MANDOWEN, WENT TO THE PALACE PRESS ROOM FOR A JOINT PRESS CONFERENCE, BUT REPRESENTATIVES OF THE GOVERNMENT FAILED TO APPEAR. THE GOVERNMENT'S PREPARED RESPONSE WAS NEVER HANDED OUT.<sup>42</sup>

THAT THE NATIONAL DIALOGUE HAD GROUND TO A HALT WAS VERY SOON EVIDENT TO SOME OF ITS ORGANIZERS. WILLY MANDOWEN, DESIGNATED BY STATE SECRETARY AKBAR TĀNJUNG AS AN ORGANIZER OF THE NEXT-STEP POLICY WORKSHOP, REMAINED IN JAKARTA FOR TWO WEEKS AFTER THE MEETING, BUT WAITED IN VAIN FOR ANY RESPONSE FROM THE STATE SECRETARIAT TO HIS CALLS ABOUT THE WORKSHOP.<sup>43</sup> THE SECOND AND THIRD STAGES OF THE NATIONAL DIALOGUE NEVER TOOK PLACE.

MEMBERS OF THE TEAM OF 100, MEANWHILE, VARIOUSLY EXHILARATED BY THEIR EXPERIENCES IN JAKARTA OR FRUSTRATED BY THE LACK OF A CONCRETE OUTCOME, SET ABOUT "SOCIALIZING" THE RESULTS OF THE MEETING IN THEIR RESPECTIVE DISTRICTS.<sup>44</sup> DISSEMINATING CONTENTS OF THE DIALOGUE'S TERMS OF REFERENCE HAD BEEN LISTED AS A NECESSARY FOLLOW-UP STEP IN FORERI'S DRAFT FRAMEWORK AND IN NOTES PUBLISHED BY THE STATE SECRETARIAT IN NOVEMBER.<sup>45</sup> BEGINNING IN MID MARCH, 1999, THEREFORE, MEETINGS TOOK PLACE ALL OVER THE PROVINCE, AT PRIVATE HOMES, CHURCHES, OPEN FIELDS, SPORTS ARENAS, TRADITIONAL COMMUNITY HOUSES, AND PIG ROASTS.<sup>46</sup>

## V. CRACKDOWN FOLLOWING THE OPENING OF THE NATIONAL DIALOGUE

ALTHOUGH THE HABIBIE GOVERNMENT HAD ENCOURAGED THE NATIONAL DIALOGUE, IT WAS CLEARLY NOT PLEASED WITH THE POLITICAL DIRECTION IT WAS TAKING AND THE WIDESPREAD SUPPORT FOR INDEPENDENCE BEING EXPRESSED IN THE PROVINCE. FROM APRIL 1999, THE GOVERNMENT WITHDREW ITS SUPPORT FOR THE NATIONAL DIALOGUE AND REVERTED TO METHODS CHARACTERISTIC OF THE SOEHARTO-ERA IN AN ATTEMPT TO STIFLE THE INDEPENDENCE MOVEMENT, ROUNDING UP ITS PRO-INDEPENDENCE ACTIVISTS AND CENSORING FURTHER DISCUSSION ON THE SUBJECT. BUT WITH THE MAJOR CHANGES UNDERWAY NATIONWIDE AFTER THE FALL OF SOEHARTO, IN PAPUA, AS ELSEWHERE, OPPOSITION VOICES COULD NO LONGER BE SO READILY SILENCED. THE RESULT WAS AN UNCERTAIN ATMOSPHERE IN WHICH, EVEN AS THE GOVERNMENT'S CRACKDOWN ON ACTIVISTS WAS IN PROGRESS, PAPUAN LEADERS CONTINUED TO ASSERT THEIR RIGHT TO ADVOCATE FOR PAPUAN INDEPENDENCE.

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<sup>42</sup> Human Rights Watch interview with Octovianus Mote, December 2, 1999.

<sup>43</sup> Ibid.

<sup>44</sup> The term used here, *mensosialisasi*, literally "socialization," is a neologism that emerged nationally in the early 1990s, apparently in the context of central government efforts to respond to growing demands for democratic reform. Putatively a sign of increasing democratization, it is used most often to refer to government informational or public relations campaigns, which usually include open public meetings before policies are implemented. It is also now commonly used by citizens' groups, as here, to refer to their own grassroots efforts to disseminate politically significant information and elicit feedback or public approval. The term carries the connotation of "informal public exchange" present in the English root word "socialize," but, at least as used by some government officials, it also appears at times to carry something of the connotation of "imprinting of conventional understanding," present, for example, in the notion that children are "socialized" by schooling.

<sup>45</sup> Sekretariat Negara Republik Indonesia, Catatan Kronologis Penyusunan Kerangka Acuan Terpadu Dialog Nasional Mengenal Irian Jaya, November 5, 1998.

<sup>46</sup> Human Rights Watch interviews in Abepura, July 24-25, 1999.

ON MARCH 29, 1999, SIX INDEPENDENCE ACTIVISTS FROM BADE<sup>47</sup> WERE TOLD BY LOCAL AUTHORITIES THAT THEY SHOULD GO TO MERAUKE TO REPRESENT THE RESIDENTS OF THEIR TOWN IN A MEETING WITH A LOCAL GOVERNMENT OFFICIAL, THE DISTRICT HEAD. UPON ARRIVAL THREE OF THEM WERE DETAINED AND THREE WERE TOLD TO REPORT DAILY TO THE POLICE IN MERAUKE. THOSE ORDERED TO REMAIN IN MERAUKE AND REPORT TO THE POLICE EACH DAY WERE: ELIAS MAHUSE, A FORTY-THREE-YEAR-OLD TEACHER, WHO WAS ACCUSED OF HAVING ASSISTED A GROUP OF FORMER OPM MEMBERS WHO HAD COME THROUGH BADE TO CAMPAIGN FOR WEST PAPUAN INDEPENDENCE SEVERAL MONTHS EARLIER; AND TWO TEACHERS, FORTY-SEVEN YEAR OLD ANTON ANWENG AND HUBERTUS WANAWOP, FORTY-THREE, WHO WERE CHARGED IN CONNECTION WITH THEIR RETYPING (FOR LACK OF A PHOTOCOPY MACHINE) OF THE ABOVE-DESCRIBED SURVEY OF PAPUAN VIEWS ON INDEPENDENCE, WHICH HAD BEEN DISTRIBUTED TO THIRTY-TWO VILLAGES IN THE EDERA SUBDISTRICT. THE THREE WHO WERE DETAINED WERE YUSTUS WAFOM, A FORTY-SEVEN-YEAR-OLD OFFICIAL IN A LOCAL OFFICE OF THE EDUCATION AND CULTURE MINISTRY, AND TWO MEN, BOTH FARMERS, KAYUS YIBIM AND MARIUS YIMSI, ACCUSED OF HAVING ASSISTED THE GROUP OF FORMER OPM MEMBERS IN THEIR CAMPAIGN FOR WEST PAPUAN INDEPENDENCE. THE TWO MEN SAID THEY HAD COMPLIED BUT ONLY OUT OF FEAR THAT THEY WOULD SUFFER REPRISALS IF THEY REFUSED. THE MEN WERE EVENTUALLY RELEASED IN SEPTEMBER.<sup>48</sup>

ON MARCH 30, 1999, IRIAN JAYA'S GOVERNOR, FREDDY NUMBERI, ISSUED A SECRET RADIOGRAM, A COPY OF WHICH HUMAN RIGHTS WATCH HAS SINCE OBTAINED,<sup>49</sup> IN WHICH HE ORDERED POSTPONEMENT OF THE NATIONAL DIALOGUE BECAUSE, HE ASSERTED, IT HAD PRODUCED NO CONCRETE RESULTS. HIS MESSAGE INSTRUCTED SECURITY FORCES TO MONITOR ACTIVISTS AND REPORT ALL NEW DEVELOPMENTS. IT ALSO INSTRUCTED OFFICIALS IN THE TERRITORY TO STRICTLY ENFORCE A 1998 LAW ON PUBLIC MEETINGS WHICH LIMITS THE SIZE OF PERMISSIBLE GATHERINGS AND REQUIRES ADVANCE NOTICE TO THE POLICE.<sup>50</sup>

ALSO ON MARCH 30, MAX MAHUSE, THE DIRECTOR OF YAPSEL, A LEADING ENVIRONMENTAL ORGANIZATION IN MERAUKE, WAS SUMMONED BY THE POLICE AND QUESTIONED ABOUT HIS INVOLVEMENT IN HELPING ORGANIZE THE MERAUKE DELEGATION TO THE NATIONAL DIALOGUE.<sup>51</sup>

ON APRIL 6, THE HEAD OF THE TRADITIONAL COMMUNITY IN MANOKWARI DISTRICT, BARNABAS MANDACAN, SOUGHT LEGAL PROTECTION AFTER LEARNING THAT THE LOCAL POLICE CHIEF HAD ISSUED ORDERS TO INTERROGATE HIM AND TO CHASE "DOGS WHO ARE DEMANDING INDEPENDENCE" OUT OF THE CITY.<sup>52</sup>

ON APRIL 17, PROVINCIAL POLICE CHIEF HOTMAN SIAGIAN ISSUED AN ORDER BANNING ANY FURTHER DISCUSSION OF THE MEETING WITH PRESIDENT HABIBIE. THE TEXT OF THE ORDER, SET FORTH IN ITS ENTIRETY BELOW, CALLED FOR SYSTEMATIC VIOLATIONS OF FREE EXPRESSION, ASSEMBLY, AND ASSOCIATION RIGHTS, AND REQUIRED THAT PRO-INDEPENDENCE ORGANIZATIONS, COMMUNICATIONS POSTS, AND NEIGHBORHOOD PATROLS BE SHUT DOWN:

POLICE OF THE REPUBLIC OF INDONESIA, Irian Jaya Region

POLICE ANNOUNCEMENT

No. POL: MK/01/IV/1999

CONSIDERING:

1. THAT ACTIVITIES RELATED TO THE DISCUSSION AND DISSEMINATION (SOCIALISASI) OF THE RESULTS OF THE MEETING WITH PRESIDENT B.J.HABIBIE WITH DELEGATES OF THE PEOPLE OF IRIAN JAYA BY THOSE CALLING THEMSELVES THE TEAM OF 100 AND THE FORMATION OF WEST PAPUA SEPARATIST ORGANIZATIONS, COMMUNICATIONS POSTS (POSKO), AND NEIGHBORHOOD PATROLS (SAGAS) HAS CAUSED UNEASINESS, DISCORD, AND FEAR WHICH, IF LEFT UNATTENDED, MAY DISTURB STABILITY, SAFETY, AND ORDER IN THE IRIAN JAYA POLICE DISTRICT.

2. THAT IN ORDER TO SAFEGUARD ORDER AND GUARANTEE GENERAL SAFETY AS WELL AS DEVELOP THE OBEDIENCE OF MEMBERS OF SOCIETY TOWARD THE LAW, IT IS CONSIDERED NECESSARY TO ISSUE THIS ANNOUNCEMENT WHICH IS APPLICABLE IN THE ENTIRE ADMINISTRATIVE JURISDICTION OF THE IRIAN JAYA POLICE.

<sup>47</sup> Bade is the capital of Edera subdistrict, Merauke, and is located roughly 200 kilometers northwest of Merauke city.

<sup>48</sup> The men were charged with armed insurrection, but a trial was never held, apparently due to the change in administration from Habibie to Wahid and Wahid's order to release all political prisoners.

<sup>49</sup> Gubernur Kepala Daerah Tingkat I Irian Jaya Radiogram Nomor: TX-200/454. Tanggal 30 Maret, 1999.

<sup>50</sup> The law is "UU No 9 Tahun 1998 tentang Kemerdekaan Menyampaikan Pendapat dimuka Umum."

<sup>51</sup> Surat Panggilan No. Pol: SP I/25/III/1999 Serse, Polri Resort Merauke.

<sup>52</sup> Press Release, Lembaga Penelitian Pengkajian dan Pengembangan Banutan Hukum, April 6, 1999, signed by Yahn Christian Warinussy SH, Executive Director; and Surat NO. 25/LMA/MKW/IV/99, Lembaga Musyawarah Adat Kecamatan Manokwari, April 6, 1999, signed by Barnabus Mandacan.



RECALLING:

1. Indonesian Criminal Code Articles 154, 160 and 510.
2. Law No. 9/1998, CONCERNING FREEDOM TO EXPRESS AN OPINION IN PUBLIC.
3. Law No. 9/1981, CONCERNING THE Indonesian CRIMINAL CODE.
4. Law No. 28/1997, CONCERNING THE POLICE OF THE REPUBLIC OF INDONESIA.

ANNOUNCES

1. BANS activities related to the discussion and dissemination of the results of the meeting with President B.J. Habibie with delegates of Irian Jaya which are being carried out by a group that calls itself the Team of 100 in the Irian Jaya Police district.
2. BANS the formation of the National Committee of West Papua Youth (Komite Nasional Pemuda Papua Barat) and similar organizations in the Irian Jaya Police district.
3. BANS the building of communications posts (*posko*) referred to as West Papua *posko* and similar *posko* affiliated with the separatist movement in the Irian Jaya Police district.
4. BANS the formations of neighborhood patrols (*satgas*) referred to as West Papua *satgas* and similar groups in the Irian Jaya Police district.
5. ALL mentioned in points 1, 2, 3 and 4 above are ordered to disperse and stop their activities no later than 3 x 24 hours after the issuing of this announcement.

ISSUED: Jayapura, April 17, 1999

HEAD OF Irian Jaya Police Drs. Hotman Siagian (Brig. Gen. Police)

On April 29, locally stationed police and soldiers, supplemented by troops brought in from Jayapura and Ujung Pandang, raided seventeen "posko" (short for *pos komunikasi*—"communication posts"—though the term also doubles as a short form of *pos komando*—"command posts") in a sweep of Serui town and neighboring villages in the Yapen Waropen district. The "posko" were buildings used by tribal communities (*lembaga adat*) and temporary meeting posts built by local youths.<sup>53</sup>

On May 5, seventy-nine people were detained when security forces raided the home of Cunradus Bauw in Fak-Fak. They were held overnight and fined for holding a meeting without a permit. Police confiscated documents and letters about the National Dialogue, as well as a machete, arrows, and two spears which Bauw said were sacred objects inherited from his parents. Afterwards, Bauw said, he received numerous intimidating phone calls, in which he would pick up the phone and hear someone whistling, laughing, or threatening his life.<sup>54</sup>

Muhammad Said Sabuku, another member of the delegation from Fak-Fak, was summoned by the police for questioning about National Dialogue-related activities on five separate occasions between March and June.<sup>55</sup>

On May 22, Frans Kamepik, a 33-year-old delegate from Merauke, received an envelope in the mail containing a bullet and a note warning that he would be killed if he continued working for independence.<sup>56</sup>

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<sup>53</sup> Human Rights Watch interview in Abepura, July 25, 1999.

<sup>54</sup> Human Rights Watch interview in Abepura, July 24, 1999.

<sup>55</sup> Human Rights Watch interview in Abepura, July 24, 1999.

<sup>56</sup> Human Rights Watch interview in Abepura, July 24, 1999.

In July, an intelligence official at the Regional Military Command prevented the outspoken weekly, *Tifa Irian*, from publishing for two weeks.<sup>57</sup> *Tifa*, founded in 1956 and published since 1961 by the Catholic Press Institute in Irian Jaya, had provided the boldest coverage of the National Dialogue throughout the year. The article which particularly upset the authorities, however, according to a *Tifa* journalist, was one which had appeared in June, which reported that military officials had provided a busload of Indonesian prostitutes to troops from neighboring Papua New Guinea (PNG) after the latter had secured the release of Indonesian hostages who had been abducted by OPM guerrillas and taken into Papua New Guinea in May.<sup>58</sup> The PNG troops were reportedly being feted at a hotel in Jayapura on June 11 when a *Tifa* reporter witnessed some thirty prostitutes being delivered to them by an Indonesian intelligence official whom the weekly named as Colonel Saragih.<sup>59</sup>

After the report was published, Colonel Saragih began contacting officials in Irian Jaya's thirteen districts and accused *Tifa* of aligning its coverage with the OPM. As a result, John Piet Wanane, the regent of Sorong, felt obliged to cancel advertising and subscription arrangements with the weekly: "Due to pressure from the District Military Command, institutionally, we are ending our working relationship with *Tifa Irian*. But privately, I continue to support *Tifa*."<sup>60</sup>

Next, Saragih contacted *Tifa*'s printer, Tinta Mas, and two other presses in Jayapura, and instructed them not to print *Tifa*. This temporarily silenced *Tifa* but it reappeared two weeks later, when it was printed by the regional office of the Department of Information after lobbying from its press operators and with permission from the Ministry of Information in Jakarta.<sup>61</sup> No other newspaper in Irian Jaya, however, commented on the two-week disappearance of the region's oldest newspaper,<sup>62</sup> a clear indication that the press in Irian Jaya still felt itself to be operating under the shadow of military control.<sup>63</sup>

On July 29, five intellectuals involved in the National Dialogue were banned from traveling abroad.<sup>64</sup> News of the ban, initiated by the military and justified on unspecified national security grounds, was leaked to the press; those affected never received official notification of it.<sup>65</sup> They were team members Tom Beanal and Herman Awomi; dialogue facilitators Dr. Benny Giay, a Protestant minister and professor, and Octovianus Mote, Jayapura bureau chief of Jakarta's best-known newspaper, *Kompas* and Willy Mandowen, a professor of linguistics at Cenderawasih University and executive director of FORERI.<sup>66</sup>

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<sup>57</sup> "Tifa Yang Sulit Dibungkam," *Tempo*, July 18, 1999.

<sup>58</sup> Human Rights Watch interview in Abepura, August 16, 1999. As described above, on May 5, 1999, an OPM group led by Hans Bomay seized eleven hostages near Arso, a town on the Papua New Guinea border, in an on a commercial plantation. The attack left four dead and three wounded. After Bomay took the hostages across the border and demanded money and weapons from the PNG government, PNG soldiers succeeded in rescuing the hostages unharmed on May 31 in the Bewani valley, where Bomay and his men had been based since the 1970s. Coverage of the incident in *Tifa Irian* and the *Sydney Morning Herald* quoted an Arso resident saying that Bomay's men had been seen in vehicles with Kopassus officers, and quoted a Bomay group member admitting that his group had links with Indonesian military officials. See "11 Sandera GPK Irja Dibebaskan," Press Release NO:30/PR/V/99, Indonesian Department of Foreign Affairs, June 1 1999; Andrew Kilvert, "Settlers rescued after being held hostage in PNG," *Sydney Morning Herald*, June 3, 1999; Andrew Kilvert, "Kidnaping points to ties between armies and rebels," *Sydney Morning Herald*, July 10, 1999.

<sup>59</sup> Human Rights Watch interview in Jayapura, August 16, 1999.

<sup>60</sup> "Tifa Yang Sulit Dibungkam," *Tempo*, July 18, 1999.

<sup>61</sup> *Ibid.*

<sup>62</sup> Human Rights Watch interview in Jayapura, August 16, 1999.

<sup>63</sup> In general, however, Irian Jaya enjoyed considerable press freedom following the fall of Soeharto, like other parts of Indonesia. Intervention from military censors was less frequent, an editor said. Despite the economic crisis, new publications sprang up, supplementing *Tifa Irian* and *Cenderawasih Pos*, a daily published since 1987. The new papers -- weekly tabloids *Irian Express*, *Irja Pos* and *Jubi* -- offered a far greater diversity of viewpoints. Like *Cenderawasih Pos*, *Irian Express* was owned by the multi-paper chain *Jawa Pos*. Both were viewed as conservative and apt to reflect the views of the military. *Irja Pos* belonged to the Young Businessmen's Association (*Himpunan Pengusaha Muda*) and was more independent. *Jubi*, short for *Jujur Bicara* (Honestly Speaking), was founded by NGOs in Jayapura; its inaugural issue in September carried a cover story entitled "Was the Act of Free Choice Illegal?" ("*Pepera Tidak Sah?*")

<sup>64</sup> Departemen Kehakiman, Direktorat Jenderal Imigrasi, Nomor. F4-IL.01.02-3.0178, July 28, 1999.

<sup>65</sup> "Fasilitator DN Dicekal ke Luar Negri," *Tifa Irian*, Minggu Ketiga Juli 1999.

<sup>66</sup> "Human Rights Watch dan Dasar Hukum Pencekalan," *Tifa Irian*, Minggu I-II Agustus 1999. May 2000, Vol. 12, No. 2 (C)

AT THE SAME TIME, HOWEVER, MANY NATIONAL DIALOGUE PARTICIPANTS PUSHED AHEAD WITH THEIR ACTIVITIES, POINTING OUT THAT HABIBIE HAD INSTRUCTED THEM AT THE FEBRUARY MEETING TO GO HOME AND RECONSIDER THEIR DEMANDS, AND THAT PROVINCIAL POLICE HAD NO RIGHT TO INTERFERE WITH PRESIDENTIAL INSTRUCTIONS. ON JULY 23 AND 24, 1999, FORERI CELEBRATED ITS FIRST ANNIVERSARY IN THE UNIVERSITY TOWN OF ABEPURA, NEAR JAYAPURA, AND USED THE OCCASION TO BRING TOGETHER TWENTY-FIVE MEMBERS OF THE TEAM OF 100 AT A PROTESTANT GUEST HOUSE. AT THE MEETING, THE TEAM COMPILED RESULTS OF "RUMINATIONS" ON THE NATIONAL DIALOGUE FROM THEIR VARIOUS DISTRICTS. IN AUGUST, FIFTEEN OF THEM DEPARTED FOR JAKARTA TO PASS ON TO PRESIDENT HABIBIE A MESSAGE WHICH, OVER THE INTERVENING MONTHS, HAD HARDENED TO "MERDEKA HARGA MATI" – ESSENTIALLY, LIBERTY OR DEATH.<sup>67</sup> NOT SURPRISINGLY, THEY WERE NOT RECEIVED BY THE GOVERNMENT AND HARDLY NOTICED IN A JAKARTA PREOCCUPIED WITH THE UPCOMING REFERENDUM IN EAST TIMOR AND PRESIDENTIAL ELECTIONS SOON AFTER.

PAPUANS WHO HAD VIEWED THE NATIONAL DIALOGUE AS A GOOD FAITH ATTEMPT AT NEGOTIATION AND A SIGN THAT THE GOVERNMENT MIGHT LISTEN TO THEIR POINT OF VIEW, WERE DEEPLY DISILLUSIONED BY ITS ABRUPT INTERRUPTION AND THE ENSUING CRACKDOWN. AT A MEETING WITH MEMBERS OF THE INDONESIAN NATIONAL COMMISSION ON HUMAN RIGHTS IN JAYAPURA IN AUGUST, TEAM MEMBER AGUS ALVA, A LECTURER AT THE CATHOLIC THEOLOGICAL SEMINARY, DESCRIBED IT THUS: "WE SENT OUR BEST MEN AND WOMEN ON A RESPECTFUL VISIT TO THE PRESIDENT, AND NOW WE ARE TREATED LIKE CRIMINALS."<sup>68</sup>

## VI. RIGHTS VIOLATIONS FOLLOWING FLAG-RAISINGS IN SORONG AND GENYEM

ONE YEAR AFTER THE DEMONSTRATIONS, FLAG-RAISINGS, AND GOVERNMENT REPRESSION THAT HAD GIVEN RISE TO THE NATIONAL DIALOGUE, THIRTY-TWO PEOPLE WERE ARRESTED AND CHARGED WITH REBELLION OR "SPREADING HATRED" AGAINST THE GOVERNMENT AFTER THREE NEW FLAG-RAISINGS.<sup>69</sup> THE FIRST OF THESE TOOK PLACE IN GENYEM, A TOWN SIXTY-TWO MILES WEST OF JAYAPURA, ON JULY 1, 1999, AND THE OTHERS IN SORONG, A CITY ON THE EASTERN TIP OF THE PROVINCE, ON JULY 5 AND SEPTEMBER 9.

THE GENYEM FLAG-RAISING WAS PEACEFUL, BUT THOSE IN SORONG WERE NOT. ON JULY 5, POLICE SHOT AND WOUNDED TWO MEN, BEAT TWO OTHERS SEVERELY, RAIDED A PRIVATE HOME USED FOR POLITICAL ORGANIZING, AND CONDUCTED BRUTAL SWEEPS OF PAPUAN NEIGHBORHOODS. ANGRY PAPUAN MOBS KNIFED A JAVANESE MAN TO DEATH AND VIOLENTLY ASSAULTED AT LEAST FIVE OTHER NON-PAPUANS. FOLLOWING THE FLAG-RAISING ON SEPTEMBER 9, AN EIGHTEEN-YEAR-OLD HIGH SCHOOL STUDENT WHO HAD BEEN DETAINED DIED IN POLICE CUSTODY: THE POLICE SAID HE HAD SUFFERED AN EPILEPTIC FIT BUT THERE WAS WIDESPREAD SUSPICION THAT HE HAD DIED DUE TO A BEATING AT THE HANDS OF THE POLICE.<sup>70</sup>

THESE FLAG-RAISINGS AND THE REPRESSION THAT FOLLOWED CAUSED DIVISION WITHIN THE LOCAL COMMUNITY, PARTICULARLY IN SORONG. THEY TOOK PLACE AGAINST THE ADVICE OF TEAM OF 100 LEADERS, WHO WERE ANXIOUS ABOUT INCREASING GOVERNMENT HOSTILITY AND THE RISK OF VIOLENCE,<sup>71</sup> LEADING SOME TO SPECULATE THAT THEY MIGHT HAVE BEEN COVERTLY ENCOURAGED BY INDONESIAN SECURITY OFFICIALS TO PROVIDE A PRETEXT FOR FURTHER REPRESSION. WHETHER THIS IS TRUE OR NOT, THE FLAG RAISINGS WERE FOLLOWED BY NEW ARRESTS WHICH PARTICULARLY TARGETED LEADING LOCAL INDEPENDENCE ADVOCATES WHO HAD NOT BEEN PRESENT ON THE DAY AND HAD TRIED TO PREVENT THE FLAG-RAISINGS FROM TAKING PLACE.

### GENYEM

<sup>67</sup> "Tim 100 Menjawab Habibie," *Tifa Irian*, 26-31 Juli, 1999.

<sup>68</sup> Human Rights Watch was present at the meeting.

<sup>69</sup> For a list of those arrested see Appendix II.

<sup>70</sup> "Saya yakin Denis dipukul aparat," *Cenderawasih Post*, September 11, 1999.

<sup>71</sup> The suspicion was articulated by human rights activists in Jayapura in August 1999. For the Team of 100's position on flag-raising, see "Bintang Kejora Berkibar, Bukan Perintah Tim 100," *Tifa Irian*, July 26-31, 1999, and "Tom Beanal Bicara Tuntutan Merdeka Rights Watch Sorong: Pengibar Bintang Kejora Hanya Provokator," *Cenderawasih Post*, September 1999, Vol. 12, No. 2 (C)

ON JULY 1 IN GENYEM, THE MAIN TOWN IN NIMBORAN SUBDISTRICT, ABOUT 200 PEOPLE RAISED THE WEST PAPUA FLAG BENEATH THE INDONESIAN ONE OUTSIDE THE LOCAL GOVERNMENT OFFICE (*KANTOR CAMBA*) AND KEPT IT FLYING FOR NINE HOURS. ACCORDING TO NEWSPAPER ACCOUNTS, THE FLAG-RAISING WAS ORDERED BY YANCE HEMBIRING, AN OPM COMMANDER, AND ISHAK YAPSENG, LEADER OF THE NATIONAL COMMITTEE FOR WEST PAPUAN YOUTH (*Komite Nasional Pemuda Papua Barat*, HEREAFTER KNPP), WHICH HAD BEEN FORMED IN GENYEM IN JANUARY 1999,<sup>72</sup> BUT NEITHER MAN WAS ACTUALLY PRESENT.<sup>73</sup> (SUBSEQUENTLY, THE KNPP WAS INVOLVED IN BOTH OF THE SORONG FLAG-RAISINGS.) AT GENYEM, THE DEMONSTRATORS LOWERED THEIR FLAG AT 5:15 P.M. IN RESPONSE TO "PERSUASIVE MEASURES" BY LOCALLY-BASED SOLDIERS AND POLICE, BACKED BY MOBILE BRIGADE POLICE (BRIMOB) AND INFANTRY BROUGHT IN FROM JAYAPURA. DISTRICT POLICE CHIEF JOHNY RORY COMMENTED POSITIVELY ON THE OUTCOME: "NOT A SINGLE SHOT WAS FIRED," HE TOLD REPORTERS.<sup>74</sup> IN RETURN FOR THEIR COMPLIANCE, HOWEVER, THE DEMONSTRATORS LATER DEMANDED INFORMATION ABOUT THE 1969 ACT OF FREE CHOICE ON THE GROUNDS THAT THE INDONESIAN GOVERNMENT HAD NEVER DISCLOSED HOW IT WAS CONDUCTED, OR ITS RESULTS.<sup>75</sup>

DESPITE THE PEACEFUL CONCLUSION, FIVE MEN, ALL LOCAL FARMERS, WERE ARRESTED AFTER THE FLAG-RAISING, CHARGED UNDER ARTICLE 155 OF THE INDONESIAN CRIMINAL CODE WITH SOWING HATRED AGAINST THE GOVERNMENT AND BROUGHT TO TRIAL. IN DECEMBER 1999, THE STATE PROSECUTOR CALLED FOR THE ALLEGED RINGLEADER, MAURITS WOUW, TO BE SENTENCED TO A YEAR IN PRISON, AND FOR HIS FOUR CO-ACCUSED, MESAK WAIPON, ZADRAK WOUW, MARTHEN BAY, AND AGUSTINUS WAIPON, TO BE JAILED FOR FOUR MONTHS EACH. LEGAL ACTION AGAINST THE MEN WAS HALTED FOLLOWING WAHID'S DECREE IN LATE DECEMBER RELEASING POLITICAL PRISONERS IN PAPUA.

### SORONG, JULY 5, 1999

JUST BEFORE DAWN ON JULY 5, 1999, LOCAL MEMBERS OF THE KNPP RAISED THE WEST PAPUA "MORNING STAR" FLAG IN A PARK CALLED *Taman Hiburan Rakyat* IN THE CENTER OF SORONG, BUT IT WAS SOON PULLED DOWN BY POLICE WHO FORCIBLY DISPERSED THE CROWD AND THEN BEGAN A SERIES OF SWEEPS THROUGH THE NEIGHBOURING AREAS. LATER, AT AROUND NOON, POLICE RAIDED THE HEADQUARTERS OF THE COMMUNICATION FORUM FOR PAPUAN PEOPLE AND STUDENTS (*Forum Komunikasi Masyarakat dan Mahasiswa Papua*, HEREAFTER FORUM), THE CENTER OF POPULAR PRO-INDEPENDENCE ACTIVITY IN SORONG.

BY THE END OF THE MONTH, EIGHTEEN PEOPLE, INCLUDING TEAM OF 100 MEMBERS AND FORUM LEADERS YANCE MESAK WABDARON AND YAKOMINA ISIR, HAD BEEN CHARGED WITH REBELLION UNDER ARTICLE 106 OF THE INDONESIAN PENAL CODE. FORUM HAD NOT BEEN INVOLVED IN THE FLAG-RAISING, BUT IT HAD RESISTED POLICE ORDERS TO DISBAND ITSELF, CONTINUED TO DISSEMINATE INFORMATION ABOUT THE NATIONAL DIALOGUE, AND URGED LOCAL PEOPLE TO BOYCOTT INDONESIA'S PARLIAMENTARY ELECTIONS IN JUNE 1999.

FORUM HAD BEEN FOUNDED BY LOCAL STUDENTS IN APRIL 1999, FOLLOWING THE EXAMPLE SET BY STUDENTS ELSEWHERE IN INDONESIA.<sup>76</sup> AS ELSEWHERE IN IRIAN JAYA, THE FOCUS WAS NOT A CHANGE OF GOVERNMENT IN JAKARTA BUT A RE-EXAMINATION OF IRIAN'S POLITICAL STATUS. FORUM HAD HELPED TO ORGANIZE A MASS DEMONSTRATION IN FAVOR OF INDEPENDENCE IN SORONG ON JULY 2, 1999, WHICH LED TO SIX PEOPLE BEING WOUNDED IN CLASHES WITH POLICE AND THE BURNING OF SEVERAL BUILDINGS.<sup>77</sup>

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<sup>72</sup> Komite Nasional Pemuda Papua Barat: Anggaran Dasar dan Anggaran Rumah Tangga. Genyem, May 1, 1999.

<sup>73</sup> "Bintang Kejora Berkibar di Nimboran," *Cenderawasih Pos*, July 2, 1999 and "Separatist rebels hoist independence flag in Irian Jaya," Associated Press, July 1, 1999.

<sup>74</sup> "Bintang Kejora Berkibar di Nimboran," *Cenderawasih Pos*, July 2, 1999; "Separatists: West Papua Flag Lowered," Antara, July 1, 1999.

<sup>75</sup> "Irianese demand referendum results," *Jakarta Post*, July 3, 1999.

<sup>76</sup> Human Rights Watch interview, Sorong, August 23, 1999.

<sup>77</sup> See "Indonesia: Human Rights and Pro-Independence Actions in Irian Jaya," December, 1998. At the time the group was called Reform Forum of Students and People of Sorong: it changed its name to Communication Forum for Papuan People and Students Rights Watch.

In August 1999, Forum established its headquarters at the home of Bernard Salosa, a fifty-four-year-old retired sailor, and his niece Yakomina Isir, a thirty-eight-year-old high school teacher, who served as Forum's advisor (*Pembina*).<sup>78</sup> As the National Dialogue developed, their home – the “Forum Posko,” as it became known – was the scene of constant activity and acted as a magnet for local people to come to find things out and to discuss events.<sup>79</sup> Often, visitors contributed money, totalling generally about Rp 125,000 (then approximately US\$15) per day according to a former treasurer, or in-kind donations, and the organization had fifty-two regional coordinators.<sup>80</sup> The extent of its activities even led the regional military chief, Infantry Colonel TH Sinambela, to accuse Forum of receiving donations from abroad.<sup>81</sup>

In February 1999, Yakomina Isir and Forum's coordinator, Yance Mesak Wabdaron, a 27-year old medical student, were chosen to represent Sorong as members of the Team of 100<sup>82</sup>, and when they returned from Jakarta in March, Forum organized a community meeting as part of its “socialization” activities.<sup>83</sup>

After the April 17 police order banning “separatist group organizations” and “neighborhood patrols,” and calling for the dismantling of all separatist meeting places (Posko), Forum stopped calling their headquarters “Forum Posko” and began calling it a “prayer post” (*Pos Pelayanan Doa*) – not entirely untrue, as services were held there every Sunday – and erected a sentry post outside. All visitors were required to report their name and business at the post; ordinary police, suspected intelligence agents or provocateurs, and anyone who appeared drunk were turned away. High-ranking visitors like the chief of police were made to wait while their arrival was reported inside.<sup>84</sup>

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<sup>78</sup> Human Rights Watch interview, Sorong, August 24, 1999.

<sup>79</sup> Human Rights Watch interview, Sorong, August 25, 1999.

<sup>80</sup> Human Rights Watch interview, Sorong, August 24, 1999.

<sup>81</sup> “2 pimpinan Separatis Papua Barat Undurkan Diri,” *Suara Pembaruan*, June 18, 1999.

<sup>82</sup> Other members from Sorong were Hans Mobalen, a priest, and Hans Kambu.

<sup>83</sup> Human Rights Watch interview, Sorong, August 23, 1999.

<sup>84</sup> Human Rights Watch interviews, Sorong, August 23, 24 and 25, 1999.

The deadline for dismantling *Posko*, set at seventy-two hours in the April 17 police order, was extended for a full month in Sorong to midnight on May 19. That evening, in a meeting with the regional army commander, Forum leaders argued that the existence of the *Posko* helped to keep the peace in Sorong, not to threaten it, as the police ban implied, because it was used to defuse inflammatory rumors, and to discourage drunkenness and violence.<sup>85</sup> But their arguments did not prevail and, as midnight approached, a large crowd gathered in the street outside. Police Commander Sukandono, a Javanese who had worked for many years in Irian Jaya and was well known and respected by local people, then arrived to talk to the Forum leaders, after which he urged people to disperse to their homes. He went with some students to neighboring areas, successfully urging people to remain calm. The *Posko* was not dismantled, but before the end of June Sukandono had been replaced.<sup>86</sup>

Forum members also called for Papuans to boycott the Indonesian elections in accordance with the statement delivered by the Team of 100 in Jakarta in February, 1999, and a subsequent appeal circulated by Theys Elvan, a prominent Papuan leader in Jayapura. Thousands of people responded by returning their voter registration cards to the *Posko*. The authorities then arrested three members of Forum and three other activists, charging them with disrupting the electoral process. On June 3, Yakovina Isir met local government and police leaders and, on the understanding that the six would be released, agreed to help "guarantee" the success of the elections. Two days later, 99 percent of eligible voters in Sorong went peacefully to the polls. The six detainees, however, were not released.<sup>87</sup>

In late June, Forum members heard rumors that a new KNPP branch was planning a flag-raising in Sorong on July 1. Four local residents had been sworn in as KNPP officials at Genyem, a forty-eight hour boat journey away, on May 14, after KNPP leader Ishak Yarsenang had visited Sorong in March to solicit members. Forum itself had discouraged the formation of a new organization in Sorong but in June KNPP held its first public meeting there; the flag-raising was to be its first official activity.<sup>88</sup>

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<sup>85</sup> An example of the false information that activists said was commonplace in Irian Jaya were a series of anonymous midnight calls received by an NGO leader in mid August 1999, saying that an OPM group was planning to attack Abepura, where Cenderawasih University is located, on the eve of Indonesian Independence Day, August 17. The calls gained credence on August 16, when a police officer visited a different NGO in Abepura and told its director that an armed OPM group was camped nearby. No attack occurred.

Human Rights Watch also obtained a copy of an inflammatory letter circulating in Jayapura in August 1999. The letter either reflected or exploited the cargo cult phenomenon found among some tribes in Irian Jaya and Papua New Guinea, who believe that deliverance will come in the form of returning ancestors disguised as foreigners and bearing material goods. It said: "I, Jeck Kenedi and Mr. Tom Beanal of West Papua (Timika) met in America (USA) to discuss the freeing of West Papua, which has been continually postponed by the savage peoples of Indonesia. I, Jeck Kenedi, agree 100% to assist West Papua, in accordance with the agreement made by my father, former American President John Kennedy, on December 1, 1963 in New York, for the transfer of West Papua from the Netherlands and Indonesia. Therefore I, Jeck Kenedi, Commander of the Seventh Armada, will assist West Papua with the aforementioned Armada, which consists of 5,000 personnel, and will request an audience with the United Nation sometime this year, probably June to August 1999.

The Armada has been ready at the island of Guam, north of the Island of Biak, since March 27, 1999, some 25 kilometres from the cities of Biak and Serui in West Papua. The Armada has been purchased by Mr. Tom Beanal, candidate for the president of West Papua. Weapons already prepared by Mr. Tom Beanal are as follows: Three hundred Super Power Type combat jets, three hundred Electiger Type helicopters, twenty B 25 Bombers, five hundred amphibious tanks, fifty submarines, three hundred destroyers, one aircraft carrier with forty guided nuclear missiles, and three thousand other weapons from Australia.

I hope that the sons of Papua are prepared to leave for Guam, ready, willing and disciplined to undertake the tasks before them, to free the land of the Bird of Paradise (West Papua) from its suffering. And I am waiting for a list of their names, which has not yet arrived. I am sending this letter to Navy Captain Egmaden, wherever he may be, so that names will be sent soon, as we are waiting to receive them, but personnel have yet to be prepared..." According to activists in Jayapura, such phonecalls and letters were commonplace.

<sup>86</sup> Human Rights Watch interview, Sorong, August 25, 1999.

<sup>87</sup> Human Rights Watch interviews, Sorong, August 23, 1999.

<sup>88</sup> Papuan critics of KNPP charge it with being a tool of the military. Human Rights Watch was not able to investigate such charges. We did learn, however, that both Forum and KNPP were financially supported by a wealthy immigrant businessman. The businessman told HRW that he provided both Forum and KNPP leaders with several million rupiah and cell phones, explaining that he wanted to protect his assets in case of violence or an eventual independent state in Irian Jaya. He said that he had initially supported Forum but, shortly after the formation of KNPP, decided that Forum members were indeed mismanaging his donations, withdrew his support, and began funding the new group instead. He also said that to pacify the police, he had agreed,



UNTIL THEN, ACCORDING TO EYEWITNESSES INTERVIEWED BY HUMAN RIGHTS WATCH, INCLUDING A FORMER GOVERNMENT OFFICIAL WHO LIVES ACROSS THE STREET FROM THE PARK, THE DEMONSTRATORS, WHO WERE UNARMED, HAD BEEN PEACEFUL.<sup>91</sup> BUT AS DEMONSTRATORS WERE KNOCKED DOWN AND HANDCUFFED, THE SITUATION RAPIDLY DESCENDED INTO VIOLENCE. SOME OF THE PROTESTORS THREW STONES AT POLICE, ONE WAS CUT ON THE HAND BY A POLICE BAYONET, AND ANOTHER, MARTIN MANUTUNAI, WAS SHOT IN THE THIGH BY POLICE. POLICE PULLED DOWN THE FLAG AND, ACCORDING TO SOME ACCOUNTS, TROD ON IT. WITHIN AN HOUR, ONLY POLICE REMAINED IN THE PARK BUT ANGRY CROWDS WERE MOVING THROUGH THE CITY.<sup>92</sup> HALF A MILE WEST OF THE PARK, ONE GROUP TAUNTED A POLICE OFFICER PASSING BY ON A MOTORCYCLE. HE DREW HIS GUN AND SHOT ONE OF THE GROUP, TWENTY-SIX-YEAR OLD STUDENT FRANS ISIR, WHO WAS THEN TAKEN INTO POLICE CUSTODY WITH A BADLY BLEEDING WOUND. TENSIONS ESCALATED FURTHER AMID RUMORS THAT HE HAD BEEN KILLED.<sup>93</sup>

MEANWHILE, IN THE KELURAHAN MALANU NEIGHBORHOOD EAST OF THE PARK, ANGRY YOUTHS ATTACKED AND KILLED A JAVANESE MOTORCYCLE-TAXI (*OJEK*) DRIVER, BROKE SHOP WINDOWS, BURNED A JEEP, AND THREATENED TWO OTHER MOTORCYCLISTS.<sup>94</sup> SPORADIC GUNFIRE COULD BE HEARD UNTIL ABOUT 11:30 A.M., BY WHICH TIME POLICE AND SOLDIERS HAD REASSERTED CONTROL OF THE CITY.

SECURITY FORCES THEN DECIDED TO RAID FORUM HEADQUARTERS, AND SHORTLY AFTER NOON SEALED THE NEIGHBORHOOD BEHIND YOHAN SUPERMARKET IN EAST SORONG. THEY FIRST TARGETED A *GAPURA*, AN ARCHWAY USED TO MARK NEIGHBORHOOD BOUNDARIES, THAT FORUM MEMBERS HAD ERECTED AT THE ENTRANCE TO JALAN TANJUNG. ON IT WERE PAINTED THE WORDS "PAPUAN STUDENTS AND PEOPLE ALLIANCE POST," IMAGES OF A PAPUAN FLAG, AND UNITED NATIONS AND AMNESTY INTERNATIONAL LOGOS. POLICE TIED ONE END OF A ROPE TO A TRUCK BORROWED FROM A CONSTRUCTION COMPANY, AND THE OTHER TO THE *GAPURA*, AND DRAGGED IT DOWN.<sup>95</sup> AFTER THE POLICE HAD MOVED DOWN THE STREET, TWO NON-PAPUAN MOTORCYCLISTS PASSED THROUGH THE INTERSECTION, WHERE AN ANGRY CROWD HAD CONGREGATED. MEMBERS OF THE CROWD ATTACKED THE MOTORCYCLISTS: ONE MANAGED TO ESCAPE, BUT THE OTHER FELL FROM HIS MOTORCYCLE AND WAS BADLY BEATEN.<sup>96</sup>

MEANWHILE, POLICE SURROUNDED BERNARD SALOSA'S HOME, WHERE FORUM HAD MADE IT'S HEADQUARTERS, AND BROKE IN THE DOOR AND WINDOWS AND RANSACKED THE PLACE. SALOSA AND HIS FAMILY HAD ALREADY TAKEN REFUGE IN A NEIGHBOR'S HOUSE. TWICE MORE WITHIN THE FOLLOWING TWENTY-FOUR HOURS, POLICE AND SOLDIERS RETURNED TO SEARCH THE HOUSE, AND THEN SET UP A ROUND THE CLOCK SENTRY POST ONLY A BLOCK AWAY IN THE OFFICE OF THE NEIGHBORHOOD ADMINISTRATOR (*Lurah*). THIS WAS STILL BEING MANNED IN LATE AUGUST WHEN A HUMAN RIGHTS WATCH RESEARCHER VISITED THE AREA: A DOZEN POLICE OFFICERS WERE IN THE POST AT MIDDAY, AND AT NIGHT ARMED SOLDIERS WERE PATROLLING THE STREET. BERNARD SALOSA EVENTUALLY RETURNED TO HIS HOME ON AUGUST 7 BUT FOUND MANY OF HIS POSSESSIONS RUINED OR MISSING.<sup>97</sup>

AFTER RAIDING SALOSA'S HOUSE, POLICE CONDUCTED A SWEEP THROUGH THE ADJACENT NEIGHBORHOOD LOOKING FOR PEOPLE WHO MIGHT HAVE BEEN INVOLVED IN THE FLAG-RAISING OR VIOLENCE. THIS LED TO AT LEAST TWENTY-FIVE PEOPLE BEING WOUNDED BY POLICE, ACCORDING TO A STUDENT GROUP WHO INTERVIEWED VICTIMS AND WITNESSES OVER A TWO WEEK PERIOD.<sup>98</sup>

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<sup>91</sup> Human Rights Watch interview, Sorong, August 24, 1999.

<sup>92</sup> Ibid.

<sup>93</sup> Human Rights Watch interview, Sorong, August 27, 1999.

<sup>94</sup> Human Rights Watch interview, Sorong, August 27, 1999; Latunussa, Laporan Hasil Investigasi Pengibaran Bendera Bintang Kejora.

<sup>95</sup> Human Rights Watch interviews, Sorong, August 24 and 25, 1999.

<sup>96</sup> Many residents of Sorong and other parts of Irian Jaya suspect *ojek* drivers of being intelligence agents. There is no hard evidence to prove the suspicions.

<sup>97</sup> Salosa reported to the Legal Aid Institute of Jayapura and later told Human Rights Watch that five million rupiah in cash, a piece of gold weighing ten kilograms, thirty textiles, a Seiko watch, three plastic wardrobes, eight pairs of shoes, four traditional knives, a stone axe and a telephone were missing; three cabinets, two buvet, an amplifier, chairs, a gas stove, a tambourine, a bass guitar, and eight buckets had been ruined; and television, refrigerator and satellite dish cables had been cut.

<sup>98</sup> The group, Mahasiswa Peduli Tragedi Sorong Juli 5, 1999, included students from as far away as Jayapura. Its members sought and received permission from military and government officials, including the governor, to conduct a two-week



SHORTLY AFTER NOON, POLICE KICKED IN THE DOOR OF AN OUTHOUSE IN WOROT NEIGHBORHOOD AND POINTED THEIR GUNS AT A SHOCKED HOUSEWIFE WITH HER HANDS UP AND HER SKIRT AROUND HER ANKLES. THEY THEN BROKE IN THE DOOR OF HER HOUSE WITH RIFLE BUTTS, SEARCHED THE HOUSE, AND MADE HER CHILDREN COME OUT FROM UNDER BEDS WHERE THEY WERE HIDING. NEXT DOOR, WHERE TWO YOUNG MEN IN CAP AND GOWN WERE CELEBRATING THEIR GRADUATION EARLIER THAT MORNING, THEY REPORTEDLY KICKED A GUEST IN THE SHINS AND SHOT INTO A WARDROBE.<sup>99</sup>

IN KAMPUNG NENAS, FIVE POLICEMEN BURST INTO THE HOME OF A FIFTY-TWO-YEAR OLD CIVIL SERVANT WHO SUBSEQUENTLY TOLD HUMAN RIGHTS WATCH THAT HE HAD NOT HEARD ABOUT THE FLAG-RAISING AND WAS TAKING A NAP AFTER COMING HOME FROM WORK. THOUGH HE DID NOT RESIST, HE WAS HIT IN THE ARM AND KICKED IN THE SMALL OF THE BACK. TOGETHER WITH TWENTY OTHERS, HE WAS PUT IN A TRUCK, DRIVEN TO THE POLICE STATION, STRUCK WITH BAMBOO STAVES, AND ORDERED TO STRIP TO HIS UNDERWEAR. HE WAS TREATED MORE LENIENTLY THAN OTHERS AT THE STATION, HE SAID, WHICH HE ATTRIBUTED TO HIS AGE AND THE FACT THAT HIS WORK OFTEN BROUGHT HIM IN CONTACT WITH THE PUBLIC, AND POLICE THEREFORE RECOGNIZED HIM. HE WAS RELEASED THE FOLLOWING DAY AND ORDERED TO REPORT TO THE POLICE EVERY MORNING FOR TWO WEEKS. HE WAS NEVER SHOWN ANY WARRANT FOR HIS ARREST.<sup>100</sup>

IN ALL, EIGHTEEN PEOPLE WERE DETAINED IN CONNECTION WITH THE JULY 5 FLAG-RAISING, INCLUDING YANCE MESAK WABDARON AND YAKOMINA ISIR OF FORUM. THE FORMER, LEARNING OF THE FLAG-RAISING ON THE MORNING OF JULY 5, HAD GONE WITH HIS BROTHER, SAMPÆK WABDARON, TO FIND OUT WHAT WAS HAPPENING<sup>101</sup>, BUT AT ABOUT 1.30 P.M. THE TWO WERE STOPPED BY POLICE. THEY MADE SAMPÆK WABDARON DISMOUNT FROM HIS MOTORCYCLE AND GET INTO A MILITARY TRUCK WHILE YANCE WABDARON, WITH A POLICE OFFICER SITTING BEHIND HIM, WAS TOLD TO DRIVE TO YOHAN SUPERMARKET. THERE, POLICE SEIZED THE MOTORCYCLE, ASSAULTED YANCE WABDARON AND THREW HIM INTO THE BACK OF A TRUCK. HE WAS TAKEN TO A POLICE STATION, WHERE HE WAS AGAIN ASSAULTED WITH FISTS AND BAMBOO STAVES, MADE TO STRIP TO HIS UNDERWEAR, AND PLACED IN A SOLITARY CELL RESERVED FOR POLITICAL PRISONERS. SAMPÆK WABDARON WAS ALSO ASSAULTED BY POLICE, SUSTAINING A WOUND TO THE FACE, AND THEN A FURTHER BEATING WITH BAMBOO STAVES IN THE NIGHT AND BY HAVING HIS TOES BURNED WITH CIGARETTES UNTIL HE PASSED OUT. HE WAS THEN RELEASED ON THE AFTERNOON OF JULY 6.

YANCE WABDARON'S FAMILY WERE NOT ALLOWED TO VISIT HIM UNTIL THE FOURTH DAY OF HIS INCARCERATION, AND WERE ALLOWED TO TAKE HIM TO A DOCTOR, WHO SET HIS RIGHT LEG IN PLASTER, ONLY AFTER ONE WEEK. THE POLICE THEN BROUGHT IN A POLICE DOCTOR FOR A SECOND OPINION: HE CONFIRMED THAT YANCE WABDARON HAD SUSTAINED A FRACTURE OF THE RIGHT LEG, A CRACKED SKULL, AND EXTENSIVE BRUISING TO HIS BODY. HIS RELATIVES SUBSEQUENTLY TOLD HRW THAT THEY HAD HAD TO SPEND MORE THAN HALF A MILLION RUPIAH (US\$60) ON MEDICAL TREATMENT AS A RESULT OF HIS BEATING BY POLICE.<sup>102</sup>

THE TWO KNPP LEADERS, YOAB SAFLE AND HANS KAMBUAY, REMAINED AT LARGE. ON JULY 14, A POLICE SERGEANT WISNU TOLD FORUM GENERAL SECRETARY YOHANES SAKOF THAT WABDARON WOULD BE RELEASED ONCE KNPP'S LEADERS HAD BEEN ARRESTED. ON JULY 21, SAKOF LED POLICE TO SAFLE'S HOUSE WHERE SAFLE WAS ARRESTED, BUT SAKOF HIMSELF WAS ALSO INCARCERATED OVERNIGHT.<sup>103</sup>

## SORONG, SEPTEMBER 9

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<sup>99</sup> Human Rights Watch interview, Sorong, August 27, 1999.

<sup>100</sup> Human Rights Watch interview, Sorong, August 27, 1999.

<sup>101</sup> Human Rights Watch interview, Sorong, August 23, 1999; Latunussa, Laporan Hasil Investigasi Pengibaran Bendera Bintang Kejora.

<sup>102</sup> Ibid.

<sup>103</sup> Human Rights Watch interviews, August 23 and 24, 1999.

It was widely rumored that further pro-independence incidents would occur across Irian Jaya on September 9, due to the unusual combination of numbers in the date 9/9/99, but nothing occurred except in Sorong. There, KNPP members led by twenty-three-year-old Richard Rumbabar, the senior KNPP official still at large, again hoisted the West Papua flag, this time in front of the local parliament building.<sup>104</sup> Again, the demonstrators, numbering about 90, were forcibly dispersed by police using firearms. Three protestors, including Arnold Imbir, who was shot in the arm, sustained gunshot wounds and ten people were detained for questioning.<sup>105</sup> One of these, Denis Yowen, an eighteen-year-old high school student, died in police custody next day. Police said he had suffered an epileptic fit<sup>106</sup>, but other detainees said they had seen him collapse while being beaten within the police station by men not wearing uniforms. Petrus Yowen, the victim's father, said his son had not previously suffered from epilepsy and that he was told of the death three hours after he was summoned to the police station at 2 p.m. on September 10.<sup>107</sup>

An autopsy was said to have been carried out but Lieutenant Colonel Charles Sitorus, Sorong's chief of police, refused to disclose its findings either to the victim's family or to the public, though he said he would make them available in the event of a trial. According to the police chief, some of the flag-raisers had been armed with machetes and other weapons when police dispersed them.<sup>108</sup>

## VII. PUBLIC MOBILIZATION AGAINST DIVISION OF THE PROVINCE

Despite the arrests and other repression which followed the collapse of the National Dialogue process and in response to the July and September flag-raising, it was a far cry from the systematic repression previously employed by Soeharto's New Order government and there were clear signs that the government recognized a need to respond in some way to Papuan aspirations.

In July 1999, while discussion of the National Dialogue was still banned, the territory's Lieutenant Governor, John Djopari, undertook a tour of the area together with an Indonesian parliamentary delegation. Their purpose was to promote a plan to divide the province into three in what was, according to Djopari, a long-planned initiative to improve government services in remote areas and to provide jobs for local people (each province in Indonesia is run by a governor and has its own parliament, government offices, and so on).<sup>109</sup>

Lack of jobs and services were in fact serious sources of discontent, but given the timing, Papuans viewed the policy as a cynical response to the National Dialogue, and predicted it would introduce more soldiers and immigrants to the region, accelerate their cultural and economic marginalization, and hinder the province-wide organizing that had flourished since the fall of Soeharto. Djopari and the parliament members were met with angry protests, and the issue was hotly debated and denounced in the local media.<sup>110</sup>

Despite the noisily expressed objections, the central government pushed ahead, saying those who rejected the idea didn't really understand it, and were most likely separatist sympathizers.<sup>111</sup> The plan was passed into law on September 16, one week before legislators elected in the democratic June 5 elections took office.

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<sup>104</sup> Report of the Institute for Human Rights Study and Advocacy in Jayapura, September 9, 1999, and private correspondence, September 10, 1999.

<sup>105</sup> Ibid.

<sup>106</sup> "Saya yakin Denis dipukul aparat," *Cenderawasih Post*, September 11, 1999.

<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> "Wagub Drs. JRG Djopari, MA: Pemekaran Irian Jaya Bukan Tantangan," *Tifa Irian*, Minggu I-II Agustus, 1999.

<sup>110</sup> "Aksi Protes Warga Masyarakat Nabire Diwarnai Kericuhan dan Pemblokiran Banda Udara Nabire," ELSHAM Report, July 7, 1999; "Unjuk Rasa Papua Barat Sambut DPR RI, Di Manokwari Massa Dibubarkan dengan Tembakan," *Cenderawasih Pos*, August 6, 1999; "Ratusan Mahasiswa Demo Tolak Pemekaran," *Cenderawasih Pos*, September 7, 1999; and "Menolak Pemekaran, Djopari dan Mote Minta Dicotot," *Tifa Irian*, Minggu I-II Agustus 1999.

<sup>111</sup> Interview with Prof. Dr Ryaas Rashid of the Internal Affairs Department, quoted in "Hari Ini Resmi Punya Tiga Gubernur. Monim dan Ataruri Jadi Gubernur," *Cenderawasih Pos*, October 12 1999, Vol. 12, No. 2 (C)

ON OCTOBER 12, IN JAKARTA, DRS. HERMAN MONIM AND MARINE BRIGADIER GENERAL ABRAHAM ATURURI WERE SWORN IN AS GOVERNORS OF THE PROVINCES OF CENTRAL AND WEST IRIAN JAYA, RESPECTIVELY. THE CEREMONY HAD BEEN ORDERED BY HABIBIE ON SEPTEMBER 25<sup>112</sup> AND WENT FORWARD DESPITE LETTERS FROM GOVERNOR FREDDY NUMBERI ADVISING JAKARTA TO WAIT, DUE TO LACK OF FUNDS, A TENSE POLITICAL CLIMATE, AND "INSUFFICIENT SOCIALIZATION" OF THE POLICY.<sup>113</sup>

ON OCTOBER 14, THOUSANDS GATHERED OUTSIDE THE GOVERNOR'S OFFICE IN JAYAPURA. TRUCKS AND BUSES MADE MULTIPLE TRIPS FROM THE NEARBY UNIVERSITY TOWN OF ABEPUA THAT MORNING, BUT STUDENTS WERE THE MINORITY IN A CROWD OF APPROXIMATELY 9,000.<sup>114</sup> THE DEMONSTRATION WAS LARGELY PEACEFUL, ALTHOUGH AT ONE POINT SOMEONE THREW STONES AT ANTI-RIOT POLICE BLOCKING THE ENTRANCE TO THE GOVERNOR'S OFFICE. EMOTIONS WERE QUICKLY DIFFUSED BY DEMONSTRATORS ANXIOUS TO AVOID VIOLENCE.<sup>115</sup>

AT ONE P.M. DJOPARI APPEARED, SPOKE BRIEFLY TO THE CROWD, THEN ESCORTED SIX UNIVERSITY STUDENTS AND FATHER HERMAN AWOM, ASSISTANT SECRETARY GENERAL OF THE EVANGELICAL CHRISTIAN CHURCH OF IRIAN JAYA, INTO THE GOVERNOR'S OFFICE. INSIDE, AFTER A TWO HOUR MEETING WITH DJOPARI AND LOCAL PARLIAMENT HEAD NATHANIEL KAIWAY, AND PHONE CONVERSATIONS WITH GOVERNOR NUMBERI AND INTERNAL AFFAIRS MINISTER FEISAL TANJUNG IN JAKARTA, IT WAS DECIDED THAT THE LOCAL PARLIAMENT WOULD HOLD A SPECIAL SESSION ON DIVISION OF THE PROVINCE ON SATURDAY, OCTOBER 16.<sup>116</sup>

ONE OF THE NEW GOVERNORS, ABRAHAM ATURURI, THEN SHOWED UP AND TOLD CROWDS THAT NUMBERI HAD INSTRUCTED HIM TO REFUSE THE NEW POSITION BUT THAT HE HAD TO GO AHEAD WITH THE SWEARING-IN TO SHOW HIS LOYALTY TO THE GOVERNMENT. AS EVENING SET IN DEMONSTRATORS VOWED THEY WOULD REMAIN OUTSIDE THE GOVERNOR'S OFFICE UNTIL THE NEW APPOINTMENTS AND THE DIVISION OF THE PROVINCE WERE REPEALED.<sup>117</sup>

THE NEXT DAY HUNDREDS OF STUDENTS REMAINED, BLOCKING DOORS AND DEMANDING TO SEE THE IDENTITY CARDS OF ANYONE WISHING TO ENTER. ON SATURDAY, THE DAY OF THE SPECIAL PARLIAMENTARY SESSION, CROWDS SWELLED AGAIN TO 9,000.<sup>118</sup>

SIXTY DEMONSTRATORS WERE INVITED TO ATTEND THE SESSION, WHICH LASTED FROM 9:30 A.M. TO 3:30 P.M. STUDENTS INTERRUPTED THE PROCEEDINGS TO DEMAND THE WORDING OF THE DECISION BE CHANGED FROM "POSTPONE" TO "REJECT"; ANOTHER MAN WHO BEGAN ORATING IN FRONT OF LEGISLATORS HAD TO BE ESCORTED BACK TO HIS SEAT BY A POLICEMAN.<sup>119</sup> AT FOUR P.M., GOVERNOR NUMBERI AND HEAD OF PARLIAMENT KAIWAY RETURNED TO THE GOVERNOR'S OFFICE TO ANNOUNCE THE RESULTS: A STATEMENT WOULD BE SENT TO JAKARTA REJECTING DIVISION OF THE PROVINCE AND THE APPOINTMENTS OF THE TWO NEW GOVERNORS. THE ANNOUNCEMENT WAS GREETED WITH WILD APPLAUSE; AWOM LED A PRAYER, AND DEMONSTRATORS AND LEGISLATORS EMBRACED. THE GOVERNOR THEN ASKED THE CROWDS TO RETURN HOME, WHICH THEY DID, BUT NOT BEFORE DANCING A FEW ROUNDS OF YOSPAN, THE IRIANESE SOCIAL DANCE, TOGETHER WITH THE JAYAPURA POLICE CHIEF JOHNY RORI AND SEVERAL OF HIS MEN.<sup>120</sup>

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<sup>112</sup> Keppres No. 327, 25 September, 1999.

<sup>113</sup> Gubernur Kepala Daerah Tingkat I Irian Jaya, Nomor: X.136/2779/SET, addressed to the Internal Affairs Minister Feisal Tanjung, October 1999.

<sup>114</sup> "Demonstrasi Mahasiswa dan Masyarakat Menolak Pemekaran Wilayah Irian Jaya di Jayapura," ELSHAM Report, October 17, 1999.

<sup>115</sup> Ibid.

<sup>116</sup> "DPRD I Akan Bersidang Tolak Pemekaran: Warga Duduki Kantor Gubernur Irja," *Suara Pembaruan*, October 16, 1999.

<sup>117</sup> "Demonstrasi Mahasiswa dan Masyarakat Menolak Pemekaran Wilayah Irian Jaya di Jayapura," ELSHAM Report, October 17, 1999.

<sup>118</sup> Ibid.

<sup>119</sup> "DPRD Tk I Tolak Pemekaran Provinsi," *Suara Pembaruan*, October 17, 1999.

<sup>120</sup> "Demonstrasi Mahasiswa dan Masyarakat Menolak Pemekaran Wilayah Irian Jaya di Jayapura," ELSHAM Report, October 17, 1999.

In the ensuing days, demonstrations were held in Serui, Biak, Sorong, and Nabire. Community leaders in each town issued political statements, copied to Habibie, Wiranto, heads of Parliament, and the Department of Internal Affairs, reminding the central government of the aspirations expressed by the Team of 100 in February and July 1999. The statement from Serui noted that 16,281 people in the Yapen Waropen district had chosen independence in an informal survey conducted earlier in the year. Pernyataan Sikap Politik Papua Barat di Yapen Waropen, Serui, Oktober 14, 1999. THE STATEMENT FROM BIAK NUMFOR CITED THE DECLARATION OF THE UNIVERSAL RIGHTS OF MAN, THE BIBLE AND PANCASILA. Suara Hati Nurani Rakyat Papua di Biak Numfor, Biak, Oktober 14, 1999. THE STATEMENT FROM SORONG EVOKED PAPUAN FEARS OF ETHNIC EXTINCTION, AND DEMANDED AN INTERNATIONAL HUMAN RIGHTS INVESTIGATION INTO VIOLATIONS IN IRIAN JAYA, TIMOR, ACEH AND AMBON. Demonstrasi Damai Penolakan Pemekaran Masyarakat Papua di Sorong: Purnan Rights Watch, October 14, 1999.

MEMBERS OF NATIONAL PARLIAMENT IN JAKARTA LATER JOINED IN REJECTING THE DIVISION OF IRIAN JAYA,<sup>121</sup> AND ON NOVEMBER 29, THE INTERNAL AFFAIRS MINISTER OF THE NEW ABDURRAHMAN WAHID ADMINISTRATION, SURJADI SOEDIRJA, ANNOUNCED THAT THE DIVISION OF IRIAN JAYA HAD BEEN INDEFINITELY POSTPONED.<sup>122</sup>

#### VIII. DECEMBER 1 FLAG-RAISINGS AND THE CLASH IN TIMIKA

A month and a half into the new administration of Abdurrahman Wahid, on December 1, 1999, tens of thousands of Papuans openly and peacefully celebrated the 38th anniversary of what they termed "West Papuan independence." The ceremonies, which consisted of flag raisings in eleven towns and massive gatherings in two others, were peaceful, and no action was taken by the military or police to prevent or disperse them.<sup>123</sup> The events seemed to mark a welcome and significant break with the preceding thirty years, when flag-raisings had been met with arrests, brutality, state repression and violence. Only the following day, however, there was new violence in the city of Timika when police forcibly dispersed demonstrators who had gathered around a flag which had been raised three weeks before in a local churchyard. During the course of the police action, sixteen people received gunshot wounds and dozens of others were injured.

The Papua-wide flag-raising ceremonies on December 1 had been formally announced just three weeks earlier, at a November 12 gathering to celebrate the sixty-second birthday of traditional leader Theys Eluay. The gathering in Sentani, near Jayapura, was attended by about 3,000 people, including Yorrys Raweyai, a wealthy Jakarta resident known for his association with the Soeharto family, and Lieutenant Colonel Daud Sihombing, chief of Jayapura police.<sup>124</sup> THE DECEMBER 1 PLAN HAD CLEARLY BEEN MADE BEFORE THE PARTY -- YORRYS LEAKED IT TO THE MEDIA ON NOVEMBER 10 -- BUT IT WAS NOT CLEAR WHO WAS RESPONSIBLE FOR THE PLAN.<sup>125</sup>

The announcement sparked an eruption of organizing activity, and momentum grew after the province's top police and army chiefs expressed relaxed attitudes about it in the local media, apparently reflecting new orders from the new administration in Jakarta. In the November 15 edition of the widely-read *Cenderawasih Pos* daily, Territorial Commander Amir Sembiring was quoted as saying flag-raisings would be allowed;<sup>126</sup> the same day, newly appointed provincial police chief Silvanus Yulian Wenas said flag-raisings would be tolerated as an expression of free speech, as long as the red and white Indonesian flag was not taken down and there was no violence or violations of the law.<sup>127</sup>

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<sup>121</sup> "Anggota MPR Asal Irja Tolak Pemekaran," *Suara Pembaruan*, November 17, 1999.

<sup>122</sup> "Pemekaran Irja Ditunda," *Suara Pembaruan*, November 29, 1999.

<sup>123</sup> Flags were raised in the cities of Jayapura, Sentani, Serui, Manokwari, Nabire, Meruake and Sorong, in two towns in the district of Fak-Fak, and in the Tiom and Bokondini subdistricts of Jayawijaya province. In the towns of Wamena and Biak, flags were not raised but large gatherings took place.

<sup>124</sup> "Rakyat Papua Bergolak, Kepemimpinan Tak Jelas, Penguasa Malas Tahu," November 19, 1999, ELSHAM press release.

<sup>125</sup> "500 Warga Papua Barat Tuntut Referendum," *Suara Pembaruan Daily*, November 10, 1999.

<sup>126</sup> "Rakyat Papua Bergolak, Kepemimpinan Tak Jelas, Penguasa Malas Tahu," November 19, 1999, ELSHAM press release.

<sup>127</sup> "Human Rights Watch: Zinkinkan Bendera Nintang Kejora Dikibarkan 1 Desember," *Suara Pembaruan*, November 16, 1999.

Some community leaders reacted to the new developments with alarm, because it was not clear who was organizing them, because they had not been consulted, and because in previous months, the activist community had discouraged flag-raising.<sup>128</sup> Rumors began to fly that December 1 would bring full independence, or failing that, an attack by the OPM.<sup>129</sup> Somewhat more realistically, there were fears of reprisals by Indonesian security forces or communal violence.<sup>130</sup>

Tensions mounted when, one week prior to the date, police and army leaders changed their tune on the flag-raising. On November 26, Amir Sembiring was replaced as regional army commander by Brigadier General Albert Inkiriwang, in a routine reassignment occasioned by the change of government in Jakarta.<sup>131</sup> The same day, army chief of staff Subagyo flatly forbade flag-raising.<sup>132</sup> The position was soon echoed by Inkiriwang and Police Chief Wenas.<sup>133</sup>

Next, the two highest government officials in the region - Governor Freddy Numberi and the head of the provincial parliament, Nathaniel Kaiway - issued an announcement "in the name of the government of Indonesia" warning that raising the Papuan flag was against the law and would be treated accordingly.<sup>134</sup> Photocopies of the announcement were dropped over Jayapura from a military helicopter at around 3 pm on November 30; it was sent by radiogram to other parts of the province.<sup>135</sup>

Despite the warnings and prohibitions, there was no way to stem the tide of public enthusiasm, defiance and organizing, and a massive stand off appeared to be taking shape. On November 29, leaders of the main churches in Irian Jaya issued a fatalistic-sounding joint appeal for restraint on all sides.<sup>136</sup> Amid a mounting sense of panic, a series of meetings was held in Jayapura, involving almost every public figure and high official in town.<sup>137</sup>

At one such meeting, a compromise was struck: pro-independence leaders agreed to raise the Indonesian flag as part of the ceremony, with due respect and a rendition of the Indonesian national anthem, alongside the West Papua flag. Both sides also vowed to keep the peace. A man claiming to be a former OPM guerrilla told a reporter he was helping organize 2,000 Papuan patrol members for Jayapura: "anyone who has the nerve to take down the Red and White [the Indonesian flag] will have to deal with me," he was quoted as saying.<sup>138</sup>

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<sup>128</sup> Those expressing alarm included the Reverend Phil Erari of the Indonesian Council of Churches "Rakyat Irian Jangan Terpancing Provokasi," *Suara Pembaruan*, November 19, 1999, and Team of 100 member Dicky Iwanggin and Pastor Nato Gobay from Biak, "Masyarakat Biak Numfor Diserukan Tolak Kibarkan Bendera Papua," *Suara Pembaruan*, November 18, 1999.

<sup>129</sup> "Rakyat Papua Bergolak, Kepemimpinan Tak Jelas, Penguasa Malas Tahu," November 19, 1999, ELSHAM press release.

<sup>130</sup> "Wagub Irja Minta Semua Pihak Tahan Diri Soal Pengibaran Bendera OPM," *Kompas*, November 22, 1999; Gereja-Gereja Kristen Protestan dan Katolik di Irian Jaya Pernyataan Sikap dan Seruan Bersama, November 29, 1999.

*Suara Pembaruan* reported a 50 percent increase in departures on Peln passenger ships in the week before December 1, suggesting that some, most likely non-Papuans, were worried about potential violence. "Secara Bergantian Demonstran Itu Berorasi Menuntut Kemerdekaan Bagi Papua," *Suara Pembaruan*, November 29, 1999.

<sup>131</sup> "Fachrul Razi Wakil Panglima TNI, Suaidi Marasabesi Kasum TNI," *Suara Pembaruan*, November 4, 1999.

<sup>132</sup> "Kasad: Jangan Kibarkan Bintang Kejora, Irja Bagian RI," *Suara Pembaruan*, November 26, 1999.

<sup>133</sup> "Hasil Dialog Kappolda dengan Pemimpin Papua Masih dirahasiakan," *Suara Pembaruan*, November 29, 1999.

<sup>134</sup> Pengumuman, November 27, 1999, signed by Freddy Numberi and Nathaniel Kaiway.

<sup>135</sup> "Situation in West Papua leading towards 1 December 1999," ELSHAM, November 30, 1999.

<sup>136</sup> Gereja-Gereja Kristen Protestan dan Katolik di Irian Jaya Pernyataan Sikap dan Seruan Bersama, November 29, 1999.

<sup>137</sup> "Tokoh Irja Bertemu untuk Amankan 1 Desember," *Suara Pembaruan Daily*, November 25, 1999; "Hasil Dialog Kappolda dengan Pemimpin Papua Masih dirahasiakan," *Suara Pembaruan*, November 29, 1999.

<sup>138</sup> "Disiapkan 2.000 Satgas Amankan Pengibaran Bintang Kejora, Polda Irja Siapkan Pengamanan Khusus," *Suara*

A foreign-born priest and long-time resident of Jayapura described the atmosphere of December 1: anxiety giving way to relief at the lack of violence and an unprecedented sense that “for one day, the community was in charge of town.”<sup>139</sup> At dawn that morning, about twenty thousand people gathered in downtown Jayapura.<sup>140</sup> After a prayer, the Papuan flag was raised at Taman Imbi park, then the Indonesian flag. “Many wept as they sang a Papuan anthem while the separatist flag fluttered in the morning rain,” a reporter noted.<sup>141</sup> Theys Eluay gave a speech calling for the “return of West Papuan sovereignty”; the crowd watched traditional dances, sang hymns, protest songs, and the Indonesian national anthem. Later, a convoy of motorcycles and vans circulated through Jayapura and neighboring towns, with riders waving Papuan flags and onlookers shouting “Free Papua!”<sup>142</sup> Police and anti-riot troops maintained their distance.

Analogous events were held in Sentani, Serui, Manokwari, Nabire, Meruake and Sorong, in two towns in the district of Fak-Fak, and in the Tiom and Bokondini subdistricts of Jayawijaya province. In Wamena and Biak towns, there were large gatherings but no flags were raised. Tens of thousands - perhaps hundreds of thousands - took part, but there was no violence.<sup>143</sup>

From Manokwari, an observer wrote:

I just came back from the “Bintang Kejora” (“Morning Star”) Flag Hoisting Ceremony. It was held at Doreri field, Manokwari, attended by approximately 30,000 people from various parts of the community. . . It was begun by the entering of the Irianese VIPs and dignitaries (members of traditional councils, “100 Team,” etc) into the field taken by a group of dancers from the Mee tribe. The flag was then hoisted followed by the reading of declaration demanding the recognition from the Indonesian central government to the independence of the people of West Papua.

The speech of the ceremony basically consisted of a detailed account about the history of West Papua and how in various occasions the history has been manipulated for the benefit of outside powers. It was a very powerful political education for the West Papuans themselves as many of those attending the ceremony were young and have no access to the written information about their own history.

The singing of “Hai Tanahku Papua” hymn as well as “Dari Ombak Besar. Dari Lautan Teduh” were well performed. Those who attended tried to participate as much as they could.

The ceremony was very very peaceful. I should say it was the first time ever in Manokwari that a large and significant number of West Papuans gathered in one place to remember and reflect on what had happened in the past and pray for their future. The political situation and awareness in Irian Jaya will never be the same again. This is the beginning of a new hope, and the central government of Indonesia can not take it lightly. The demand for dialogue should be taken seriously by the Gus Dur - Megawati administration. I could sense a very strong determination for change in a peaceful manner.

The ceremony was closed with a very moving prayer by Reverend Wainggai - an old pentacostal pastor highly respected in Manokwari...The committee then thanked the police and army for their cooperation and

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<sup>139</sup> Human Rights Watch telephone interview, December 2, 1999.

<sup>140</sup> According to a Reuters reporter in Jayapura, 20,000 people attended. “20,000 demand Irian Jaya independence,” *South China Morning Post*, December 1, 1999.

<sup>141</sup> Ibid.

<sup>142</sup> Human Rights Watch telephone interview, December 2, 1999.

<sup>143</sup> ELSHAM, the Institute for Human Rights Study and Advocacy in Jayapura, which had observers monitoring all the flag-raising, put the number of participants at 800,000. The entire population of the province is around two million. “Hasil Monitoring Aksi Pengibaran Bendera Papua Barat 1 Desember 1999 Seluruh Papua Barat,” Report ELSHAM per Desember 1999, Dokumentasi Awal.

urged the people to return to their homes peacefully. People started to shake hands and hug each other, all in tears...no hatred against Indonesia or migrants, just a very very peaceful expression of thanks and relief.<sup>144</sup>

ACCORDING TO THE AGREEMENT STRUCK BY SECURITY FORCES AND COMMUNITY LEADERS, FLAGS RAISED ON THE MORNING OF DECEMBER 1 WERE LOWERED BY 6 PM THAT EVENING. TIMIKA WAS THE ONLY SIGNIFICANT EXCEPTION.<sup>145</sup>

#### THE CLASH IN TIMIKA

IN TIMIKA, A CITY ON PAPUA'S SOUTH COAST, WHERE THE FLAG HAD ALREADY BEEN FLYING IN A CHURCHYARD FOR THREE WEEKS, DEMONSTRATORS ALSO REFUSED TO TAKE IT DOWN ON DECEMBER 1. THE NEXT MORNING, SECURITY FORCES USED FORCE TO DISPERSE THE CROWD AND LOWER THE FLAG. IN THE ASSAULT SIXTEEN PEOPLE WERE SHOT AND DOZENS WERE INJURED.

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<sup>144</sup> Letter from Dr. Agus Sumule, a professor at Universitas Cenderawasih's School of Agriculture in Manokwari, December 1, 1999. Used with his permission.

<sup>145</sup> In Nabire, the only other exception, demonstrators did not lower the flag until several weeks later, but there was no attempt to lower it by force.

THE FLAG-RAISING BEGAN ON NOVEMBER 10 IN THE YARD OF THE THREE KINGS PARISH, A CATHOLIC CHURCH, ORGANIZED BY AN AMUNGME ACTIVIST NAMED YOSEPHA ALOMANG<sup>146</sup> AND ISAK ONAWAME, A PRIEST.<sup>147</sup> THIRTEEN TENTS WERE ERECTED TO REPRESENT THE THIRTEEN ADMINISTRATIVE DISTRICTS OF IRIAN JAYA: AT THE CENTER WAS A FLAGPOLE WITH THE "MORNING STAR" FLAG, AND THE WALL OF THE CHURCHYARD WAS PLASTERED WITH BANNERS AND SIGNS. BETWEEN TWO HUNDRED AND ONE THOUSAND PEOPLE REPORTEDLY ATTENDED DAILY, LISTENING TO SPEECHES, PARTICIPATING IN PRAYER SERVICES, SINGING AND WATCHING PERFORMANCES OF TRADITIONAL DANCE.<sup>148</sup>

ACCORDING TO PUBLISHED REPORTS AND A LEADING PAPUAN HUMAN RIGHTS GROUP, MORE THAN 2,000 PEOPLE GATHERED IN THE CHURCHYARD TO PREVENT THE FLAG FROM BEING TAKEN DOWN ON THE MORNING OF DECEMBER 2. SHORTLY AFTER 7:00 A.M., A BRIMOB POLICE UNIT ATTEMPTED TO ENTER THE CHURCHYARD. THEY WERE BLOCKED BY SEVERAL HUNDRED WOMEN WHO FORMED A "HUMAN GATE" ACROSS THE ENTRANCE. POLICE WERE FINALLY ABLE TO BREAK THROUGH USING SHIELDS AND STICKS ABOUT A HALF HOUR LATER.<sup>149</sup>

ACCORDING TO ONE REPORT, POLICE MOVED INTO THE MIDDLE OF THE CROWDED CHURCHYARD AND FIRED WARNING SHOTS.<sup>150</sup> OTHER OBSERVERS SAID THE "WARNING SHOTS" WERE FIRED DIRECTLY AT THE CROWD.<sup>151</sup> IN THE AFTERMATH, IT WAS FOUND THAT SIXTEEN PEOPLE HAD BEEN WOUNDED BY GUNSHOTS, INCLUDING A 35-YEAR OLD WOMAN WHO SUBSEQUENTLY HAD TO HAVE HER LEG AMPUTATED. EIGHTY OTHERS SAID THEY HAD BEEN STRUCK BY THE POLICE, WHO USED RIFLE BUTTS, NIGHTSTICKS, BAMBOO STAVES AND TEAR GAS.<sup>152</sup> OTHERS WERE INJURED IN THE PRESS OF THE PANICKED CROWD OR AS THEY ATTEMPTED TO SCALE A BARBED WIRE FENCE. CHAOS CONTINUED FOR ONE HOUR WITH AN ARMY HELICOPTER FLYING SO LOW THAT THE WIND CAUSED BY ITS BLADES BLEW DOWN THE TENTS. THERE WERE ALSO REPORTS OF DEMONSTRATORS HURLING ROCKS AND WOOD AT THE POLICE.

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<sup>146</sup> Yosepha Alomang, 48, is a well known Papuan activist. She is the lead plaintiff in a civil lawsuit against Freeport brought in the Louisiana state court system in 1996. In 1998, accompanied by Rev. Isak Onawame, she held a press conference outside the home of Freeport CEO James Robert Moffett in New Orleans to protest what she described as the company's unredressed and continuing abuses. She and Rev. Onawame also testified at a May 1998 U.S. Congressional briefing in Washington, D.C. regarding human rights abuses in Indonesia and East Timor.

On October 28, 1994 Alomang was dragged from her home by soldiers conducting anti-OPM operations in the area. The soldiers reportedly believed her to be the wife of guerrilla commander Kelly Kwalik. (Her husband, in fact, is Markus Kwalik.) For two weeks she was incarcerated in a bathroom. The incident was first documented by Bishop of Jayapura Mgr Herman Munninghoff OFM in an August 1995 report.

On December 10, 1999, Alomang was awarded a Yap Thiam Hien award by the Center for the Study of Human Rights (Yayasan Pusat Studi Hak Asasi Manusia, or Yapusham) in Jakarta. The prize, named after one of Indonesia's most beloved and respected human rights lawyers, has been awarded annually since 1992 to human rights workers "who resist the militaristic and repressive policies of New Order Indonesia." Alomang was recognized for her work on behalf of tribal rights in Irian Jaya.

<sup>147</sup> "Komnas HAM sesalkan jatuhnya korban di Timika," laporan Asep Salahudin Samboja, Satunet.com, December 2, 1999.

<sup>148</sup> Human Rights Watch telephone interview, December 2, 1999; "Timika Berdarah," a report by the Institute for Human Rights Study and Advocacy in Irian Jaya, December 12, 1999; Andrew Kilvert, "Police open fire on separatists," *Sydney Morning Herald*, December 3, 1999.

<sup>149</sup> "Timika Berdarah," a report by the Institute for Human Rights Study and Advocacy in Irian Jaya, December 12, 1999.

<sup>150</sup> "Massa Bentrok dengan Aparat di Timika, 55 Luka-Luka," *Suara Pembaruan*, December 3, 1999.

<sup>151</sup> "Timika Berdarah," a report by the Institute for Human Rights Study and Advocacy in Irian Jaya, December 12, 1999.

<sup>152</sup> Human Rights Watch III for a list of casualties.



VOLUNTEERS OBSERVING THE INCIDENT FOR THE INSTITUTE FOR HUMAN RIGHTS STUDY AND ADVOCACY REPORTED THAT THE WINDOWS OF THE TOYOTA KIJANG JEEP THEY HAD BORROWED FROM A LOCAL ORGANIZATION, THE YAYASAN PENDIDIKAN AMUNGME-KAMORO, WERE SHATTERED BY POLICE; A BRIMOB OFFICER REPORTEDLY TOOK A MOBILE TELEPHONE AND PURSE BELONGING TO A PASSENGER.<sup>153</sup>

IN A MURKY BUT APPARENTLY RELATED INCIDENT, ABELEK MURIB, A FIFTY-YEAR-OLD AMUNGME WOMAN PRESENT AT THE THREE KINGS PARISH DURING THE POLICE ACTION, DIED AT HER HOME AT NOON ON DECEMBER 2. THE EXACT CAUSE OF DEATH WAS DISPUTED. FOUR DEMONSTRATORS TOLD A HUMAN RIGHTS INVESTIGATOR THEY HAD PERSONALLY WITNESSED MURIB BEING STRUCK WITH A RIFLE BY A POLICEMAN. LOCAL POLICE CHIEF MAYOR EDDY PRAMUDYO SAID THE WOMAN HAD SUFFERED A HEART ATTACK AT HOME THREE DAYS EARLIER AND HAD COINCIDENTALLY BEEN BROUGHT TO THE CHURCH THAT MORNING BY FAMILY MEMBERS JUST AS THE POLICE ACTION WAS GETTING UNDERWAY, LEADING PEOPLE TO CONCLUDE, WRONGLY, THAT SHE WAS A VICTIM OF POLICE VIOLENCE.<sup>154</sup>

IN THE AFTERMATH OF THE INCIDENT, POLICE AT FIRST DENIED THE EXTENT OF THE VIOLENCE. IN JAYAPURA, THE PROVINCE'S POLICE CHIEF, SILVANUS WENAS, SAID THERE HAD BEEN NO SHOOTINGS OR INJURIES IN TIMIKA, BUT THAT UNARMED POLICE HAD DRAGGED 50 PROTESTORS OUT OF THE CHURCH GROUNDS AT THE REQUEST OF A LOCAL PRIEST.<sup>155</sup> TIMIKA'S DEPUTY POLICE CHIEF, EDI PRAMUDIO, SAID THE POLICE HAD GONE "TO STOP ARGUMENTS BETWEEN DEMONSTRATORS" OVER WHETHER TO LOWER THE FLAG, AND THAT SOME PEOPLE WERE INJURED AS THEY RAN AWAY TO AVOID THE SHOOTING.<sup>156</sup>

ON DECEMBER 3, HOWEVER, WENAS ADMITTED AND APOLOGIZED FOR THE SHOOTINGS, SAYING THEY HAD BREACHED HIS INSTRUCTIONS, AND DISPATCHED A FACT-FINDING TEAM TO LOOK INTO THE INCIDENT AND UNDERTOOK TO BRING BEFORE A MILITARY COURT THOSE OFFICERS FOUND TO HAVE OPENED FIRE. HE SAID THIRTY INJURED PEOPLE WERE BEING TREATED AT THE CARITAS HOSPITAL IN TIMIKA AND A NEARBY FREEPORT FACILITY, TO WHICH SOME HAD BEEN TAKEN BY HELICOPTER.<sup>157</sup>

YOSEPHA ALOMANG, ISAK ONAWAME, HISKIA MERARABAYAN, BRUNO PILIGAME, MARLON TAHRIN, AS WELL AS TWO GERMAN JOURNALISTS, WERE DETAINED AND QUESTIONED, BUT THEN PROMPTLY RELEASED.<sup>158</sup>

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<sup>153</sup> "Timika Berdarah."

<sup>154</sup> Ibid.

<sup>155</sup> Reuters, December 2, 1999.

<sup>156</sup> Andrew Kilvert, "Police open fire on separatists," *Sydney Morning Herald*, Dec 3 1999.

<sup>157</sup> "Police chief apologizes for shootings," *South China Morning Post*, December 4, 1999.

<sup>158</sup> National News, *Jakarta Post*, December 3, 1999. Fearful immigrants reportedly fled to the Hotel Serayu Timika and an army facility where tents were erected. A Batak priest was beaten behind the hotel, though it was not clear whether the incident was directly related. "Massa Bentrok dengan Aparat di Timika, 55 Luka-luka," *Suara Pembaruan*, December 3, 1999; "Timika Berdarah," *Human Rights Watch*, the Institute for Human Rights Study and Advocacy in Irian Jaya, December 2000, p. 12, No. 2 (C).

## APPENDIX I

MEMBERS OF THE TEAM OF 100 IN ATTENDANCE AT THE OPENING OF THE NATIONAL DIALOGUE ON IRIAN JAYA, JAKARTA, FEBRUARY 26, 1999

- |                            |                            |                          |
|----------------------------|----------------------------|--------------------------|
| 1. TOM BEANAL              | 49. FREDRIK WAKUM          | 94. BERNARD RUMPAISUM    |
| 2. THERESIA ESTI SAMKAKAI  | 49. BENNY MAKEWA PIGAI, SE | 95. TITUS HAMADI         |
| 3. DR. ISAK AYOMI, MA      | 50. THOBBIE MATURBONGS     | 96. ISAAC SAUJAY         |
| 4. WILLIAM BRAM RAMA, DRS  | 51. MURJONO MURIB, SPD     | 97. YORRYS RAWENAI       |
| 5. DAVID S. MISIRO, DRS    | 52. DOLFINUS SIMON JOSEP   | 98. S. P. MORIN          |
| 6. FRED SUEBU              | KAMESRAR                   | 99. J.P. SALOSSA         |
| 7. JANTJE WABBARON         | 53. M. LOIUS ZONGGONAU     | 100. WILLEM F. RUMSARWIR |
| 8. DICKY IWANGGIN          | 54. DEMIANUS MARIAN        |                          |
| 9. NAS APASERAY            | 55. LUKAS J. MAREY         |                          |
| 10. AGUS A. ALUA           | 56. MUHAMMAD SAID SABUKU   |                          |
| 11. MARTINUS A. WERIMON    | 57. NOAKH NAWIPA           |                          |
| 12. ORGENES ANTOH          | 58. TOHA M. ALHAMID        |                          |
| 13. REV. KETRIN YABANSABRA | 59. REV. SILAS CHAAY       |                          |
| 14. YULINA SAMORI          | 60. FRANS INGGAMER         |                          |
| 15. RICKA L. WARINUSI      | 61. M. SAWAKI              |                          |
| 16. ZADRAK TAIME           | 62. TEERI ALIBA            |                          |
| 17. ....JOKU               | 63. WANGGARIJAK NUBEN      |                          |
| 18. JAAP JOWE              | 64. EZRA AROBAYA           |                          |
| 19. MARTHEN JUSUF TANAWANI | 65. I.S. RUMAIKEUW         |                          |
| 20. HANS JANSEN MANIBURY   | 66. HUBERTUS KWAMBRE       |                          |
| 21. CAN. C. BAUW           | 67. THOMAS E. SAFANPO      |                          |
| 22. AGUS TANAWANI          | 68. REV. ISHAK ONAWAME     |                          |
| 23. APOLLOS MORA           | 69. ALOYSIUS GIAY          |                          |
| 24. REV. IMANUEL M. KOYARI | 70. SIMON BR HINDOM        |                          |
| 25. NICO ASARIBAB          | 71. ABNER ANTHON BRABAR    |                          |
| 26. HENGKY H. JOKHU        | 72. WILLY HENGGEMUR        |                          |
| 27. ANANIAS TOMOKAIMU      | 73. THEODORUS SITOKDANA    |                          |
| 28. REV. OBED KEMBA, SMTH  | 74. ALPIUS LOKBERE         |                          |
| 29. PIUS URBANUS ADII      | 75. YOPPI AYOMI            |                          |
| 30. ANTON TABUNI           | 76. CONSTAN ANSANAY, SH    |                          |
| 31. DIAZ M. GIWIJANGGE     | 77. REV. HANS MOBALEN      |                          |
| 32. APOLLO MAMEYAO         | 78. MARIA KORANO           |                          |
| 33. BAHUDIN KAPAUURUNAH    | 79. MARIKE RUMBIK          |                          |
| 34. ISMAIL BAUW            | 80. AMANDUS ANKAT          |                          |
| 35. REV. HERMAN AWOM, STH  | 81. FRANS Y. KAMEPICT, BSC |                          |
| 36. REV. NATO GOBAY, PR    | 82. FERDINAND JATIPAY/IBO  |                          |
| 37. DAVID ZONGGONAU        | 83. PIETER EDOWAI          |                          |
| 38. LUWKS M. MOTE          | 84. FKt. POANA             |                          |
| 39. ISHAK JAPSENANG        | 85. R.D. YAMBA             |                          |
| 40. REV. RUBEN UAMANG      | 86. ANDY BENNY MANOBY      |                          |
| 41. JOHN MAY NAPO          | 87. ANTHON TABUNI          |                          |
| 42. OBED ARIK AYOK         | 88. DANIEL RANDONGKIR      |                          |
| 43. FERDINAND TETRO NASIRA | 89. ELVIS KATINOT          |                          |
| 44. RULANDO E.H. RUMAINUM  | 90. JAP MAREY              |                          |
| 45. WILLEM KATUKDOAN       | 91. YOHANIS KARET          |                          |
| 46. LEONARD IMBIRI         | 92. YAKOMINA ISIR          |                          |
| 47. JERMIAS TUTUROP        | 93. TONNY F. WAKUM         |                          |

## APPENDIX II

### ARRESTS IN 1999

#### 1. MERAUKE, MARCH 1999

THE FOLLOWING WERE ARRESTED IN MARCH 1999 AND CHARGED WITH ARMED INSURRECTION (ARTICLE 109 OF THE INDONESIAN CRIMINAL CODE) IN CONNECTION WITH ACTIVITIES IN NOVEMBER, IN THE TOWN OF BADE, MERAUKE DISTRICT. THEY WERE RELEASED IN SEPTEMBER AND NEVER PUT ON TRIAL.

1. YUSTUS WAFOM, AGED FORTY-SEVEN, A CIVIL SERVANT WORKING AS THE EDUCATION AND CULTURE OFFICER IN BADE
2. ELIAS MAHUSE, AGED FORTY-THREE, AN ELEMENTARY SCHOOL TEACHER
3. HUBERTUS WANEWAP, AGED FORTY-THREE, AN ELEMENTARY SCHOOL TEACHER
4. ANTONIUS ANWENG, AGED FORTY-SEVEN, AN ELEMENTARY SCHOOL TEACHER
5. KAYUS YIBIM, AGED FORTY-ONE, A FARMER
6. MARIUS YIMSI, AGED THIRTY-NINE, A FARMER

#### 2. GENYEM, JULY 1999

THE FOLLOWING MEN, ALL FARMERS FROM THE NIMBORAN SUBDISTRICT OF JAYAPURA, WERE ARRESTED IN CONNECTION WITH THE JULY 1 FLAG-RAISING IN GENYEM AND CHARGED WITH "SOWING HATRED" TOWARD THE GOVERNMENT, ARTICLE 155 OF THE INDONESIAN CRIMINAL CODE. THE CASE WAS DORMANT UNTIL DECEMBER 15 1999, TWO WEEKS AFTER PROVINCE-WIDE FLAGRAISINGS IN WHICH TENS OF THOUSANDS PARTICIPATED, WHEN A STATE PROSECUTOR SOUGHT A ONE-YEAR PRISON TERM FOR MAURITS WOUW, THE ALLEGED MASTERMIND OF THE JULY 1 FLAG-RAISING, AND TEN MONTHS EACH FOR THE OTHER FOUR MEN. LEGAL ACTION AGAINST THE MEN WAS HALTED FOLLOWING WAHID'S DECREE IN LATE DECEMBER RELEASING POLITICAL PRISONERS IN PAPUA.

1. MAURITS WOUW, AGED FORTY-TWO
2. MESAK WAIPON, AGED FORTY-THREE
3. ZADRAK WOUW, AGED FORTY-ONE
4. MARTHEN BOY, AGED TWENTY-FIVE
5. AGUSTINUS WAIPON, AGED FORTY-THREE

#### 3. SORONG, JULY 1999

THE FOLLOWING WERE ARRESTED AND CHARGED WITH REBELLION, ARTICLE 106 OF THE INDONESIAN PENAL CODE, AFTER THE JULY 5 FLAG-RAISING IN SORONG. ALL WERE ARRESTED ON JULY 5, EXCEPT YAKOMINA ISIR, ARRESTED JULY 7, AND YOAB SAFLE, ARRESTED JULY 21. ON NOVEMBER 17 ALL EIGHTEEN WERE RELEASED TO CITY DETENTION TO AWAIT A RESUMPTION OF THE TRIAL. AS OF THIS WRITING, DEFENSE LAWYERS WERE ARGUING THAT LEGAL ACTION SHOULD BE HALTED IN ACCORDANCE WITH WAHID'S DECEMBER DECREE RELEASING ALL POLITICAL PRISONERS.

1. YAKOMINA ISIR, AGED THIRTY-FIVE, A HIGH SCHOOL GEOGRAPHY TEACHER AND MEMBER OF THE TEAM OF 100. IN ADDITION TO BEING CHARGED WITH REBELLION, SHE WAS CHARGED WITH DISRUPTING THE JUNE 5 ELECTIONS.
2. YANCE MESAK WABDARON, AGED TWENTY-SEVEN, A STUDENT ON LEAVE FROM MEDICAL STUDIES AND MEMBER OF THE TEAM OF 100. HE SUFFERED A BROKEN LEG AND CRACKED SKULL IN A POLICE BEATING.
3. ADERCE BURDAM, AGED TWENTY-SEVEN, A FARMER
4. MOTER AWOM, AGED TWENTY-SEVEN, UNEMPLOYED
5. KAREL RUMBEWAS, AGED SIXTY-THREE, UNEMPLOYED
6. YULIANUS KAMBU, AGED TWENTY-TWO, A FARMER
7. MUSA OSOK, AGED TWENTY-NINE, A FARMER
8. ALBERTH MALASSMENE, AGED TWENTY-ONE, UNEMPLOYED
9. MARTHINUS HOMER, AGED TWENTY-FIVE, UNEMPLOYED.
10. YUNUS HU, AGED TWENTY-SIX, A FARMER
11. FRANS ISIR, AGED TWENTY-SIX. ISIR WAS SHOT IN THE NECK BY A POLICEMAN A HALF-MILE WEST FROM THE FLAG-RAISING CEREMONY AS HE RETURNED HOME AND THEN WAS TAKEN INTO CUSTODY. EYEWITNESSES TOLD HUMAN RIGHTS WATCH THAT ISIR, A STUDENT HOME ON VACATION, WAS ONLY A SPECTATOR AT THE FLAG-RAISING.
12. JAMES MANUFUNE, AGED THIRTY-FOUR, UNEMPLOYED

13. DOLVINUS DUWIT, AGED FIFTY-FOUR, UNEMPLOYED
14. KONTAN ADJOLO, AGED FIFTY-SIX, A FARMER
15. WEMPY YEKESSE, AGED TWENTY-EIGHT, A STUDENT
16. NIKO SAWEN, AGED TWENTY-EIGHT, A FARMER
17. YOAB SYAFLE, AGED TWENTY-SIX, UNEMPLOYED. A LEADER OF THE GROUP RESPONSIBLE FOR THE FLAG-RAISING, HE WAS ARRESTED AT HIS HOME ON JULY 21.
18. MARTHEN MANUTUNE, AGED THIRTY-TWO, UNEMPLOYED. HE WAS SHOT BY POLICE IN THE THIGH AS THEY DISPERSED DEMONSTRATORS BENEATH THE FLAG.

#### 4. SORONG, SEPTEMBER 9, 1999

THE FOLLOWING WERE ARRESTED AND CHARGED WITH REBELLION, ARTICLE 106 OF THE INDONESIAN PENAL CODE, AFTER THE SEPTEMBER 9 FLAG-RAISING IN SORONG. TOGETHER WITH THOSE ARRESTED IN JULY, THEY WERE RELEASED NOVEMBER 17 TO CITY DETENTION, AWAITING RESUMPTION OF THEIR TRIAL. AS OF THIS WRITING, DEFENSE LAWYERS WERE ARGUING THAT LEGAL ACTION SHOULD BE HALTED IN ACCORDANCE WITH WAHID'S DECEMBER DECREE RELEASING ALL POLITICAL PRISONERS. A TENTH DETAINEE, EIGHTEEN-YEAR-OLD DENIS YOWEN, DIED IN POLICE CUSTODY. POLICE SAID HE SUFFERED A FIT OF EPILEPSY, BUT EYEWITNESSES TOLD HUMAN RIGHTS INVESTIGATORS HE COLLAPSED DURING A BEATING BY NON-UNIFORMED MEN PRESENT AT THE JAIL.

1. WOLTER LAPON, AGED FORTY-FIVE, A FARMER
2. HERONIMUS IMBIR, AGED FORTY-THREE, A SAILOR
3. HANS LAPON, AGED FORTY, A FARMER
4. ARNOLD IMBIR, AGED SIXTY-THREE, A FARMER
5. LOLAN IMBIR MATALOAT, AGED FIFTY-FOUR, A SAILOR
6. YASON IMBIR, AGED FIFTY, A SAILOR
7. YOSEPUS LAPON, AGED THIRTY, A FARMER
8. JONNY BURDAM, AGED SEVENTEEN, A SAILOR
9. WEROL FIAY, AGED THIRTY, A FARMER

## APPENDIX III

### Casualties in Timika, December 2, 1999<sup>159</sup>

#### A. DEATHS

ABELEK MURIB, a fifty-year-old AMUNGME woman present at the THREE KINGS PARISH during the police action, died at her home at noon on DECEMBER 2. THE EXACT CAUSE OF DEATH WAS DISPUTED. FOUR DEMONSTRATORS TOLD A HUMAN RIGHTS INVESTIGATOR THEY HAD PERSONALLY WITNESSED MURIB BEING STRUCK WITH A RIFLE BY A POLICEMAN. LOCAL POLICE CHIEF MAYOR EDDY PRAMUDYO SAID THE WOMAN HAD SUFFERED A HEART ATTACK AT HOME THREE DAYS EARLIER AND HAD COINCIDENTALLY BEEN BROUGHT TO THE CHURCH THAT MORNING BY FAMILY MEMBERS JUST AS THE POLICE ACTION WAS GETTING UNDERWAY, LEADING PEOPLE TO CONCLUDE, WRONGLY, THAT SHE WAS A VICTIM OF POLICE VIOLENCE.

#### B. PEOPLE WITH GUNSHOT WOUNDS

1. ABINUS KOGODA, a Dani man, shot in the left thigh with a live bullet
2. AGUSTINUS WAKER, a twenty-five-year-old Dani man, shot in the left shoulder
3. ANDREAS WAROMI, a twenty-two-year-old man from SERUI, shot in the left arm
4. ARI MASOSENDIEU, a fifty-four-year-old man from BIAK, shot in the right hand
5. BEDIDAK, a Dani man, shot in the left thigh
6. EZKIEL KUM, a nineteen-year-old AMUNGME man, shot in the buttocks
7. HENCKY OMABAK, a twenty-two-year-old AMUNGME man, shot in the left foot
8. LAZARUS ONAWOME, a twenty-eight-year-old AMUNGME man, shot in the left foot
9. MAGINUS MURIB, a forty-six-year-old Dani man, shot in the right hand
10. MIRIDUK WAKER, a twenty-seven-year-old Dani man, shot in the right thigh
11. THOMAS MAGAI, a thirty-year-old AMUNGME man, shot in the knee
12. WEKI MURIB, a thirty-year-old Dani man, shot in the left thigh
13. YERMIAS NAWIPA, a forty-year-old MEE man from PANIAI, shot in the right thigh
14. YOAS WAKER, a twenty-one-year-old Dani man, shot in the hand
15. YUSAIN KATAGAME, a thirty-five-year-old AMUNGME woman, shot in the left foot with a live bullet
16. ZAKEUS TENE, a twenty-nine-year-old MEE man from EKARI, shot in the ear

#### C. PEOPLE STRUCK / INJURED BY SECURITY FORCES

1. AGATA DEKIN, a forty-year-old AMUNGME woman, struck with a rattan rod
2. AGATA ZONGGONAU, a thirty-year-old Moni woman, struck with a rattan rod
3. ALEKS KAISEPO, a twenty-six-year-old BIAK man, struck with a rifle butt
4. ALEX ERITIKU, a man from BIAK, struck with a rattan rod and a rifle
5. AMALEKUYE WAKER, a thirty-year-old Dani man, struck with a rattan rod
6. AMOS WEREYAK, a fifty-year-old NUGA priest, struck with rattan
7. AMOS WESEREAK, a NUGA man, struck with a rifle
8. AMUNGIN MAGAI, a twenty-two-year-old DAMAL man, struck in the back with a rifle butt
9. ANTHON TABUNI, a twenty-five-year-old Dani man, kicked in the chest
10. ARIANA WAKER, a Dani woman, struck with a rattan rod and stepped on
11. ARTINA KUM, a twenty-three-year-old AMUNGME woman, kicked in the side
12. ASARIA MURIB, a forty-two-year-old Dani man, struck with a piece of wood
13. AYUB MAGAI, a twenty-five-year-old DAMAL priest, struck with rattan
14. AYUB WAKER, a thirty-three-year-old Moni man, struck with rattan and a rifle
15. DAMIANA MAGAI, an AMUNGME woman, struck with a rifle
16. DARIUS BEANAL, a forty-eight-year-old AMUNGME man, struck in the back with a rifle
17. DINA MAGAI, a thirty-year-old DAMAL woman, struck on the arm with rattan
18. DONAY MAGAI, an AMUNGME man, struck with a night-stick
19. EBETH MINAKI, a Kamoro man, struck on the side with a night-stick and rattan
20. ELIUS KIWAK, an AMUNGME man, struck with a rifle

<sup>159</sup> Figures in this appendix are from "Timika Berdarah," a report issued by The Institute for Human Rights Study and Advocacy, Jakarta, on December 11, 1999.

21. ELLY EDOWAY, a MEE MAN FROM EKARI, STRUCK WITH A NIGHT-STICK
22. ELSON PRAWAR, a TWENTY-YEAR-OLD BIAK MAN, STRUCK WITH A RIFLE ON THE CHEST AND KICKED
23. EPENA WAKER, a TWENTY-THREE-YEAR-OLD DANI MAN, STRUCK WITH A RIFLE
24. ERMINA MAGAI, a TWENTY-FIVE-YEAR-OLD DANI WOMAN, STRUCK ON THE BACK AND HEAD WITH RATTAN
25. ERMINA MURIB, a DANI WOMAN, STRUCK WITH RATTAN
26. ERNES BELAU, a TWENTY-YEAR-OLD MONI MAN, STRUCK WITH A RIFLE
27. HISKIA MERARABAYAN, a PRIEST FROM SERUI, STRUCK WITH A RIFLE AND A NIGHT-STICK
28. ISMAIL KARETH, a MAN FROM SORONG, STRUCK WITH RATTAN
29. KALEP ESMA, a TWENTY-FIVE-YEAR-OLD DANI MAN, STRUCK WITH A RIFLE
30. KELIOPAS WANGGAI, a THIRTY-SEVEN-YEAR OLD PRIEST FROM SERUI, STRUCK IN THE BUTTOCKS WITH A RIFLE BUTT
31. KELIUS WANGGAI, a MAN FROM SERUI, STRUCK WITH A RIFLE
32. KONTIUS WENDA, a DANI MAN, STRUCK WITH A NIGHT-STICK ON THE LEFT ELBOW
33. KRISTINUS ALOM, a THIRTY-FIVE-YEAR-OLD AMUNGME MAN, STRUCK WITH RATTAN AND A RIFLE
34. LOIS RUMKOREM, a TWENTY-FIVE-YEAR-OLD BIAK MAN, STRUCK WITH A RIFLE AND KICKED
35. MARIKE MAGAI, a TWENTY-TWO-YEAR-OLD NBUGA WOMAN, STRUCK ON THE SIDE WITH A RIFLE
36. MARIUS MURIB, a DANI MAN, STRUCK WITH A RIFLE
37. MARTHEN INFANDI, a TWENTY-ONE YEAR OLD MAN BIAK MAN, STRUCK WITH A RIFLE
38. MURIAM WANDIKBO, a NBUGA WOMAN, STRUCK IN THE BACK WITH A NIGHT-STICK
39. MUSA JEGEM, a TWENTY-TWO-YEAR-OLD MONI MAN, STRUCK WITH RATTAN
40. MAFIUS KROMAT, a PRIEST FROM SERUI, STRUCK WITH A RIFLE AND A NIGHT-STICK
41. NAGARE MUBEKFORNANSOBN, a FORTY-YEAR-OLD BIAK MAN, STRUCK WITH RATTAN AND A RIFLE
42. NAMOLKAY KIWAQ, a THIRTY-YEAR-OLD DAMAL MAN, STRUCK WITH A RIFLE
43. NAOMI GWIJANGGE, a NBUGA WOMAN, STRUCK WITH A NIGHT-STICK ON THE LEFT ARM
44. NOK PEKEY, a TWENTY-TWO-YEAR-OLD MEE MAN FROM PANIAI, STRUCK WITH RATTAN
45. PAULUS BAGAU, a TWENTY-FOUR-YEAR-OLD MONI MAN, STRUCK IN THE HEAD WITH A RATTAN ROD
46. PAULUS MEANGEN, a NBUGA MAN, STRUCK WITH A NIGHT-STICK AND KICKED
47. PEMUS KOGUYA, a DANI MAN, STRUCK WITH RATTAN
48. PIANUS MURIB, a TWENTY-NINE-YEAR-OLD DAMAL MAN, STRUCK IN THE BANK WITH A RIFLE
49. PRIMUS KOGUYA, a DANI MAN, SUFFERED TWO BROKEN FINGERS WHEN HIS HAND WAS STEPPED ON BY POLICE
50. REKANA WAKER, an EIGHTEEN-YEAR-OLD MAN DANI MAN, STRUCK WITH A RIFLE
51. RIFKA YUMAME, a TWENTY-THREE-YEAR-OLD MAN FROM SORONG, STRUCK IN THE BACK WITH A RIFLE
52. ROBBY GOBAY, a MEE MAN FROM EKARI, STRUCK WITH A RIFLE
53. RUBEN KOBAGAU, a TWENTY-FIVE-YEAR-OLD MONI MAN, STRUCK IN THE BACK WITH A RIFLE BUTT
54. RUF MOM, a THIRTY-YEAR-OLD DAMAL WOMAN, STRUCK WITH A RIFLE
55. SAMUEL AMBRAYER, a BIAK MAN, STRUCK WITH RATTAN AND A RIFLE
56. SAUL PINIMET, a FORTY-ONE-YEAR-OLD AMUNGME MAN, STRUCK WITH RATTAN
57. SELEMEN RUMRAWER, a TWENTY-SEVEN-YEAR-OLD BIAK MAN, STRUCK ON THE ARM AND SHOULDER WITH RATTAN
58. SEPAROYA PEKEY, a THIRTY-SIX-YEAR-OLD MAN FROM PANIAI, STRUCK ON THE SHOULDER AND HEAD WITH A RIFLE
59. SERVINA ZONGGONAW, a THIRTY-YEAR-OLD MONI WOMAN, STRUCK WITH A RIFLE AND RATTAN
60. SIMON SRAUN, a MAN FROM SORONG, STRUCK WITH A RIFLE
61. STEVANUS CENAWATME, an AMUNGME MAN, STRUCK IN THE HEAD WITH A RIFLE
62. TOKINA TABUNI, a NINETEEN-YEAR-OLD DANI WOMAN, STRUCK WITH A RIFLE
63. WAKERSINA MAGAI, a DANI WOMAN, STRUCK WITH RATTAN AND KICKED
64. WESMENA WAKER, an EIGHTEEN-YEAR-OLD DANI WOMAN, STRUCK ON THE SIDE WITH A RIFLE
65. WETSINA TABUNI, a DANI WOMAN, STRUCK ON THE HEAD AND ARM WITH A NIGHT-STICK
66. YANCE BOSAWER, a THIRTY-FOUR-YEAR-OLD MAN FROM SERUI, STRUCK WITH A RIFLE
67. YANCE WANDIKBO, a NBUGA MAN, STRUCK ON THE BACK WITH A NIGHT-STICK
68. YEMINA MAGAI, a TWENTY-TWO-YEAR-OLD DAMAL WOMAN, STRUCK WITH RATTAN
69. YESOYA BEANAL, a THIRTY-YEAR-OLD AMUNGME WOMAN, STRUCK ON THE HEAD WITH RATTAN
70. YESIKEL GWIJANGGE, a THIRTY-FIVE-YEAR-OLD NBUGA MAN, STRUCK ON THE HEAD WITH A RIFLE
71. YOHANA NGAPUGUL, a TWENTY-FIVE-YEAR-OLD DAMAL WOMAN, STRUCK ON THE HEAD WITH A RIFLE

72. Yonas Koco, a MEE man from Ekari, struck on the head with a night-stick
73. Yoppy Wandik, an AMUNGME man, struck with raffan
74. Yoseain Magai, a twenty-seven-year-old DAMAL woman, injured on the head
75. Yosepa Anggaibak, a twenty-five-year-old AMUNGME woman, struck with raffan and a rifle
76. Yosepa Mamunggal, a fifty-year-old AMUNGME woman, struck with raffan and a rifle
77. Yosepa Wandik, an AMUNGME woman, struck on the head with a night-stick
78. Yosepah Niwinolbak, a thirty-four-year-old AMUNGME woman, struck with raffan and a rifle
79. Yoseph Hum, a twenty-five-year-old DAMAL man, struck in the chest with a rifle
80. Yulia Pinimet, a thirty-eight-year-old AMUNGME woman, struck with raffan and a rifle

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