

## Indonesia: The Deepening Impasse in Papua

### I. OVERVIEW

The two sentiments that define the political impasse in Papua are frustration on the part of many Papuans that “special autonomy” has meant so little, and exasperation on the part of many Indonesian government officials that Papuans are not satisfied with what they have been given. The gulf between the two might be reduced by dialogue, but any prospect of serious talks is hampered by an unwillingness of Jakarta to treat the problem as essentially a political, rather than an economic one. To move forward, President Susilo Bambang Yudhoyono needs personally to take the lead in recognising that autonomy means more than increased budgetary allocations or accelerated economic development. He needs to explore directly with credible Papuan leaders how *political* autonomy can be expanded; affirmative action policies strengthened in all sectors; and Papuan fears about in-migration addressed. Unless these three issues are tackled head on in face-to-face meetings, the impasse is unlikely to be broken and increased radicalisation is likely.

Frustration and exasperation crystallised over a decision in November 2009 by the Papuan People’s Council (Majelis Rakyat Papua, MRP), a body set up under special autonomy legislation to protect Papuan cultural values, that all candidates for elected office at the sub-provincial level had to be indigenous Papuans. The decision stemmed from fears that Melanesian Papuans were being rapidly swamped by non-Papuan Indonesians who in some towns already were a majority. As one Papuan put it, “Every day planes come in, vomiting migrants”.

The decision, known as SK14, had wide support in the Papuan community and was seen as an example of affirmative action. It was also seen as a natural extension of a provision in the autonomy law stating that the governor and deputy governor had to be indigenous Papuans. In Jakarta, however, the Home Affairs Ministry rejected the decision as discriminatory and in violation of a national law on local government.

It was not just the flat rejection that irritated the Papuans who were privy to the process, it was how it was done: without any acknowledgment of the concerns behind SK14; without any effort to understand that “special autonomy” meant something different than the blind application of national law; and without any attempt to meet

them half way. Jakarta’s reaction underscored the powerlessness of the MRP and the contemptuous disdain of officials toward its attempt to assert authority.

As the anger built, advocacy groups in Jayapura saw the issue as reflecting the deeper problems of special autonomy – in Indonesian, *otonomi khusus* or *otsus* – and looked for a vehicle to express those concerns publicly. In late May, they approached the MRP about holding a semi-public consultation that would evaluate its work as the end of the members’ first five-year terms approached. MRP leaders agreed, sent out 200 invitations only days before the target date, and on 9-10 June, hosted an event billed as a Consultation of MRP and Indigenous Papuans (Musyawarah MRP dan Masyarakat Asli Papua). About three times as many people showed up as had been invited.

To the discomfiture of some MRP members, the consultation produced eleven recommendations that included a rejection of *otsus*, a demand for an internationally-mediated dialogue and a referendum on independence, and a recognition of Papua’s sovereignty as proclaimed on 1 December 1961. The organisers then asked the MRP to formally turn the recommendations over to the provincial parliament (Dewan Perwakilan Rakyat Papua, DPRD) for further action.

The MRP did so on 18 June, by which time activists from Papua’s central highlands had organised thousands of protestors for a “long march” from the MRP office to the provincial parliament to symbolically “hand back” special autonomy. They held a second mass demonstration on 8 July to pressure the parliament to hold a special session to determine how to follow up the recommendations. Several smaller street actions followed.

Non-Papuan officials from the police and military regarded not just the demonstrations but the consultation as unlawful because the MRP’s role is supposed to be cultural, not political. Local intelligence operatives were almost certainly behind a slew of crude text messages sent to religious leaders, elected officials, academics and others across Jayapura, and probably across Papua, insinuating that those involved in the protests were actually raking in large amounts of money on the side. In the view of the security forces, the protests were neither legitimate nor sincere but they allowed them to go ahead as long as they stayed peaceful.

The anger over the fate of SK14 obscured several other political developments in Papua that are taking place simultaneously. One is Governor Barnabas Suebu's Strategic Plan for Village Development (Rencana Strategis Pembangunan Kampung, RESPEK), an initiative to get block grants to local communities that can then decide on their use within certain parameters. Few Papuan leaders in Jayapura have anything bad to say about RESPEK or anything good to say about the governor, a directly-elected Papuan, whom they see as inaccessible and focused only on his own agenda. But it is almost certainly a different story in the villages where RESPEK has had an impact, and not all its beneficiaries would see eye to eye with the protestors in Jayapura.

The second development is *pemekaran* or the dividing of Papua into more and more administrative units: districts, subdistricts and villages. There is supposed to be a nationwide moratorium on this fragmentation but the centrifugal impetus in Papua seems too strong to hold back. Villages are dividing up so that smaller units can get RESPEK funds; the same impetus, combined with the desire of minority ethnic groups to become dominant in their own territory, fuels the creation of new districts. Twenty local elections are being held in Papua in 2010, one of the factors that prompted SK14 in the first place. The candidates have no desire to throw away special autonomy because it underpins their chance for political and economic power. There is thus a disconnect between the urban protests on the one hand, and local elite interests and village-focused development initiatives on the other.

That said, there are also widely shared grievances, over discrimination, unfulfilled promises and past injustices. The longer Jakarta refuses to discuss them, the stronger the radical voices will become.

## II. HOW DECISION 14 CAME ABOUT

As a series of local elections approached in 2010, many Papuans expressed concern that sooner or later, the growing number of migrants would eventually lead to non-Papuan dominance.<sup>1</sup> While no migrant held the position

<sup>1</sup>For related Crisis Group reporting, see Crisis Group Asia Reports N°188, *Radicalisation and Dialogue in Papua*, 11 March 2010 and N°154, *Indonesia: Communal Tensions in Papua*, 16 June 2008; Crisis Group Asia Briefings N°66, *Indonesian Papua: A Local Perspective on the Conflict*, 19 July 2007; N°53, *Papua: Answers to Frequently Asked Questions*, 5 September 2006; N°47, *Papua: The Dangers of Shutting Down Dialogue*, 23 March 2006; N°24, *Dividing Papua: How Not To Do It*, 9 April 2003; and Crisis Group Asia Reports N°39, *Indonesia: Resources and Conflict in Papua*, 13 September 2002; and N°23,

of *bupati*, or district head, a few were in deputy *bupati* positions and several others were intending to run.<sup>2</sup> One leading Papuan intellectual explained the fear this caused:

Right now Papuan cities are increasingly populated by non-Papuans. In Jayapura, Merauke, Nabire, Sorong and Manokwari, it's up to two thirds of the population. If they're the majority, it will be difficult for Papuans to hold on to political power, especially with direct local elections. We won't have the power to determine public policies over key issues like health and education – and the economy is already controlled by migrants.<sup>3</sup>

In-migration is one of the most emotionally fraught issues in Papua today and one that is easily manipulated and distorted.<sup>4</sup> It is also one that can be addressed through a range of policies, including affirmative action in the public and private sector.<sup>5</sup>

### A. THE PAPUAN RATIONALE

The MRP, reflecting the widespread fear of Papuan political marginalisation, issued decision (*surat keputusan* or SK) No.14 on 26 November 2009 that candidates for district-level elective office – *bupati*, deputy *bupati*, mayor and deputy mayor – should be indigenous Papuans. This meant having Melanesian parents; being descended from Papuans patrilineally; or having a cultural basis in indigenous Papuan traditions. Local district councils would submit the names of candidates to the MRP to verify that they met the conditions.<sup>6</sup> The decision would come into force immediately “but if there are any errors, revisions will be made as necessary”.<sup>7</sup> Because there is only one MRP

*Ending Repression in Irian Jaya*, 20 September 2001. See Appendix A for a map of the area.

<sup>2</sup>Twenty elections were scheduled for 2010 in Papua province alone. Migrants are incumbent deputy *bupatis* in Jayapura city and Merauke.

<sup>3</sup>Crisis Group interview, Neles Tebay, Jayapura, 11 July 2010.

<sup>4</sup>For a good discussion of the distortion of statistics on migration, see Stuart Upton, “A Disaster but not Genocide”, *Inside Indonesia*, No.97, July-September 2009.

<sup>5</sup>The governor's office says that Papuans are given preference for recruitment in the civil service, promotion to higher echelons, degree and non-degree training and so on. Text communication, 26 July 2010. The problem is that there are many more civil service jobs available than qualified Papuans to take them.

<sup>6</sup>“Keputusan Majelis Rakyat Papua Nomor 14/MRP/2009 tentang Penetapan Orang Asli Papua Sebagai Syarat Khusus Dalam Penentuan Bakal Calon Bupati/Wakil Bupati dan Walikota/Wakil Walikota di Tanah Papua, 26 November 2009”, signed by Agus Alue Alua, head; F.A. Wospakrik and Hana Hikoyabi, deputy heads.

<sup>7</sup>Ibid, point 6.

for all of Papua, these conditions, if accepted, would apply to both Papua and West Papua provinces.<sup>8</sup>

Among Papuans, with a few exceptions, the decision was hugely popular. Even many of those who had reservations, including the governor, supported the basic principle that local officials should be Papuan.<sup>9</sup> Indonesian officials, once they became aware of SK14, had the opposite reaction: it was illegitimate because the MRP had no authority to issue “decisions” and certainly nothing that had the force of law; its mandate was supposed to be restricted to cultural, not political matters; the decision violated Indonesian law No.32 on local government; and it was discriminatory.<sup>10</sup> It was officially rejected by the Ministry of Home Affairs in May 2010.<sup>11</sup>

Questioning the MRP’s mandate was guaranteed to bring longstanding resentment to the surface.<sup>12</sup> As initially conceived by the Papuan drafters of the autonomy law, the MRP was envisaged as a kind of provincial legislative “superbody” with the authority to veto proposed laws or development projects for Papua that would have a negative impact on Papuans. The government watered down the concept, turning the MRP into a guardian of cultural values with no veto power at all, and delayed issuing the regulation that would actually bring it into being. When it was finally created in 2005, it was as a 42-member repre-

sentative body of indigenous Papuans tasked with protecting Papuan values and culture, empowering women and ensuring religious harmony.<sup>13</sup> Both the dilution and the delay were rooted in concerns that the MRP would become a force for separatism, and part of the antagonism toward SK14 was the government’s reluctance to accede to any move that would enhance the MRP’s position with the public or be seen as strengthening its narrowly circumscribed powers.

The MRP argued that it was working with the Papuan legislature to turn the decision into a formal regulation and that its mandate to address the issue was clear. Under Law 21/2001 (the special autonomy law), the MRP had the authority, among other things, “to give to the [provincial parliament], Governor, district councils and *bupatis* and mayors its consideration on matters related to protecting the rights of indigenous Papuans”.<sup>14</sup> And under the implementing provincial regulation issued seven years later, the MRP’s functions included the protection and empowerment of indigenous Papuans as well as assertion of their rights.<sup>15</sup> At the very least, a recommendation, if not a “decision”, on the matter of ensuring that political power at the district level stayed in Papuan hands was perfectly consistent with the MRP’s authority.

As for SK14 being discriminatory, some Papuans readily acknowledged that it was, in the sense of favouring Papuans. But the provision in Law No.21 on the governor and vice-governor having to be indigenous Papuans had already legitimised affirmative action; the decision was just extending it one level down. Said one Papuan leader, head of the Papuan Muslim Council and very much a moderate:

When it comes to that, isn’t the provision allowing Aceh to apply Islamic law discriminatory? Isn’t the fact that Jakarta districts don’t have district councils discriminatory? Isn’t the law ensuring the Sultan of Yogyakarta is also its governor discriminatory? Why is it just in Papua that it becomes a problem?<sup>16</sup>

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<sup>8</sup>The province of West Papua was created by President Megawati Sukarnoputri in 2003 without consulting either then Papuan governor Japp Salossa or then Coordinating Minister for Politics and Security, Susilo Bambang Yudhoyono, now president. Its formation violated Article 76 of the special autonomy law, requiring MRP approval for the creation of new provinces in Papua, and undermined moderate Papuans who were willing to give autonomy a chance. See Crisis Group Briefing, *Dividing Papua: How Not to Do It*, op. cit. The creation of West Papua immediately raised questions about whether special autonomy would apply to the new province and whether there would be one MRP or two. This was settled by a presidential decision in April 2008 that was confirmed in Law 35/2008, enacted by the national parliament in July 2008, that amended the special autonomy law to include West Papua. The MRP was mandated to cover both provinces.

<sup>9</sup>Crisis Group telephone interview, Agus Sumule, governor’s staff, 2 August 2010. According to Sumule, Governor Suebu was concerned that the MRP’s definition of indigenous Papuan was too narrow; he also believed that the MRP needed to focus first on strengthening its own role through provincial regulations that would allow it to issue binding decisions.

<sup>10</sup>Crisis Group interviews, police and military officials, Jayapura, 12-13 July 2010.

<sup>11</sup>“Pemerintah Tolak SK MRP”, *Papua Pos*, 8 May 2010.

<sup>12</sup>This is clear from the MRP’s own report of its first term, “Beberapa Catatan Mengenai Kinerja Majelis Rakyat Papua, Periode 2005-2010”, in which it argues that the central government never took it seriously as an institution, citing numerous specific instances as evidence.

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<sup>13</sup>See Crisis Group Briefing, *Papua: The Dangers of Shutting Down Dialogue*, op. cit.

<sup>14</sup>Undang-Undang Republik Indonesia No.21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua, Article 20(f).

<sup>15</sup>Peraturan Khusus No.4/2008.

<sup>16</sup>Crisis Group interview, Pace Roby Aituaroa, Jayapura, 12 July 2010. He was referring to provisions in Law 18/2001 on special autonomy for Aceh and Law 11/2006 on Aceh government; Law 29/2007 on the special region of Jakarta; and Law 3/1950 on the special region of Yogyakarta. A bill to amend the latter is on the current parliamentary agenda.

He added:

Everyone takes it for granted that the *bupati* of Mojokerto (East Java) will be from Mojokerto and the *bupati* from Bone (Sulawesi) will be from Bone. But they haven't been swamped with migrants. The SK is the only way to ensure that Papuans have the same rights as everyone else.<sup>17</sup>

A local journalist pointed out:

It's not as though the MRP is saying no migrant can hold office. They can be elected to the provincial and district legislatures. They can serve in any other capacity in the civil service. It's just the executive posts at the provincial and *kabupaten* (district) level that are at issue. Why won't the government let the SK go through?<sup>18</sup>

Support for the MRP's decision transcended other ideological divisions and went far beyond the pro-independence community. There was a sense that the effort to protect certain areas of government for Papuans was the essence of what autonomy was supposed to be about. If that protection was denied, what was left? It reinforced the conviction of many Papuans that the central government saw special autonomy only in terms of extra money. Jakarta's failure to appreciate the depth of that conviction played directly into radical hands.

## B. UNDERSTANDING THE GOVERNMENT REACTION

The discrimination charge was probably not the government's major problem with SK14. It may have had more to do with continuing suspicions among many officials, particularly in Home Affairs and the various security agencies, that the MRP is a hotbed of pro-independence aspirations.<sup>19</sup>

Papuan leaders pointed out the difference between the reaction to the MRP's initiative and that of a pro-government, anti-separatist group called the Red-and-White Front (Barisan Merah Putih) after the colours of the Indonesian flag.<sup>20</sup> When leaders of that group submit-

ted a petition to the Constitutional Court in August 2009, arguing that the *otsus* law had mandated provincial parliament members to be appointed as well as elected but appointments had yet to take place, the court immediately took up the case and ruled that eleven more indigenous Papuans could be appointed because:

The explanation of Law No.21/2001 very clearly illustrates an *affirmative action policy* [written in English and italicised in original] designed to give opportunities and special considerations to representatives of the Papuan *adat* [customary] community which previously was disadvantaged throughout the New Order because of social-political and historical considerations, so that these representatives can access resources and have the capacity as well as the opportunity to take part in the social and political processes in all fields.<sup>21</sup>

This ruling would seem to strengthen the MRP's case, but it also suggests that the reluctance of the government to approve SK14 might have been based less on substance than on political concerns about the MRP.

There is also a fundamental distrust, particularly within the security forces and shared by those with a military background, of the whole concept of autonomy that gives more powers to one province than other provinces enjoy. Part of this is concern about a domino effect elsewhere, but part is also an unwillingness to see any challenge to national law. Just as conservative officials and legislators argued that the provision about local Acehnese political parties in the 2005 Helsinki peace agreement was contrary to the national political parties law, officials argued that SK14 violated the national local government law.<sup>22</sup> As Papuans point out, if national law trumps local law every time, it raises the question of how much devolution the central government is really willing to countenance.

## III. LEAD-UP TO THE 9-10 JUNE CONSULTATION

Two parallel processes took place in the first half of 2010. The MRP tried to work with the provincial parliament to enshrine SK14 in a provincial regulation while trying at the same time to secure Jakarta's endorsement; and activ-

<sup>17</sup> Ibid.

<sup>18</sup> Crisis Group interview, Viktor Mambor, Aliansi Jurnalis Independen (AJI), 11 July 2010.

<sup>19</sup> See Crisis Group Briefing, *Papua: The Dangers of Shutting Down Dialogue*, op. cit.

<sup>20</sup> Barisan Merah Putih was established in 1997 and formally inaugurated in 2004. It is widely believed to have the support of the Indonesian security forces but its head, Ramses Ohee, insists that it was created purely out of love for the Unitary State of Indonesia. In 2008, it claimed to have 4,833 members

across Papua. See interview with Ohee, "Barisan Merah Putih Ingin Papua Damai", *Suara Perempuan Papua*, 3-8 November 2008.

<sup>21</sup> Decision of the Constitutional Court Number 116-PUU-VII.2009 (Crisis Group translation).

<sup>22</sup> On the controversy over local parties in Aceh, see Crisis Group Asia Briefing N°40, *Aceh: A New Chance for Peace*, 15 August 2005, pp. 10-11.

ists began thinking how anger over the decision's fate might be transformed into an instrument for mobilising disparate Papuan voices into a broader, unified critique of special autonomy – and by extension, support for independence. These two strands came together in the June consultation, but it was not the original intention of the MRP to host a public critique of *otsus*.

## A. THE MRP GOES TO JAKARTA

SK14 had many sympathisers in the provincial parliament, including in Commission A, responsible for, among other things, regulations on local elections. On 31 March, the provincial parliament invited a number of local officials, academics and NGO leaders for a discussion on how to move the decision forward legally. Most on the legislative side were supportive. The reservations came from the executive side, where the heads of the provincial offices for justice and “national unity” (*kesatuan bangsa* or *kesbang*) said they had consulted with the governor and decided SK14 was a human rights violation.<sup>23</sup>

On 9 April, a delegation from the DPRP, provincial election commission office and the MRP met in Jakarta with officials from the Home Affairs Ministry and the Coordinating Ministry of Politics, Law and Security to discuss SK14. The need for a decision was urgent because preparations for the first of the local elections scheduled in Papua were already underway. The Papuans understood that Home Affairs would prepare a regulation in lieu of legislation to follow up on the MRP decision, but nothing was committed in writing. Then a letter came from Home Affairs that local elections had to be carried out in accordance with Law No.32, the national local government law.

Meanwhile, the MRP presented the provincial parliament with a draft regulation (*perdasus*) for its consideration that would amend the MRP's role to give it the authority to determine the “indigenesness” of candidates for executive office at the district level.

On 26 April, after strong NGO pressure, the speaker of the Papua legislature, John Ibo, announced that he was recommending to Home Affairs and the Coordinating Ministry that local elections be halted until a regulation on SK14 from Jakarta was forthcoming.<sup>24</sup> On 4 May, a delegation from Papua went to West Papua to persuade coun-

terparts in the provincial legislature there to support the MRP decision. The response was reportedly enthusiastic.<sup>25</sup>

Then, on 11 May, a special DPRP committee went to Jakarta with officials from the provincial election commission. They learned that Home Affairs and the Coordinating Ministry had requested a ruling from the Supreme Court to reject SK14 and immediately sent a letter to the ministers as well as the court urging that no ruling be issued until they could all meet and discuss the matter. Over the next week, the committee met in Jakarta with members of the national parliament and others, but their request to meet the Home Affairs minister was ignored. From 12 May to 2 June they waited for a meeting; eventually they met the director-general of regional autonomy. They were also unsuccessful in meeting anyone from President Yudhoyono's office.

On 1 June Papuans studying in Java and Bali held small demonstrations in front of the various ministries concerned. When they arrived at Home Affairs, the DPRP special committee was still waiting to meet the minister, and when he failed to show up, members went out and joined the demonstrators. It was at this point that the activists took over.

## B. THE ACTIVISTS PUSH FORWARD

From late 2009, a handful of local activists sensed that support for SK14 could unite Papuans in a way no recent issue had done.<sup>26</sup> They believed *otsus* had failed to deliver either protection or empowerment for Papuans, and there was little to show for the trillions of rupiah Papua was receiving. They were concerned that different areas of Papua were consumed by different grievances – from hunger in the central highlands to military operations in Puncak Jaya to the aftermath of violence in Jayapura in April 2009 – but no one was linking them in a coherent fashion or stepping up to act as leader. To fill these gaps, they formed the Democracy Forum of the United Papuan People (Forum Demokrasi Rakyat Papua Bersama, FORDEM).

Eight of the FORDEM leaders were also part of the Papuan Peace Network, a group committed to the pursuit of dialogue with the Indonesian government within the limits of an autonomy framework. But they saw the government as

<sup>23</sup> “Pokok-Pokok Pikiran Pemikiran dan Perjuangan DPRP Dalam Rangka Merespon Keputusan Majelis Rakyat Papua (MRP) Nomor 14 Tahun 2009”, undated paper, no author, probably from July 2010.

<sup>24</sup> “DPR Papua Usulkan Pilkada Ditunda”, Antara news agency, 26 April 2010.

<sup>25</sup> “Pokok-pokok Pikiran”, op. cit.

<sup>26</sup> They included Septer Manufandu of FOKER; Benny Giay of Kingmi; Frederica Korai, formerly of the Justice and Peace Commission and a women's rights activist; Salmon Yumame; Martin Goo; and Benyamin Gurik.

completely unresponsive and believed the whole process needed a push.<sup>27</sup>

After a few small FORDEM demonstrations in February and March 2010, the group decided to approach the MRP, believing that as an institution set up by the government, it could help consolidate various Papuan concerns and ensure they reached Jakarta.<sup>28</sup> A meeting with the MRP took place in May, and MRP members agreed that anger had reached such a level in Papua that if it was not addressed, it could erupt in violence.<sup>29</sup> FORDEM leaders suggested a Papua-wide consultation (*musyawarah*). The MRP agreed to host it, with two aims: to evaluate the work of the MRP as the first five-year term of its members was drawing to a close, and to evaluate the impact of *otsus* after nine years.

As one observer noted, Article 78 of the special autonomy law said that its implementation would be evaluated every year, starting in the third year after it went into force, and Papuans were well aware that either the government had ignored this provision, or if any evaluations had been carried out, no Papuans had participated. It was thus understandable if Papuans took on the evaluation themselves, using their own criteria.<sup>30</sup>

Anger over SK14 had been the original rationale for a consultation, but FORDEM had something much bigger in mind now. In its view, Papuan political unity had steadily declined since its height in 1999-2000.<sup>31</sup> Getting approval for the MRP decision was far too small a goal; achieving Papuan political unity was more important.

The timeframe for the whole undertaking was extremely short – from idea to implementation of the consultation was less than two weeks. The MRP sent invitations to the governors of Papua and West Papua; legislators, electoral commissioners and other officials from both provinces. FORDEM and the Papuan Adat Council (Dewan Adat Papua) took charge of getting delegations in from across Papua representing activists, church leaders and others. The MRP paid for food during the event, but other costs,

such as transport, seem to have been underwritten by individual donors.<sup>32</sup>

The short timeframe meant that some people were angry that they did not hear about it until after the fact or did not receive enough notice to attend. It also gave FORDEM and the Adat Council an important role in determining the participants. Still, many more people came than had been invited, and the MRP quickly lost control of the proceedings.

#### IV. THE 9-10 JUNE CONSULTATION

The consultation opened on 9 June with a powerful speech by Agus Alua, the MRP head, titled “Short Evaluation of the Implementation of Special Autonomy in Papua from January 2002 through June 2010”. He noted that after the Papuan people had shown their commitment to independence and withdrawal from Indonesia, the national parliament had offered special autonomy as a win-win solution. It would focus on increasing prosperity of the Papuan people as a way of “minimising political aspirations” through affirmative action, increased political authority and funding. But for the last nine years, Alua said, the government at both national and provincial levels focused more on how to get, distribute and account for funds than empowering Papuans.<sup>33</sup>

He noted the various ways that the central government had violated the letter and spirit of *otsus*, most egregiously by the creation of the province of West Papua in 2003 and the various steps taken to legitimise it.<sup>34</sup> Other sore points were Regulation No.77/2007 banning separatist symbols, which undermined the authority of the MRP to select a regional symbol, and the creation of the Barisan Merah Putih. The rejection of SK14 was the last straw.<sup>35</sup>

He then listed the failures of the provincial government, from its slow implementation of regulations, its unwillingness to touch the formation of a truth and reconciliation

<sup>27</sup> Crisis Group interview, Septer Manufandu, executive director of FOKER, Abepura, 12 July 2010.

<sup>28</sup> Ibid.

<sup>29</sup> Crisis Group interview, Frans Wospakrik, deputy head, MRP, Abepura, 14 July 2010.

<sup>30</sup> Neles Tebay, “Memahami aksi pengembalian UU Otsus Papua” and “Papuans Want a Negotiated Solution”, unpublished articles, July 2010; and “Rakyat Mengevaluasi Otsus Papua”, *Suara Pembaruan*, 29 June 2010.

<sup>31</sup> They saw the peak as having been the 2nd Papua Congress held in 2000 following the 100-person delegation that visited then President Habibie in 1999 and demanded independence. (The first Papuan Congress, in 1961, had produced the declaration of Papuan independence.)

<sup>32</sup> One source said some bureaucrats unhappy with the governor provided funds; so did some Protestant church sources, but no one was clear on who the donors were. Crisis Group interview, Jayapura, 11 July 2010.

<sup>33</sup> Agus A. Alua, “Evaluasi Singkat Implementasi Otonomi Khusus di Tanah Papua dari January 2005 s/d Juni 2010”, *Majelis Rakyat Papua*, 9 June 2010.

<sup>34</sup> The role played by Jusuf Kalla in this, as cited in Alua’s speech, raises questions about whether the former vice-president would be accepted in a mediating or any other conflict resolution role as proposed by Indonesia’s National Commission on Human Rights.

<sup>35</sup> Agus A. Alua, op. cit.

commission, and its refusal to prioritise the recruitment of indigenous Papuans in civil service recruitment.<sup>36</sup>

In the end, he said, Papuans had two options: to stop the implementation of *otsus* altogether and let the government treat Papua the way it wants; or to negotiate alternative solutions with the government. He listed four possibilities:

- ❑ return *otsus* to the central government (the same as stopping its implementation);
- ❑ evaluate its implementation with a view toward making major revisions;
- ❑ raising Papua's status to the equivalent of Hong Kong's "one nation, two systems"; and
- ❑ holding an internationally-mediated dialogue with Jakarta to resolve the problem of Papua once and for all.<sup>37</sup>

He was supposed to be followed by Governor Suebu, who had instead sent the head of the regional planning board (BAPPEDA). He was shouted down from the moment he appeared, reflecting widespread anger at Suebu's lack of interest. The Catholic Bishop, Leo Laba Ladjar, was also shouted down before he could speak. The consultation then broke into six thematic working groups for the rest of the day, each group tasked with coming up with recommendations to present to the plenary the following day. Many of the concerns expressed were highly localised, with Merauke delegates concerned about a huge integrated food estate project; Timika delegates angry over the killing of insurgent leader Kelly Kwalik; and delegates from the Bird's Head region worried about mining and control over natural resources.

We tried to use the working group discussions as political training, so that when someone said, "Give back *otsus*," we would ask, "What do you mean by 'giving back'?" We tried to get them to think about costs and benefits. If *otsus* has failed, what do you mean by "failure"? The committee heard the people. They'd say, "Is this what you mean" or "can this be achieved" or "between this and this, which is more important?"<sup>38</sup>

By all accounts, radicals dominated many of the working groups and those who disagreed generally stayed silent. The intellectuals quickly lost ground, one participant said, and the street activists took over.<sup>39</sup>

On 10 June, the groups reported back, and a drafting committee, headed by FORDEM members, was tasked with winnowing down the recommendations. The drafters aimed more for inclusiveness than internal consistency, and in the end, the final product represented a militant agenda: rejecting *otsus*; demanding an internationally-mediated dialogue, a referendum with a view toward independence and recognition of Papuan sovereignty; a halt to all international aid in support of *otsus*; an end to local elections and the funding of same; an end to transmigration and strict control on migration from outside Papua; the freeing of all Papuan political prisoners; demilitarisation; and the closure of the Freeport mine.<sup>40</sup>

Different people put different spins on the recommendations. One MRP leader said they came as a shock: "This wasn't what we had expected – it was clear that the MRP couldn't make a statement like that".<sup>41</sup> But another participant said the MRP was naive:

The MRP should have known what was coming with the consultation. If you want to have a strategic discussion, you invite intellectuals. If you open it up, of course it's going to turn into cries for independence, because people see independence as the solution to all ills. Your salary is late, independence! You don't get the job you want, independence! You don't like your neighbour, independence!<sup>42</sup>

Several of the organisers said it came down to tactics, pointing out that the only reason *otsus* came about in the first place was in response to calls for independence. Said one:

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<sup>40</sup> Musyawarah Majelis Rakyat Papua dan Masyarakat Asli Papua, Jayapura, 9-10 June 2010. The final signed version of the recommendations is dated 14 July 2010 (an earlier version had a slightly different list of names). The signatories are Forkorus Yaboisebut, head of the Dewan Adat Papua; Salmon Yumame, FORDEM; Dr. Benny Giay, religious leader; Don Agusthinus Flassy, Papua Presidium Council; Rev. Hiskia Rollo, religious leader; Abina Wasanggih, Papuan Women's Solidarity; Albertina Dani, Papua Women's Solidarity (West Papua); Dr. John Wob, secretary of AMINHA Adat Council; Edison Waromi, West Papua National Authority; Lemok Mabel, head of LANI-PAGO Adat Council; Septer J. Manufandu, FOKER; Markus Haluk, All-Indonesia Papuan Central Highland Students Association (AMPTPI); Frederika Korain, women's leader; Regina Sambom, LAPAGO women's leader; Fientje Jarangga, women's leader; Natan Tebay, Cenderawasih University; John Baransano, church youth; Benjamin Jensenem, professional; H.Z. Sabuku, Muslim leader; Mako Musa Tabuni, Komite Nasional Papua Barat (KNPB); Andi Denny Manoby, Asian secretariat, Dewan Adat Papua; and Yan Warinussy, representative of West Papua youth.

<sup>41</sup> Crisis Group interview, Frans Wospakrik, Abepura, 14 July 2010.

<sup>42</sup> Crisis Group interview, name withheld on request, Jayapura, 11 July 2010.

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<sup>36</sup> Ibid, pp. 4-5.

<sup>37</sup> Ibid, pp. 5-6.

<sup>38</sup> Crisis Group interview, Septer Manufandu, executive director of FOKER, Abepura, 12 July 2010.

<sup>39</sup> Crisis Group interview, name withheld on request, Jayapura, 11 July 2010.

We see the recommendations as a bargaining position. We need to have the means to negotiate. Aceh only got to negotiate because of the combination of armed struggle and the tsunami.<sup>43</sup>

Another Papuan leader said the government should read the recommendations as simply evidence that there are real unsolved problems that need to be discussed. Yet another warned, however, that the longer Jakarta delayed responding, the more the idea of a referendum would take hold.<sup>44</sup>

## V. THE FOLLOW-UP

The consultation was followed by demonstrations led by FORDEM, and an anonymous text message campaign to discredit the organisers, almost certainly initiated by one of the Indonesian intelligence agencies or its proxies.

### A. FORDEM DEMONSTRATIONS

After the consultation, the organisers formally turned over the recommendations to the MRP for further action. The MRP held a plenary meeting on 16 June and decided that given its mandate to channel Papuan aspirations, it was its duty to follow up with the government and other parties.<sup>45</sup> As a first step, it agreed to turn the recommendations over to the provincial legislature on 18 June. It was blindsided by the activists, however. Without consulting the MRP, FORDEM members organised a “long march” from the MRP office to the provincial parliament, and MRP leaders faced a dilemma. They reasoned that with thousands mobilised, refusal to go along could result in violence; if they went, they would be seen by the government as one with the militants. They decided to go with the marchers.<sup>46</sup>

The number of marchers was wildly exaggerated by the organisers themselves and by the media that contacted them, with estimates of 15,000 and more. More sober estimates were 3,500 to 5,000, which was still a significant number. Ninety per cent were from the central highlands, according to an organiser who is a highlander, and they were all pro-referendum. When they reached the provin-

cial parliament, the MRP leaders handed over the results of the consultation to the deputy speaker of parliament who said they would give them due consideration.

That was not enough for the crowd, however, who started calling for an immediate special session of parliament. Eventually the provincial parliament agreed to respond within three weeks or by 8 July and a written agreement to that effect was signed by Yunus Wonda for the parliament and Agus Alua, Hana Hikoyabi for the MRP, and a number of the activist organisations represented by the marchers. Before the crowd dispersed, a woman in tribal dress came forward with a traditional platter, on which was the Indonesian flag topped by a copy of the *otsus* legislation. She handed it to a tribal elder, who then presented it to the deputy speaker as a symbol of returning *otsus* to the government. When the ceremony was complete, the crowd went home peacefully.<sup>47</sup>

It was clear that some MRP members were uncomfortable with these developments. In a statement on 29 June, MRP head Agus Alua tried to distance the MRP from the activists. He noted that the MRP had only voiced its views at the outset of the consultation and was not involved in the process or results of the discussions. It had no role in the “hot agenda”. Some of the participants were calling for the MRP’s dissolution, but the MRP would dissolve only if the central government revoked *otsus*. It had only acted as a facilitator in conveying the recommendations to the DPRP and had no part in the ceremonial return of *otsus*.<sup>48</sup>

But it was too late. Not only did local security officials hold the MRP responsible for the whole consultation in the first place but many in Jakarta, the diplomatic community included, understood the results to be “MRP recommendations”.

The demand for follow-up also had taken on a life of its own. On 8 July, a somewhat smaller demonstration of 2,500 to 3,000 people (again reported by the organisers and some Australian media as 20,000) marched to the provincial parliament. No one was around to receive them so many spent the night at the parliament. They dispersed the next day after a warning from the police and a meeting with the deputy speaker, who told them to come back on 12 July to meet with John Ibo, the speaker. A smaller group did so and was informed that the DPRP had no authority to “return” *otsus*. Smaller demonstrations were also held on 8 July in Timika, Merauke, Wamena and Manokwari.

<sup>43</sup> Crisis Group interview, Septer Manufandu, Abepura, 12 July 2010.

<sup>44</sup> Crisis Group interview, Markus Haluk, 14 July 2010.

<sup>45</sup> Majelis Rakyat Papua, Keputusan Nomor: 02/MRP/2010 tentang Hasil Musyawarah Majelis Rakyat Asli Papua Dalam Rangka Pertanggungjawaban Pelaksanaan Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua.

<sup>46</sup> Crisis Group interview, Frans Wospakrik, deputy head, MRP, Abepura, 14 July 2010.

<sup>47</sup> This was not the first time that special autonomy had been “returned” to the government; a similar ceremony took place in 2005.

<sup>48</sup> Agus A. Alua, “Klarifikasi Musyawarah MRP dan Masyarakat Asli Papua Pada Tgl. 9-10 Juni 2010 di Kantor MRP”, Majelis Rakyat Papua, 29 June 2010.

## B. THE SMS CAMPAIGN

As has happened around previous demonstrations, church leaders, NGOs, community figures and many others began receiving anonymous texts on their mobile phones after the 8 July demonstrations, making accusations against the organisers. Many accused them of taking money and some of the texts left the name of the alleged donors blank, apparently in the hope that some of the recipients would fill in names and send it on. The texts were widely assumed to originate with Indonesian intelligence, but all were sent anonymously. A sampling follows (the original Indonesian texts are reproduced in footnotes):

- Don't follow the exhortations of Papuan Adat Council leader Forkorus to demonstrate on 8 July because he is a traitor/spy for officials. Today he talks referendum, tomorrow he takes money from officials. Everything is Popularity, Money and Women. Papuans, don't be fooled by them (MRP, KNPB, FORDEM and the like).<sup>49</sup>
- Tell the highlanders: Don't let yourselves be incited by Forkorus, the Papuan Adat Council, MRP, FORDEM. They're exploiting you all. You have no money but they have lots from (....)(....).<sup>50</sup>
- [A different version of the above had the blanks filled in]: Tell the highlanders: Don't let yourselves be incited by Forkorus, the Papuan Adat Council, MRP, FORDEM. They're exploiting you all. You have no money but they have lots from officials. You will get arrested by the police/military and Forkorus won't take responsibility. Police gave Forkorus a mobile phone so they could tap it. Forkorus pointed out OPM people to the police/intel during the demo on 8 July. The demo was a trick by the Papuan Adat Council and MRP so that everything would be known by police/intel.<sup>51</sup>

- Information from Markus Haluk: funds for the 8 July demo totaled 1 billion rupiah (US\$110,000) from 1) Marthen Sarwon, [treasurer of non-budgetary matters for the Governor of Papua and his wife, Hanah Hikoyabi, deputy head of the MRP] and was transferred to the Bank Mandiri account of Salmon Yumame ([FORDEM and coordinator of the demo] and Antonius Ayorbaba [former head of Abepura Prison] Rp 310 million (\$34,000). 2) Agus A [head of MRP] transferred and (....)(....).<sup>52</sup>
- Dear Mako Musa Tabuni [head of the West Papua National Committee, KNPB]: how much profit did you get from your manipulation of the 8 July demo? How long are you going to exploit the people of Wamena? Did you think I would be fooled by your agenda? The OPM doesn't take money but the KNPB does. Money from officials awaits you.<sup>53</sup>
- The KNPB does not represent the Papuan people. Papuan interests are being exploited by the KNPB for money and political power, KNPB only consists of a handful of unemployed youths who incite the people, KNPB thinks the people of the highlands are stupid and easy to mobilise for demonstrations, like hungry pigs, KNPB, stop exploiting the people! Don't sell the people's suffering! Jesus Christ will castigate you!<sup>54</sup>

There were many texts in this vein and virtually everyone Crisis Group interviewed in Jayapura had received them. They illustrate the inability of officials to make any distinction among groups like the radical National Committee for West Papua (Komite Nasional Papua Barat, KNPB), the MRP and the Papuan Adat Council.<sup>55</sup> The latter two contain some pro-independence supporters but also have members who would be happy to settle for

<sup>49</sup> JGN IKUTI SERUAN DAP pimp FORKORUS Y utk DEMO 8 JULI 2010 KRN DIA PENGKHIANAT/MATA2 PEJABAT. Hari ini dia bicara referendum, besok terima uang dr pejabat. SEMUANYA HANYA P.U.P (POPULARITAS, UANG, PEREMPUAN) RAKYAT PAPUA JANGAN MAU DIBOHONGI MRK (MRP, KNPB, FDRPB & SSSY CS).

<sup>50</sup> Ko bri tau org2 pegunungan. Ko jgn suka dihasut sm forkorus, DAP, MRP, Fordem. Mereka manfaatkan ko semua. Ko tdak dpat uang bnyak tpi mreka bnyak uang dri (....)(....).

<sup>51</sup> Ko bri tau org2 pegunungan. Ko jgn suka dihasut sm forkorus, DAP, MRP, Fordem. Mereka mangaatkan ko semua. Ko tdak dpat uang bnyak tpi mreka bnyak uang dri pjabat. Ko ditangkapp polisi/TNI forkorus tdak mau tgjawab. Polisi kasih hp forkorus agar bias disadap. Forkorus tunjukkan org2 OPM pd polisi/intel saat demo 8 juli. Demo itu tipuan DAP/MRP agar ko smua dikenal intel/polisi.

<sup>52</sup> Info dr Markus Haluk dana demo 8 Juli sebesar Rp 1M dri 1, Marthen Sarwon (b,dahara anggaran non bugedter Gub. Papua) & isterinya Hanahikoyabi (wkil ketua II MRP) ditsfer ke b.mandiri utk Salmon M. Yumame, (FDRPB/Korlap demo)&Antonius ayorbaba ( eks Kalapas Abepura) Rp310jt. 2) Agus A (ketua MRP) t,sfer dan (....)(....).

<sup>53</sup> Yth Mako Musa Tabuni: brp untung yg kmu dpt dr p,mainanmu demo 8 Juli. Sampai kpn rakyat wamena kau bs mainkan. Aku masa bodoh dgn agendamu, PIS kau bohongi apalgi rakyat wamena. TTPN/OPM tdk main uang tp KNPB mainkan. Uang pjabat menantimu.

<sup>54</sup> KNPB tdk MEWAKILI RAKYAT PAPUA. Kepentingan rakyat Papua di manfaatkan KNPB utk UANG & POLITIK, KNPB merisi segerombolan pemuda pengangguran penghasut rakyat, KNPB menganggap rakyat pegunungan BODOH, MUDA DIAJAK DEMO=BABI LAPAR, KNPB, & HENTIKAN MEMPERMAINKAN RAKYAT! JGN JUAL DERITA RAKYAT! TUHAN YESUS MENGUTUKMU!

<sup>55</sup> For more on the the role of the KNPB in particular, see Crisis Group Report, *Radicalisation and Dialogue in Papua*, op. cit.

autonomy if there was some give from Jakarta. It serves no useful purpose to lump them together.

One Papuan leader, reflecting on recent events, said it was sad that government officials still resort to such techniques in response to the consultation and long march.

The government should be proud when it looks at the demonstrations that were completely peaceful. It can say, "This is our democracy: we allow all viewpoints even on sensitive issues". In the old days, people who called for independence were seen as enemies of the state. Now they should be seen as democrats with different views.<sup>56</sup>

They could also be proud of the restraint shown by police who seem to be aware of how a crackdown would play directly into the hands of the radicals. But the text message campaign suggests that at some fundamental level, the old view still holds.

## VI. THE MAIN ISSUES

Several issues have been thrown up by SK14 and the consultation: the definition of indigenous Papuan and the need for affirmative action; the need to take a more proactive stance toward in-migration; the role of the MRP; and the need for very concrete policy discussions with the Yudhoyono government.

### A. WHO IS INDIGENOUS?

Affirmative action is unquestionably a desirable policy for Papua if the goal is to ensure that Papuans rather than non-Papuans are given the authority and opportunity to manage their own affairs, but much hinges on how "indigenous Papuan" is defined. As noted above, Law 21 says indigenous Papuans are those of Melanesian race who come from the indigenous ethnic groups in Papua province and/or those who are accepted and acknowledged as indigenous Papuans by the local customary community.<sup>57</sup>

The political consequences of this thorny issue first arose in the race for governor in 2005, when Mohammad Musa'ad, a candidate for vice-governor, was forced to drop out because the MRP ruled he was not indigenous. His mother was Papuan but his father was of Arab descent, and while he met the terms of the *otsus* law, in that he was accepted

as indigenous by the local community, he did not fulfil the MRP's stricter criteria.<sup>58</sup>

When the matter became a topic of hot debate again with SK14, the MRP issued a policy statement defining indigenous and by extension, the implications it had for the police, military and civil service.<sup>59</sup> It said the cultural identity of Melanesians in Indonesia was increasingly threatened by the majority population of Malay descent. It noted the large number of ethnic groups with distinct traditions and languages, and said some of the local languages had already disappeared. The rate of disappearance would likely increase unless special policies were put in place to protect indigenous Papuans.

The MRP said that the phrase "and/or those who are accepted as indigenous Papuans" was a formula that was inserted in the *otsus* law for political reasons and violated the cultural identity of true Papuans. A more appropriate definition, it argued, was proposed for the 2010 district elections: those born of Melanesian parents; those descended from a Melanesian father; and those who have a Papuan cultural base – meaning a local language, a Papuan tribe, a village to which he or she belongs, and a customary tradition (*adat istiadat*).<sup>60</sup> It notes that this definition will only hold for another fifteen years, the remaining term of special autonomy in Papua, and it is critical that positive discrimination take place during this period. This is the only strategy, it says, that will reduce the aspirations of Papuans for independence.

The MRP needs to think harder about what constitutes a Papuan, avoiding expressions of support for racial purity, which will only weaken their case, while the Indonesian government needs to do more on affirmative action.<sup>61</sup> On the first point, one Jayapura-based official pointed to the case of a Papuan woman with a Javanese name. He said that her father was Javanese, her mother Papuan, and she looks Papuan. She has grown up only in Papua, has no Javanese roots and is fully accepted by local customary leaders. He asked, then, why should she be disenfranchised as a Papuan?<sup>62</sup>

<sup>58</sup> Crisis Group Briefing, *Papua: The Dangers of Shutting Down Dialogue*, op. cit., p. 8.

<sup>59</sup> "Kibijakan MRP Tentang Terminologi Orang Asli Papua dan Implikasinya Bagi Prajurit KODAM XVII Cenderawasih".

<sup>60</sup> Ibid. For the MRP's definition of "indigenous" see Crisis Group Briefing, *Papua: The Dangers of Shutting Down Dialogue*, op. cit., p. 8.

<sup>61</sup> In the full report issued after the consultation, there is a recommendation that Papuans should only marry Papuans to preserve the Melanesian race.

<sup>62</sup> Crisis Group interview, Abepura, 14 July 2010.

<sup>56</sup> Crisis Group interview, Jayapura, 12 July 2010.

<sup>57</sup> Law 21(1)(t).

The difficulties of implementing affirmative action were brought out in a story that appeared in the Jayapura newspaper about recruitment of indigenous Papuan police. Out of 278 men who applied, 224 were turned down because they failed to meet the “health” requirements.<sup>63</sup> These requirements largely related to physical height and weight, and most Papuans were under the required limits. There would be no disadvantage to the police to admit people smaller than the norm if the result were to increase the Papuan proportion of the rank and file. Indeed waiving the height and weight requirements had been the policy of Police Commander I Made Pastika in 2000-2003. The fact that Papuan applicants could be rejected in 2010 on this basis reflects an unthinking by-the-book policy that disadvantages Papuans when it would cost very little to put more constructive policies in place.

## B. HALTING MIGRATION

In-migration needs a more serious discussion between the government and Papuans than has taken place thus far – and more serious research. Nothing in the report produced by the NGO Forum on Papua (Forum Kerjasama Lembaga Swadaya Masyarakat Papua, FOKER) for the consultation, showing projections of increased migration and indigenous Papuans becoming a minority by 2011, analyses what is driving that growth and the credibility of its primary source has been challenged.<sup>64</sup> No one questions that migrants are continuing to come, however, and there are several sources: spontaneous migration by traders and others in search of economic opportunities; agricultural mega-projects like palm-oil plantations and the proposed Merauke Integrated Food and Energy Estate rice production project; transmigration; and expansion of the civil service through *pemekaran*.<sup>65</sup>

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<sup>63</sup> “Banyak Gugur di Tes Kesehatan”, *Cenderawasih Pos*, 15 July 2010.

<sup>64</sup> The source quoted is Dr. Jim Elmslie from Sydney University; his analysis is challenged in Stuart Upton, “A Disaster but not Genocide”, op. cit.

<sup>65</sup> The government gave enhanced status to two transmigration sites in Salor, Merauke and Senggi, Keerom in June 2009 in Papua through a program called Integrated Self-Sufficient Cities (Kota Terpadu Mandiri, KTM). Inaugurating the two sites, Labour and Transmigration Minister Erman Suparno said they would be a new paradigm for transmigration, which was now seen “as a pillar of food security, national resilience, alternative energy sources, equitable investment and vehicle for addressing poverty and unemployment”. See “Menakertrans Resmikan Pembangunan 2 Kota Terpadu Mandiri di Propinsi Papua”, <http://naker.slemankab.go.id>, 17 June 2009. It was unclear how many new transmigrants would be brought in as a result. The existing population of Salor was 97,617, from Java, Bali and West and East Nusa Tenggara provinces as well as some locals. Merauke *bupati* Johannes Gebze welcomed the new status, but

Papuans have least control over spontaneous migration and most over *pemekaran*. Even if the creation of West Papua in 2003 was forced through by Jakarta and remains highly controversial, the push for new villages, subdistricts, districts and *kabupatens* is largely driven by local Papuan elites as a way of promoting a particular clan or getting access to local spoils. If the MRP and the groups represented in the consultation could persuade Papuans themselves to agree to a moratorium on *pemekaran* at all levels, they might be in a stronger position to argue for controls on the influx of non-Papuan workers for the mega-projects.

## C. THE ROLE OF THE MRP

The debate over SK14 shows that the role of the MRP remains deeply contested. Security authorities are determined, as they have been from the beginning, to ensure that it sticks to culture and keeps out of politics.<sup>66</sup> The problem in Papua is that culture *is* politics and that it is impossible to effectively protect cultural values without venturing into the political realm.

When asked how the MRP could advance Papuan rights without touching on politics, one military officer suggested they should be helping market bark paintings or helping Papuans charge more for posing with *koteka* (penis gourds) for tourists.<sup>67</sup> He was quite unaware of how offensive such suggestions sound to Papuans who had hoped the MRP would be an influential institution with the mandate and clout to protect indigenous Papuans on all fronts and safeguard them from further marginalisation.

The MRP has made some unfortunate moves in its five-year history, weakening its already diluted position and increasing Jakarta’s distrust. But as Crisis Group wrote in March 2006 after analysing some of those missteps:

Nevertheless, the institution remains important. It is the most representative body to emerge so far and has the support of key Papuan institutions. The MRP will need to improve its negotiating skills and not squander its legitimacy on battles it cannot win but rather choose its issues very carefully. It will also need to frame them in a way that does not immediately alien-

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he has been pushing hard for the creation of a new province of South Papua, with the capital in Merauke, and the more administrative units he can create, the sooner he will meet the criteria for establishing the province.

<sup>66</sup> After a riot in the wake of the MRP decision in 2005 to reject Musa’ad’s candidacy, the national police and the National Intelligence Agency warned the MRP that it was overstepping its mandate. See Crisis Group Briefing, *Dangers of Shutting Down Dialogue*, op. cit., p. 9.

<sup>67</sup> Crisis Group interview, Jayapura, 14 July 2010.

ate Jakarta. The central government needs to realise that it is in its interest to help the MRP succeed, because if it fails, Special Autonomy – the best hope for Papua-Jakarta relations – will be badly, if not irreparably damaged.<sup>68</sup>

SK14 was a serious effort to address a serious problem, and the government should have invited discussion, rather than closing it off.

#### D. CONSEQUENCES FOR DIALOGUE

Some of the Papuans who have been advocating dialogue with the government believe that the consultation and its results have furthered their goal because next to the demand for a referendum, their position suddenly seems more reasonable.<sup>69</sup> The militancy of the recommendations could remind the government of the perils of not talking, and it is true that events over June and July seem to have produced some movement in Jakarta. On 14 July, Home Affairs Minister Gamawan Fauzi told the press that President Yudhoyono had instructed the cabinet to study the recent developments in Papua and the demand for the “return” of special autonomy.<sup>70</sup> At a meeting on 23 July between members of the Indonesian national parliament and senior security officials, participants acknowledged that implementation of special autonomy in Papua had been “less than optimal” and that more evaluation was needed.<sup>71</sup> Finally on 29 July, President Yudhoyono addressed the issue, saying an audit of special autonomy was needed: “There have been so many letters sent to me, as if Jakarta were neglecting the issue, as if there were not enough funds”.<sup>72</sup>

An audit would be useful, but the issues are not just about money as most Jakarta-based officials seem to assume. Minister Fauzi noted that Papuans are now receiving the equivalent of Rp10 million (\$1,100) per capita per year from the central government, compared with about one million (\$110) per capita on Java, and that this would dry up if *otsus* were cancelled. Former Vice-President Jusuf Kalla said much the same thing at a lecture in Australia in June. Asked about the prospects for dialogue on Papua, he said in effect there was nothing to talk about because

Jakarta had already given everything it could. “We’re subsidising them to the tune more than a billion dollars each year. People in Papua think that Jakarta exploits them but we don’t take a single cent from them now. What is there to negotiate?”<sup>73</sup>

It is precisely the non-economic aspects of special autonomy that most need discussion, but if the attitudes of police and military officials in Jayapura are any indication, the advice to their counterparts in Jakarta will be, “Don’t do it”. To them “dialogue” conjures up an image of two equal parties, something that officials in Jakarta, with East Timor’s independence still fresh in their minds, want at all costs to avoid. In fact, avoiding the word “dialogue” might make a meeting more palatable to the Papuan hardliners as well, who will only accept the concept if an international mediator is present and all political options, including independence, are on the table. “If a neutral third party isn’t present”, said one, “then it’s not a dialogue, it’s a social visit”.<sup>74</sup> Politically, however, international involvement is a non-starter.

The trick will be to see if the key decision-makers in Jakarta can be persuaded that talks with a delegation of Papuan leaders can be constructive. Neles Tebay, a key proponent of dialogue, says that an initial conversation could simply be about what Papua should look like in the future and what it will take to get there.

The government gave away all this money but never made a grand strategy, asking Papuans “Where do you want to be after 25 years of *otsus*?” It shouldn’t be determining the goals but it could at least facilitate the discussion. The government can set its own terms for negotiation. But it’s got to begin to approach the Papuans.<sup>75</sup>

## VII. CONCLUSIONS

There is a huge gulf in perspectives between the Indonesian government and Papuans on what has gone wrong with special autonomy. Each sees the other as the problem. The difference is that the Papuans are growing increasingly angry, while for senior officials in Jakarta, it is a distant, if chronic problem of no urgency whatsoever. If the recommendations from the consultation have pro-

<sup>68</sup> Crisis Group Briefing, *Dangers of Shutting Down Dialogue*, op. cit.

<sup>69</sup> For specifics on one proposal for dialogue, the Papua “road map”, see Crisis Group Report, *Radicalisation and Dialogue in Papua*, op. cit.

<sup>70</sup> “Presiden Minta Otsus Papua Dirampungkan”, *Kompas*, 14 July 2010.

<sup>71</sup> “Otonomi Khusus Papua dan Aceh Diakui Belum Optimal”, *Koran Tempo*, 24 July 2010.

<sup>72</sup> “SBY Calls for Papua Audit to Deal with Grievances”, *Jakarta Globe*, 29 July 2010.

<sup>73</sup> Jusuf Kalla, “Making Good Economic and Social Policy in a Democratic Indonesia: An Insider’s Perspective”, lecture to Indonesia Study Group, College of Asia & the Pacific, Australian National University, 10 June 2010.

<sup>74</sup> Crisis Group interview, Markus Haluk, Papuan Central Highlands Student Association (Asosiasi Mahasiswa Pegunungan Tengah, Papua Indonesia) Jayapura, 14 July 2010.

<sup>75</sup> Crisis Group interview, Neles Tebay, Jayapura, 11 July 2010.

vided a jolt, that may not be a bad thing. The danger is that Papuans conclude that the only way to rouse Jakarta is through upping the political ante.

Many Papuan leaders, both moderate and militant, believe Jakarta has systematically undermined the concept of autonomy since Papua was divided in 2003 and is unwilling to give up anything but money. They have a point. Crisis Group interviews with non-Papuan officials revealed a rigid conviction about the primacy of national laws that would seem to halt affirmative action in any field – raising questions about what autonomy really means.

Deeply ingrained attitudes of many officials about Papuan backwardness do not help. “It’s not that Papuans are lazy or stupid”, one local police official said. “It’s just that they’re still in the Stone Age”.<sup>76</sup> Another said Papuans were always complaining that migrants controlled the economy but they had only themselves to blame for making no effort to compete.

Go to Lake Sentani and look at how the Papuans fish. Do they use nets? No, they use spears. They spear four or five fish and then go home. The migrants use nets and get enough fish to sell beyond their own needs. They look for opportunities, niches. Why don’t the Papuans?<sup>77</sup>

This tendency of many officials to blame Papuans for their own problems, and of Papuans to see Jakarta as being responsible for all ills, is part of the gap that could be bridged through a constructive exchange that focuses on Papua’s future without neglecting its past. The central government must recognise, however, that the root of the problem is political, not economic. Discontent and resentment go well beyond the pro-independence community, and a dialogue continues to offer the best hope of coming up with solutions.

**Jakarta/Brussels, 3 August 2010**

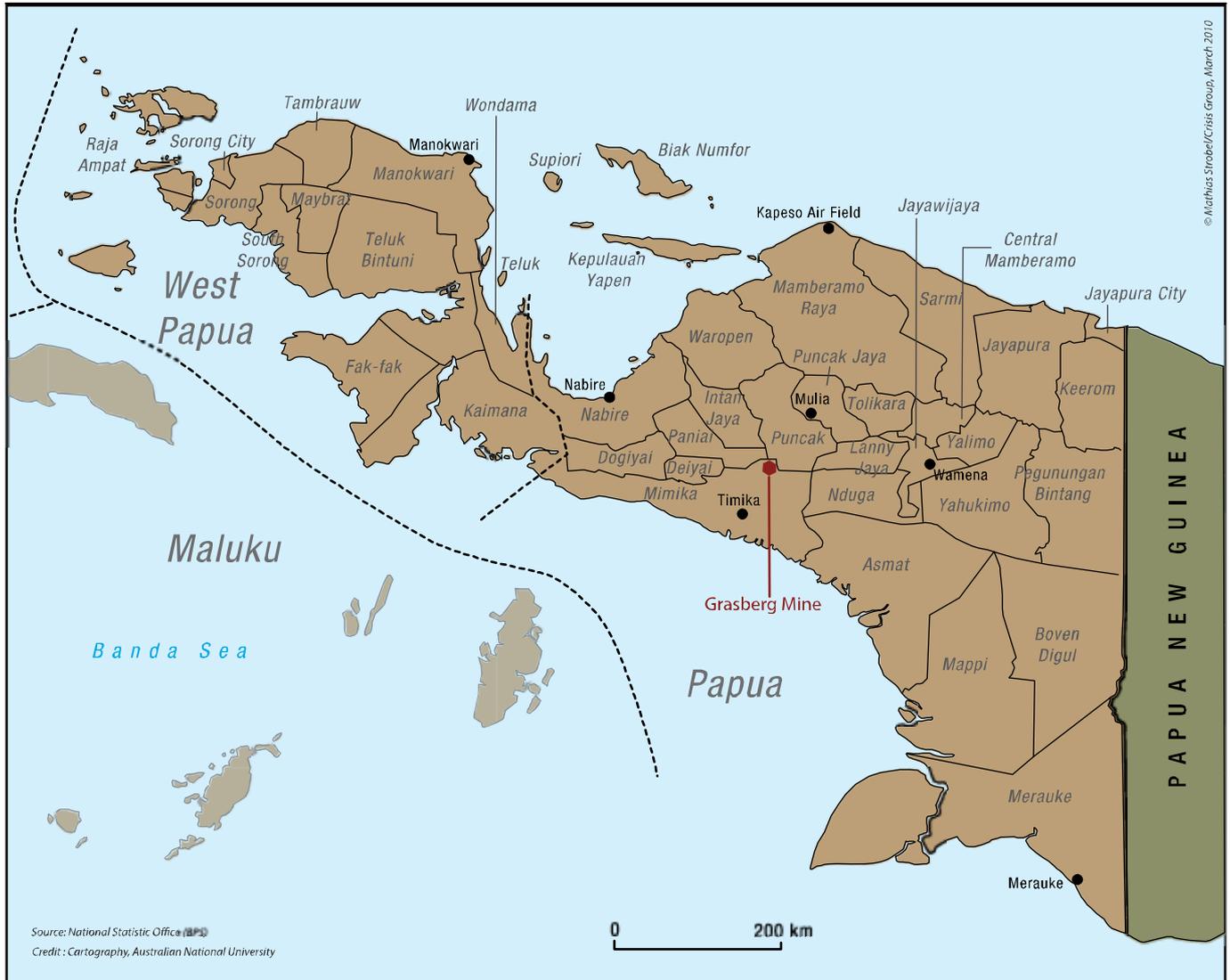
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<sup>76</sup> Crisis Group interview, police officer, Jayapura, 13 July 2010.

<sup>77</sup> Crisis Group interview, military officer, Jayapura, 14 July 2010.

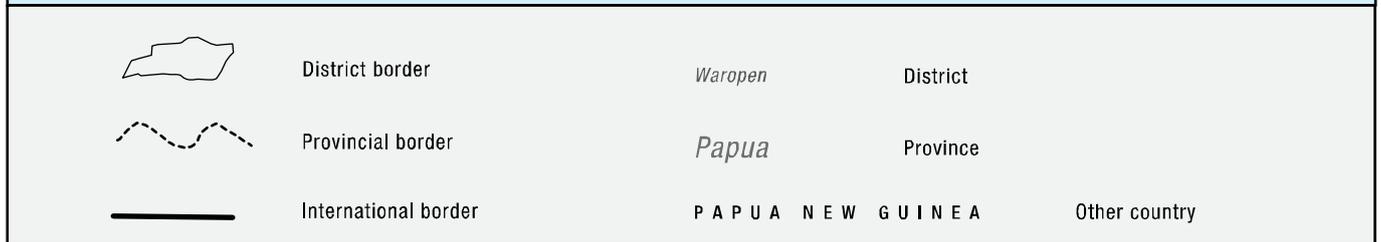
APPENDIX A

MAP OF PAPUA/WEST PAPUA PROVINCES



Source: National Statistic Office (BPS)  
 Credit: Cartography, Australian National University

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## APPENDIX B

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in fourteen additional locations (Baku, Bangkok, Beirut, Bujumbura, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria, Sarajevo and Seoul). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh,

Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, Russia (North Caucasus), Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Morocco, Saudi Arabia, Syria and Yemen; and in Latin America and the Caribbean, Bolivia, Colombia, Ecuador, Guatemala, Haiti and Venezuela.

Crisis Group receives financial support from a wide range of governments, institutional foundations, and private sources. The following governmental departments and agencies have provided funding in recent years: Australian Agency for International Development, Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Belgian Ministry of Foreign Affairs, Canadian International Development Agency, Canadian International Development and Research Centre, Foreign Affairs and International Trade Canada, Czech Ministry of Foreign Affairs, Royal Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Commission, Finnish Ministry of Foreign Affairs, French Ministry of Foreign Affairs, German Federal Foreign Office, Irish Aid, Japan International Cooperation Agency, Principality of Liechtenstein, Luxembourg Ministry of Foreign Affairs, New Zealand Agency for International Development, Royal Norwegian Ministry of Foreign Affairs, Swedish International Development Agency, Swedish Ministry for Foreign Affairs, Swiss Federal Department of Foreign Affairs, Turkish Ministry of Foreign Affairs, United Arab Emirates Ministry of Foreign Affairs, United Kingdom Department for International Development, United Kingdom Economic and Social Research Council, U.S. Agency for International Development.

The following institutional and private foundations have provided funding in recent years: Carnegie Corporation of New York, The Charitable Foundation, Clifford Chance Foundation, Connect U.S. Fund, The Elders Foundation, William & Flora Hewlett Foundation, Humanity United, Hunt Alternatives Fund, Jewish World Watch, Korea Foundation, John D. & Catherine T. MacArthur Foundation, Open Society Institute, Victor Pinchuk Foundation, Ploughshares Fund, Radcliffe Foundation, Sigrid Rausing Trust, Rockefeller Brothers Fund and VIVA Trust.

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**International Headquarters**

149 Avenue Louise, 1050 Brussels, Belgium · Tel: +32 2 502 90 38 · Fax: +32 2 502 50 38  
Email: [brussels@crisisgroup.org](mailto:brussels@crisisgroup.org)

**New York Office**

420 Lexington Avenue, Suite 2640, New York 10170 · Tel: +1 212 813 0820 · Fax: +1 212 813 0825  
Email: [newyork@crisisgroup.org](mailto:newyork@crisisgroup.org)

**Washington Office**

1629 K Street, Suite 450, Washington DC 20006 · Tel: +1 202 785 1601 · Fax: +1 202 785 1630  
Email: [washington@crisisgroup.org](mailto:washington@crisisgroup.org)

**London Office**

48 Gray's Inn Road, London WC1X 8LT · Tel: +44 20 7831 1436 · Fax: +44 20 7242 8135  
Email: [london@crisisgroup.org](mailto:london@crisisgroup.org)

**Moscow Office**

Belomorskaya st., 14-1 – Moscow 125195 Russia · Tel/Fax: +7-495-455-9798  
Email: [moscow@crisisgroup.org](mailto:moscow@crisisgroup.org)

**Regional Offices and Field Representation**

Crisis Group also operates out of over 25 different locations in Africa, Asia, Europe, the Middle East and Latin America.

See [www.crisisgroup.org](http://www.crisisgroup.org) for details.

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