

A Written Statement of Mr Octovianus Mote¹ to the Tom Lantos Human Rights Commission (TLHRC) of the US Congress hearing on Human Rights in Indonesia on 23 May 2013

Introduction

This written statement not only summarizes the deteriorating human rights situation in West Papua² (Indonesia), but more importantly outlines the urgency for the international community to take action to find a peaceful solution to the longest unresolved conflict in the Pacific. The main argument of this statement is that under the Responsibility to Protect (R2P) framework, the international community should take an immediate action to stop the ongoing crimes against humanity in West Papua. This argument will be summarized to frame this statement.

The rest of the statement will discuss two major interrelated parts. First, it elucidates facts and figures that have led to the conclusion of the urgency of an international intervention to assist the Indonesian state in fulfilling its responsibility to protect. This exposition will be followed by a brief analysis of the critical development of peace initiatives since 2011. This part explores possibilities to build peace in West Papua in the long-run by way of initiating peace talks between Jakarta and Papua. The statement will conclude with recommendations.

The responsibility to protect (RTP): a brief summary

The ‘responsibility to protect’ (R2P) recognizes that ‘the primary responsibility for the protection of its people lies with the state itself’, but it also assumes that the international community has a responsibility to protect populations which are suffering serious harm either at the hands of the state itself, or where the state is ‘unwilling or unable to halt or avert’ the harm. In upholding its responsibility to protect, the international community recognizes not only the possibility of taking collective action under Chapter VII of the UN Charter, but has also committed itself

¹ The author is a West Papuan leader living in exile who was granted asylum and a US citizenship. He is the secretary of the Papuan Peace Negotiators Team. See appendix.

² In this statement, the term “West Papua” refers to the Western part of the Island of New Guinea which consists of two Indonesian provinces of West Papua and Papua.

([A/RES/60/1, para. 138-140](#)) ‘to use appropriate diplomatic, humanitarian and other peaceful means...to help to protect populations’, and to ‘helping States build capacity to protect their populations.’

Status of human rights in West Papua

Indonesia is a signatory to the major international human rights treaties and conventions, and the Indonesian House of Representatives have passed a number of important human rights laws which protects Indonesian citizens. The international conventions Indonesia is party to include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant of Economic, Social and Cultural Rights (ICESCR), the Convention Against Torture (CAT), the Convention of Elimination of Discrimination Against Women (CEDAW), and the Convention of the Rights of the Child (CRC). Important domestic laws include Law 39/1999 on Human Rights and Law 26/2000 on Human Rights Courts. Just like the US, so too Indonesia prefers to be assessed based on its own laws. For our purposes this legal framework provides us with clear sets of criteria to assess the status of human rights in West Papua.

Both national and international sources have closely monitored the current status of human rights in West Papua. While some diplomatic missions in Jakarta (e.g. the United States, the United Kingdom, Australia, Japan, New Zealand, the Netherlands) are permitted to regularly visit West Papua, representatives of the UN human rights mechanisms and international scholars and journalists are often prevented from visiting the territory. This fact not only suggests a policy of isolating of West Papua from international audience, it illustrates the degree of sensitivity of the Indonesian authorities towards this particular region. This policy, however, does not help anyone because West Papuans continue to feel alienated and discriminated against; the Indonesian administrations feel obliged to commit extensive resources to defend its isolation policy; and the international community continues to question this policy given Indonesia’s claim as a multiparty democracy. More importantly, this policy does not help address the protracted conflicts in Papua. On the contrary, it simply sweeps the burning issues under the carpet.

This observation is not only based on my own assessment. A number of international monitoring bodies have produced similar conclusions. The U.S. State Department,³ for instance, is among the few foreign governments who closely monitor the status of human rights in Papua and publishes it in its annual report on Indonesia. The amount of information about Papua presented in the report is generally much greater than that on any other area in Indonesia. This fact illustrates the high level of awareness of the U.S. administration of events on in West Papua. Furthermore, the annual report suggests the degree of resources that the U.S. Embassy in Jakarta has allocated to adequately monitor the development of human rights situation in West Papua over the years.

From an NGO perspective, “Faith-based Network for West Papua,”⁴ a joint collaboration of local and international NGOs, produces an annual report that covers civil and political rights, as well as economic, social and cultural rights. This report is presented to the UN Human Rights Council and elsewhere. Other groups regularly issue reports and alerts about human rights violations in West Papua.

Foreign governments, the international community, and the United Nations are well informed of what is going on in Papua. Then why is the international community has not taken any action to stop crimes against humanity against Papuans? The international community, particularly the U.S. administration, cannot pretend that they are not informed. Then, what is the purpose of publicizing the human rights situation in West Papua every year?

It is not the objective of this statement, however, to answer those questions. Rather, the following discussion will summarize the current status of human rights in Papua in order to reiterate the urgency to address the continuing crimes against humanity. Various reports record that in the last five years the human rights status of Papua has not significantly improved or been adequately addressed. On the contrary, the Papuan rights remains fragile and unprotected.

³ See the most recent report here

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dliid=204203#wrapper>

⁴ Faith-based Network for West Papua, “Human Rights in Papua 2010/2011” see http://www.faithbasednetworkonwestpapua.org/reports_and_analyses/fbn

First is the problem of *habeas corpus*. This ancient principle reminds us of people's fight and victory against the monarchs in the European middle ages where the monarchs assumed power over people's bodies. The recurrence of reported cases of torture and extra-judicial killings illustrate the degree of state penetration into the personal integrity. Torture by state authorities, in particular, remains prevalent although this crime is preventable. In a similar vein, ongoing extrajudicial killings underscore the continuing practice of state brutality against civilian Papuans.

For example, from 30 April and 1 May 2013 many Papuans marked the 50th anniversary of the transfer of administration of West Papua from the United Nations Temporary Executive Administration to Indonesia. With a heavy handed approach, the Indonesian police and army shot dead three people in Sorong and injured three others. In Timika, the police dispersed the protesters and arrested and detained civilians after they took to the street to commemorate the historic moment of the transfer of administration of their country 50 years ago. The forceful reaction from the Indonesian security apparatus invoked worldwide reaction. Papuan students organized a number of rallies in Jakarta and elsewhere in Indonesia. In Australia, Papuan and joined by Indonesian students released a joint press statement condemning the attack against civilians. Moreover, Australian academics raised their concerns to the Australian Minister for Foreign Affairs urging the Australian government to act.

The UN High Commissioner for Human Rights, Navi Pillay, released a statement⁵ just two days after the incident. She said she was disappointed to see 'violence and abuses continuing in Papua', and she described the latest incidents as 'unfortunate examples of the ongoing suppression of freedom of expression and excessive use of force in Papua.' Such a prompt response from the highest UN official dealing with human rights sends a clear signal that the violence in Papua is a priority on the UN's human rights agenda. In claiming that '[i]nternational human rights law requires the Government of Indonesia to conduct thorough, prompt and impartial investigations into the incidents of killings and torture and [to] bring the perpetrators to justice', Pillay invokes the fundamental responsibility of all states to protect their own citizens.

⁵ See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13287&LangID=E>

This reality is exacerbated by the fact that these crimes are rarely punished, perpetuating the cycle of impunity. The level of impunity has been so entrenched for so long that the Indonesian judicial system is unable to penetrate it. One of the latest examples is the court hearings on the torture case filmed, leaked and distributed on *YouTube*⁶ in 2010. There were two separate incidents captured in the footage. The first part depicts eight Papuan highlanders stripped in front of two Indonesian army soldiers. But only two of the victims were identified under the names of Kotoran Wonda and Dipes Tabuni. While interrogating these terrifying Papuans and calling them ‘*monyet*,’ ‘*anjing*,’ or ‘*bajingan*’ (monkey, dog, bastard), the soldiers kicked their heads with their army boots and punched them with their helmet. The soldiers demanded they confess to being members the Papuan ‘separatist’ movement OPM. The second footage shows two Papuan highlanders being tortured. Telangga Gire (30) had a knife at his throat and Tunaliwor Kiwo (50) was burnt on his genitals by members of the Indonesian army questioning them about the location of Free Papua Movement (OPM/*Organisasi Papua Merdeka*) weaponry near the highland town of Mulia.

The leak prompted a wave of international public reaction pressuring the Indonesian government to address these atrocities. Instead of showing its usual resistance to bow to public pressure, the Indonesian government responded fairly quickly. Courts martial to hear the cases were established in early 2011 in Jayapura, the provincial capital of Papua. As a result, seven soldiers⁷ were found guilty and sentenced to jail for five to ten months. These modest sentences for three of the soldiers were reduced

⁶ This footage appeared for the first time on *YouTube* on 17 October 2010 but then was removed on the following day. In its press release dated 17 October 2010 (<http://www.humanrights.asia/news/press-releases/AHRC-PRL-021-2010>), the Asia Human Rights Commission acknowledged that it received the footage and then published it on its website at the same date (<http://video.ahrchk.net/AHRC-VID-012-2010-Indonesia.html>). Similarly, the Fairfax News Media independently received the first part of footage and uploaded it on the same website (<http://www.youtube.com/watch?v=uEisR8rFLOo&feature=related>). By 20 May 2013, the viewers reached 136,625.

⁷ The cases of seven soldiers were filed in five different dossiers. The first dossier no. PUT/ 186-K/PM.III-19/AD/IX/2010 includes Private Sahminan Husein Lubis, Private Dwi Purwanto, and Private Joko Sulistiono who were all sentenced to five month imprisonment. The second dossier no. 187-K/PM.III-19/AD/IX/2010 contains the case of Lieutenant Cosmos, the commandant of the group, who was sentenced to seven-month imprisonment. The third dossier no. PUT/03-K/PM.III-19/AD/I/2011 contains the case of Private Tamrin Mahangiri who was sentenced to eight-month imprisonment. The fourth dossier no. PUT/04-K/PM.III-19/AD/I/2011 contains the case of Sergeant Irwan Rizkyanto who was sentenced to ten-month imprisonment. Finally, the dossier no. PUT/05-K/PM.III-19/AD/I/2011 contains the case of Private Yakson Agu who was sentenced to nine month imprisonment.

on appeal to three months.⁸ The court, however, did not find them guilty of torture or assault. Rather, they were found guilty of “not following orders.” Similarly, the court found the commandant of the group guilty and sentenced him to seven months again not for torture. Rather, because he “deliberately provided an opportunity to his subordinates to not follow his orders.” As the verdicts fixed on the matter of “following orders,” the court martial failed to recognize torture as a form of state-sponsored brutality. (In fact, torture is not banned under Indonesian law.) To make it worse, the court did not actually try the cases of Kiwo and Gire.⁹ Rather, it only dealt with the cases of Dipes Tabuni and Kotoran Wonda from the first part of the video who were tortured because they were accused of being commandants of the OPM.

These verdicts go to the essence of this statement. It opines that torture in Papua constitutes a state-sponsored crime and has become a mode of governance as revealed by new research done at the Australian National University in Canberra, Australia.¹⁰ Torture, however, is not the only coercive method that is frequently employed by the Indonesian security services to intimidate civilians in Papua and across Indonesia. The Indonesian state apparatus has no hesitation to use killing, surveillance, arbitrary arrest and detention, and disappearances.

The high level of state violence together with impunity and denials have put Papuans as one of the nations at “risk of extinction” as described by Juan Mendez, the former Special Adviser to the UN Secretary General on genocide prevention.¹¹ Analysis from the Allard K. Lowenstein International Human Rights Clinic Yale Law School in 2002¹² had earlier suggested the possibility of genocide occurring in West Papua. In a

⁸ The appeal court decision no. 66-K/PMT.III/BDG/AD/XII/2010 reduced the sentence of Private Sahminan Husein Lubis, Private Dwi Purwanto, and Private Joko Sulistiono from five to three month imprisonment. The other soldiers did not appeal.

⁹ For the discussion of the confusion of these two separate incidents, see Human Rights Watch analysis at <http://www.hrw.org/news/2010/11/21/indonesia-stop-stalling-investigating-torture-video-episode-0>.

¹⁰ See Hernawan, Y.B. 2013, “From the Theatre of Torture to the Theatre of Peace: The Politics of Torture and Re-imagining Peacebuilding in Papua, Indonesia” a PhD dissertation at the Australian National University, Canberra, Australia.

¹¹ See Voice of America (VOA) interview <http://www.voanews.com/content/a-13-2006-01-27-voa58/323573.html>

¹² Brundige, E., Winter King, Priyeha Vahali, Stephen Vladeck & Xiang Yuan 2004, *Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control*, the Allard K. Lowenstein International Human Rights Clinic, Yale Law School, New York.

similar vein, Dr James Elmslie, an Australian researcher from the Centre for Peace and Conflict Studies at the University of Sydney examined the demographic shift in Papua which have marginalized indigenous Papuans, slow motion genocide.¹³ James Elmslie predict that in 7 years from now (2020) Melanesian People in West Papua only be 28,99 percent and 71,01 percent are Indonesian.

The risk of extinction is higher if we combine state-sponsored violence with the minimal public services available for the Papuans. Although West Papua is the third largest income earner for Indonesia, Papuans have to survive on very minimal public services. The latest report of the Indonesian Bureau of Statistics¹⁴ ranks Papua at the bottom of the Indonesian National Human Development Index during 1996-2011 (15 years!). Papuans are at the bottom of the country in average years of schooling, life expectancy, and per capita income. These facts pose a serious question of the effectiveness of the 2002 Special Autonomy in addressing the basic needs of Papuans. That is why Papuans symbolically returned the Special Autonomy package to the central government during a massive rally in 2010. The Governor of Yogyakarta Sultan Hamengkubuwono X, one of the most respected Indonesian government officials, recently said that “The Special Autonomy which simply relies on economy and security is proved failed to provide prosperity for Papuans despite the provision of the USD 28.3 billion funds from 2001-2011.”¹⁵ Instead he proposed that the central government concentrate on building trust with Papuans before talking about economic development.

The confusion and overlapping policies are reflected in different conflicting decisions such as the splitting off of the Province of West Papua from the existing Province of Papua through a presidential decree. This decision contradicts the Special Autonomy Law, which says that any new province can only be established through the Special Autonomy mechanism, not by a presidential decree. Legally, the latter has a lower status than a law (e.g. the Special Autonomy Law). In a similar vein, *pemekaran* (the

¹³ Elmslie, Jim, 2010. “West Papuan Demographic Transition and the 2010 Indonesian Census: ‘Slow Motion Genocide’ or not?” Sydney: Centre for Peace and Conflict Studies of the University of Sydney.

¹⁴ See http://www.bps.go.id/tab_sub/view.php?kat=1&tabel=1&daftar=1&id_subyek=26¬ab=2

¹⁵ <http://www.suarapembaruan.com/home/sri-sultan-tumbuhkan-kepercayaan-jakarta-terhadap-papua-sebelum-memulai-dialog/35557>

creation of new local governments/regencies) has exacerbated the policy confusion and more importantly seriously undermined the ability of local governments to deliver high quality public services to Papuans.

In other words, the authority to govern Papua has not been transferred fully to the local government of Papua as the spirit and the letter of the Special Autonomy Law stipulates. Rather, the central government continues to retain essential elements of the authority which hamper the ability of the local government to function properly. This situation worsened when in 2011 the Yudhoyono administration established *Unit Percepatan Pembangunan Papua dan Papua Barat* (UP4B), a task force mandated to accelerate development in Papua and West Papua Provinces.¹⁶ With a very broad mandate but limited authority, this unit has found it extremely difficult to fulfill its own promises to Papuans. The gap between promises and reality is not novel to West Papua but at the same, exacerbates Papuan distrust towards Jakarta.

The policy confusion brings about serious consequences in the Papuan daily life. For instance, local governments are unable to provide the Papuan market women with a proper market space despite the affirmative policy towards Papuans. Their demand for a market space in the city of Jayapura remains unresolved despite the election promise of the mayor (who is himself indigenous Papuan) to build a permanent market for the women. *Solpap*,¹⁷ a local solidarity network that works very closely with the Papuan market women, continues to provide moral and lobby support for the women. The network's support maintains and nurtures the consolidation among the women and put pressure on the Jayapura mayor to fulfill his promise.

We can easily find a similar story from the public health sector. A recent outbreak of malnutrition has caused at least 95 lives in the newly establish district of Tambrau and 61 lives from the District of Yahukimo. Both local¹⁸ and national¹⁹ media

¹⁶ Presidential Decree No. 65/2011 see www.up4p.go.id

¹⁷ This solidarity network consists of a mixed of elements within Papuan society, including university students, activists, lectures, religious leaders, lawyers who collaborate with the Papuan market women to demand a market space for them <http://www.facebook.com/groups/SOLPAP/>

¹⁸ <http://tabloidjubi.com/2013/04/11/menkes-bantah-95-orang-meninggal-di-tambrau/>

¹⁹ <http://www.metrotvnews.com/metronews/read/2013/04/13/6/146291/Kemenkes-Pastikan-tidak-Ada-Wabah-di-Tambrau>

presented the figures which met a strong denial from the Minister of Health.²⁰ This approach illustrates the ways the government deals with life-threatening situation which constitutes one of the major priorities of the Special Autonomy.

This above description provides us with a good representation of a worrying situation of Papuans who are at risk of extinction. This picture requires an immediate action to stop the crimes against humanity, but there is enormous reluctance from the international community to become involved in lasting solutions. Perhaps as a feasible alternative, the following discussion will offer ideas which requires further follow-up.

Promising signals of peace negotiations?

There are a number of promising signals that need international supports to be able to pave the way to a more concrete step towards a peaceful solution. Early in 2012 the President of Indonesia, Dr Yudhoyono, publicly expressed his willingness to engage in serious dialogue with Papuans when he met with Papuan church leaders in Jakarta. He expressed this on two separate occasions, suggesting that he was committed to ending conflicts in Papua once for all. However, it has been a year now and we have yet to see any follow up to this commitment. Instead, the Indonesian police and military continue to conduct intensive and destructive operations in West Papua.

On the West Papuan side, we have embarked on peace initiatives initially agreed during our Congress in 2000 in Jayapura. We explicitly and unanimously endorsed using only peaceful means in the struggle for our rights. Since then various elements of the Papuan community have engaged in peace campaigns, including church leaders, political leaders, student movements, women's groups, and even the Papuan freedom fighters. In other words, the pursuit of a peaceful solution to the seemingly intractable conflict in West Papua is more than desirable. It is rooted in our deep conviction. This belief has become the fountain of our struggle for peace.

²⁰ <http://www.thejakartapost.com/news/2013/04/12/health-ministry-team-check-deaths-samenage.html>

For instance, since 2009, an indigenous Papuan Catholic priest, Father Neles Tebay, established Papua Peace Network to specifically promote the idea of dialogue between Jakarta and Papua. In conjunction with the Indonesian Institute of Sciences (LIPI), he organized public consultations with the public throughout Papua to gather feedback on the idea of dialogue between Jakarta and West Papua. The findings of this effort were presented to top government officials, but their response remains limited and far from enthusiastic.

Despite this limited response, the Papua Peace Network successfully organized an important Papua peace conference in 2011. During this conference, a senior Indonesian cabinet minister delivered a speech representing the government's position on dialogue. It was at this event that some 500 Papuan representatives democratically elected myself and five others as the Papuan peace negotiation team. The other members are Leonie Tanggahma, Rex Rumakiek, Dr. John Ondawame, and Benny Wenda.²¹ All of us are Papuan leaders living in exile and based in different parts of the world.

In early 2012, our negotiation team began a collaboration with the Peacebuilding Compared Research Project²² at the Australian National University (ANU) in Canberra, Australia. This collaboration is helping us develop our capacity in lobbying and negotiations. One of its achievements is the establishment of our secretariat at ANU to provides us with logistical and research support.

Nonetheless, a peace accord remains distant and the chance to embark on peace talks with the Indonesian government remains fragile. This fragility lies in the fact that President Yudhoyono has not yet concretely implemented his commitment to dialogue and peace. His long delay has had a tremendous impact on the status of

²¹ For further information of the profile of this team, please see appendix enclosed.

²² The Peacebuilding Compared research project is led by Distinguished Professor John Braithwaite. It will cover up to 48 country cases. The research will analyze peacebuilding strategies from diverse contexts in search of keys to effectiveness. Restorative and responsive regulatory theory, useful in many other domains, will be tested on unique data on governance of peacebuilding. Each case will also stand alone as a contextually rich account of successes and failures of peacebuilding in that nation. The next stage of the project will focus on 20 Asian and African case studies, with funding from the Australian Research Council Discovery Scheme. See <http://regnet.anu.edu.au/peacebuilding-compared/home>

human rights and human security in Papua. For instance, we regularly to receive reports of police brutality. The treatment of the Papuan political prisoners serving sentences in prisons in Papua remains dire.²³ The Indonesian government has resisted proposals for UN human rights investigators to visit Papua; Visits by international scholars, journalists, some diplomats and others to the territory are also restricted.

To address the fragility and urgency, it is important that the international community to play a proactive role to implement its responsibility to protect. In the context of Indonesia, peacebuilding and the involvement of the international mediation is not novel. On the contrary, the Indonesian experience has benefitted tremendously from international mediation. For instance, during the Indonesian decolonialization process in 1940s, the involvement of the U.S. and Australia contributed to securing the transfer of sovereignty from the colonial power Netherlands to Indonesia. The UN played a major mediating role in ensuring East Timor's right to self-determination. More recently, Indonesia benefitted from the international intervention to end the Aceh conflict. The intervention of Finland greatly contributed to the negotiations that culminated in the signing of the Helsinki Agreement, in 2005.²⁴ Renegotiating relationship between Jakarta and Papua is the key to resolving the conflict in Papua in the long run. More importantly, a peace accord would contribute to peace and stability not only to Papua and Indonesia as a whole, but also in the Pacific region which contains other fragile states.

My conviction and analysis is not entirely new. I have drawn empirical studies of prominent international scholars who describe the effectiveness of peace negotiations, even when they fail. I present to you here two most recent examples: Erica Chenoweth and Maria Stephan's study on nonviolent resistance and the 2012 Human Security Report.

Chenoweth and Stephan's quantitative study sheds new light on the effectiveness of nonviolent resistance (Chenoweth & Stephan 2011). Based on 323 case studies

²³ See www.papuansbehindbars.org for the most comprehensive and recent report of the status of the Papuan political prisoners prepared by a coalition of Papuan and international NGOs.

²⁴ See Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement, 2005. Helsinki.

worldwide from 1900 to 2006, their research shows that nonviolent resistance was successful in 53% of cases in achieving the objectives of a resistance movement compared to only 26% of armed struggles. The core factors in the success of nonviolent methods are their ability to cause the defection of state security forces to take the side of nonviolent movements and to mobilize broad participation from the general public. In the Papuan context, however, causing the defection of the Indonesian military (TNI) to the Papuan cause would be very difficult. Another part of their argument is that nonviolence attracts more sympathy and support from the international community than violence which eventually contributed to the effectiveness of nonviolent resistance.

In a similar vein, the 2012 Human Security Report²⁵ from Simon Fraser University provides us with the most recent examples of the effectiveness of peace accords in ending armed conflict. The report examines four different ways to end conflicts during the period of 1950-2004: peace agreement, ceasefire, victory, and other forms of conflict terminations. The report showed that the effectiveness of peace agreements in ending conflict is slightly lower (32%) than ceasefires (38%). But the report also demonstrates that “although peace agreements are less stable than victories, they lead to a much greater reduction in battle deaths.” The research finds that more than an 80% drop in death tolls after peace agreement even if the agreements fails and conflict restarts. This effect does not apply to all other types of terminations. Over all, a peace agreement is empirically more effective in stemming violence by addressing root causes of violence. This process has resulted in the dramatic drop of death tolls.

These studies give us good grounds to argue that in the long run nonviolent resistance in Papua, particularly the call for peace dialogue, is more likely to succeed than violent resistance. It is a matter of time. But as these studies reveal, the international community must play a significant role as a catalyst of peace processes. Now is the time for the U.S. Congress to act and to endorse Papuan peace initiatives. We cannot afford to sacrifice more lives for solvable conflicts like Papua.

²⁵ <http://www.hsrgroup.org/human-security-reports/2012/overview.aspx>

In 2010, the House subcommittee on Asia and the Pacific held the first ever congressional hearing on West Papua. The hearing was organized by Congressman Eni Faleomavaega to examine “Indonesia’s deliberate and systematic abuses in Papua.”²⁶

In line with Sultan Hamengkobuwono X, I believe that peace negotiations will be a starting point to stop violence and to rebuild Papua, although the negotiations may not be able to immediately solve the problems of the market women or poor healthcare. Nonetheless, the sign from President Yudhoyono of his willingness to engage with Papuans is both encouraging and undermining. It is encouraging because it illustrates how a protracted conflict can be resolved peacefully. But it is also undermining our trust to Jakarta as the promise has a little reality. This situation resonates with the responsibility of the international community to act on its R2P.

Conclusions and recommendations

Therefore, we present you the following recommendations to consider:

1. To pass a U.S. Congress resolution urging the U.S. government to exercise its responsibility to protect in order to end crimes against humanity against West Papuan people;
2. The same resolution should urge the Indonesia government to begin good faith negotiations with the Papua peace team with mediation by an international party;
3. To support the Papuan peace team with logistical and research support through U.S.-based research and think tank institutes in order to develop its capacity to represent Papuans at peace negotiations;
4. To request the U.S. administration to provide moral, political and necessary logistical support to the Yudhoyono administration to initiate peace negotiations with the Papuan peace team;

²⁶ ²⁶ This is the first hearing ever held in regard to the situation of human rights in Papua. See http://www.house.gov/list/press/as00_faleomavaega/eniholdswestpapuahearing.html. A transcript can be found at <http://etan.org/news/2010/09wpapuahearing.htm>.

5. To condition U.S. security assistance to Indonesia on ending human rights violations in West Papua and on whether the Indonesian government is negotiating in good faith with the people of West Papua.

Appendix

The Papua Peace Negotiation Team

The Papua Peace Negotiation Team was directly and democratically elected by Papuans during the Peace Conference organized by the [Papua Peace Network](#) in Jayapura in 2011. Since 2012, the team has worked very closely with the [Peacebuilding Compared](#) research project at the Australian National University led by Professor John Braithwaite. The team is mandated to represent Papuans in political negotiations with the Indonesian government.

Ms Leonie Tanggahma is a daughter of the late Ben Tanggahma, Minister for Foreign Affairs in exile of the Republic of West Papua which was unilaterally proclaimed by the Free Papua Movement (OPM) in the 1970s. She was a liaison officer of the Papuan-based human rights NGO ELSHAM in Europe, assisting in regular representation of the Papuan case at United Nations forums such as the Working Group on Indigenous Populations, the Commission on Human Rights (now the Human Rights Council) and its sub-commission. At present she works as a document management assistant in an international organization based in the Netherlands.

Mr Octovianus Mote is the former head of Papua Bureau of *Kompas*, the largest Indonesian daily. Following the meeting between 100 of Papuan leaders and President B.J. Habibie in 1999, he left Papua for exile in the US due to death threats by the Indonesian security services. Granted asylum and US citizenship, since then he has tirelessly lobbied the US Congress and the US government on the issue of human rights in Papua and Indonesia more broadly. He is currently Tom and Andy Berstein Senior Human Rights Fellow at Yale Law School. He is the secretary of the Papua Peace Team.

Dr Otto Ondawame is the Vice Chairman of the West Papua National Coalition for Liberation. He was born in 1953 in Wanamum, Mimika Regency, in West Papua. Ondawame was a member of the OPM and went into exile in 1979. He obtained his PhD degree in political science from the Australian National University in Canberra in 2000, an MSc degree from the University of Western Sydney in 1995, Graduate Diplomas from the University of Sydney in 1994 and Uppsala University in 1986 and a Bachelor of Arts degree from Cenderawasih University, West Papua, in 1976. Ondawame was a recipient of the 2001 *Reconciliation Award*, bestowed by the Australians Against Execution group, and the 1972 *President Suharto Award for Academic Excellence*. In 2000, Ondawame joined the West Papua Project at the Centre for Peace and Conflict Studies of the University of Sydney as project coordinator. Currently he is Coordinator for International Relations for the West Papua National Coalition for Liberation operating from its office in Port Vila, Vanuatu.

Mr Rex Rumakiek, born in Biak, is Secretary General of the West Papua National Coalition for Liberation (WPNCL) and former head of the Decolonisation Desk of the Pacific Concerns Resource Centre, Suva. He lives in Canberra.

Mr Benny Wenda, born in Papua Central Highland, is the leader of the *Koteka* Tribal Assembly. He lives in exile in Oxford, the United Kingdom. In 2003 he was granted political asylum by the British Government following his escape from custody while on trial in West Papua.

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