

West Papua and Australia's foreign policy elite

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Observers of Australian foreign policy over the years will know that the intensity of Canberra's concerns about human rights violations in the world is usually inversely proportional to their geographic proximity. Our foreign policy elite fretted over repression behind the Iron Curtain in the Cold War, racial discrimination during the apartheid era in South Africa, and today the threat posed to the people of Afghanistan by the Taliban.

When it comes to our own region, however, the agony of selfless concern for others is normally replaced by a remarkably self-interested indifference to human suffering, including the agonies we have played no small role in perpetuating.

The issue of the day is the bipartisan political attack on asylum seekers, a "debate" which lacks all perspective and context – in fact it scarcely qualifies as a debate if that is defined as an exchange of ideas. The appropriate context for our concern about the number of boat people seeking asylum in Australia – which you won't hear about during the election campaign - is one of the most serious consequences of the crimes we committed in Iraq.

Apart from the number of internally displaced people we uprooted (possibly the largest per capita figure in recorded history), since March 2003 millions of Iraqis have fled the country and been very generously accepted by Jordan and Syria. Literally millions, including almost the entire professional class of the country. And how much assistance have we offered Jordan and Syria to cope with a refugee influx on this scale? The US and Australia have given virtually nothing. In fact the very question of our joint responsibility for these people isn't even raised. It's a non-issue. No prizes for guessing why.

And yet we have a moral panic each time a boatload of asylum seekers arrives in Australia. Nothing the "people smugglers" have achieved in recent years is even remotely comparable with what we and our allies have done in the Middle East, to say nothing of our ongoing responsibility for Afghan refugees.

In other words, our indifference to the fate of people we helped drive out of their country (which we have also helped to destroy and occupy) is inversely proportional to the hysteria generated about a handful of miserable desperates arriving on our northern shores.

What must the Jordanians and Syrians, who reap some of the most demanding consequences of our invasion and occupation of Iraq - on a scale unimaginable here - make of an election campaign where the major political parties have tried to turn a handful of asylum seekers into a major issue for voters? Perhaps Mr Abbott's political hero, who together with President Bush and Prime Minister Blair was responsible for the exodus to Jordan and Syria, has an answer?

Let's briefly remind ourselves about Australia's role in East Timor's immiseration under 24 years of brutal occupation. I don't want to rake over an ugly and distressing history which is now well known, but confine my comments to some of the language used by officials to delay, and in their eyes hopefully prevent East Timor's march to freedom. I want to do this because it is the same attitude and phrasing which is being deployed against people arguing for West Papua's freedom today.

After their spectacular moral and political failures in the last quarter of last century, Australian Government ministers and diplomats, including the infamous Jakarta lobby, seem determined to stand on the wrong side of the region's history again.

Let us recall their modus operandi. Australians who campaigned for independence and against human rights abuses in East Timor were defamed as "racist" and "anti-Indonesian" for supporting "a lost cause which raises false hopes, prolongs conflict and costs lives" (Richard Woolcott). Civilian massacres which reached genocidal proportions were only "aberrant acts," Indonesia's takeover of East Timor was "irreversible" and it was "quixotic to think otherwise" (Gareth Evans). The policy was clear: "we're not going to hock the entire Indonesian relationship on Timor" (Paul Keating).

Let us now fast forward to a US-Indonesia Society lunch in Washington, held in March 2006 - three months after the 43 West Papuans arrived in northern Australia by boat. The lunch was addressed by former ASIO head and, at the time, Australian Ambassador to the United States Dennis Richardson. Richardson, one of Canberra's great bureaucratic survivors, is now the Secretary of the Department of Foreign Affairs and Trade.

Richardson began his speech by outing himself as an unapologetic member of the Jakarta Lobby, an honest and truthful admission, particularly given that most other members of the Lobby deny its very existence.

In a disingenuous characterisation, however, Richardson claimed that critics of the Lobby had attacked "government officials, academics and some in business ... [who allegedly] conspire together to pervert Australia's true national interests for those of Indonesia." Because those who have served in both Jakarta and Canberra on Indonesian issues are "considered part of this conspiracy," Richardson is happy to be counted amongst them.

Of course the actual charge against the Jakarta Lobby is that it protected and defended a corrupt and brutal Javanese elite which had little concern for the interests of ordinary Indonesians. The Lobby argued for good relations with the regime in Jakarta – especially its vicious and unaccountable military - regardless of the appalling crimes it was committing in Aceh, East Timor or West Papua. For Richardson, however, this is not terrorism but something else, presumably nation building.

After claiming in his speech that Indonesia “is working hard to address issues in Papua,” without supporting such an assertion with evidence, Richardson made some even more extraordinary remarks in response to questions from the floor.

First he argued that “Papua is part of the sovereign territory of Indonesia and always has been,” a claim that would have made his audience – including Indonesia’s Ambassador to Washington – blush with embarrassment, to say nothing of any Dutch observers or Australian WW2 servicemen who might recall a different history. Richardson is apparently unaware that throughout the 1950s Robert Menzies, Percy Spender and Richard Casey opposed Indonesia’s territorial claim to West Papua and supported the right of its Melanesian inhabitants to determine their own political future. Until 1961, Canberra preferred that “the Dutch remain in West New Guinea until self-determination can be exercised and hopes that the Papuans would elect some status other than association with Indonesia.”

Next, Ambassador Richardson – as he was then - attacked those supporting freedom in West Papua in strikingly similar tones to those used to demonise Australians who assisted the East Timorese in their struggle. He said it was “possible to ask the question whether those whose *raison d’etre* was (the independence of) East Timor has now become Papua and perhaps those critics cling to an Indonesia that no longer exists. ... For them to accept the Indonesia of today and to actually reinforce the positive developments in Indonesia is to deny them their *raison d’etre*.”

Richardson adopted an interesting line of attack. Criticise people because their concern for human rights violations extends beyond the boundaries of one territory (East Timor) and into another where others are subject to the same attacks (Aceh, West Papua, etc) – who could be ashamed of such a *raison d’etre*? – and then argue that because Indonesia is now a procedural democracy, no further claims of widespread abuses are valid.

These remarks display an ignorance of how far Indonesia must still travel before it could claim to have developed a democratic political culture. Free elections do not guarantee humane treatment of the population by security forces. Total civilian control of the military and police is but one of several pre-requisites yet to be properly addressed. And as Richardson well knows, it was the same activists campaigning for freedom in East Timor who led the call for a democratic transition in Indonesia while he and his diplomatic class held hands with the dictator Suharto, thwarting the very changes he now wants to champion.

More concerning is Richardson's failure to either notice or care about the deterioration in conditions for the indigenous inhabitants of West Papua since Indonesia's political reforms. Where are the "positive developments" for them? Why hasn't the arrival of democracy in Indonesia ended what the Immigration Department in Australia found to be political persecution? What sort of democracy prevents external scrutiny of its actions by barring the entry of journalists, academics and politicians into its Eastern province? What is Jakarta hiding?

In words borrowed from a former Australian Prime Minister who found East Timor to be an irritant in his own personal odyssey with General Suharto, Richardson is unconcerned by the atrocities committed against the Republic's Melanesian people: "... I certainly don't believe that policy approaches to Indonesia should be held hostage by the issue of Papua." Apparently there is no middle ground. Policy is either a "hostage" to Jakarta's behaviour in West Papua, or it should completely ignore whatever crimes are committed there.

Richardson's attempt to stigmatise critics of Indonesia's behaviour in West Papua was reinforced by the Immigration Minister at the time, Senator Amanda Vanstone, who later left the Howard Ministry to join Richardson on the greener pastures of diplomatic service. Vanstone claimed that "separatism is a toxic cause" and evidence of "racist sentiment" – despite the embarrassing and politically awkward fact that her own department found the 43 West Papuan "separatists" who arrived on Cape York in January 2006 were in fact fleeing persecution.

Richardson is just one of a long list of Australian officials who are more committed to West Papua's retention within the Republic of Indonesia than those unfortunate enough to live in the territory seem to be. His recent elevation to DFAT Secretary continues Australia's diplomatic tradition of appointing members of the Jakarta Lobby to the most senior positions in the foreign policy and intelligence bureaucracies.

Human wrongs in West Papua

Beyond the recidivism of the Jakarta lobby, the picture of human rights abuses in West Papua is all too depressingly familiar - especially to those who know what went on in East Timor between 1975 & 1999. The crimes against West Papuans have been:

- *systematic & state sponsored* (more accurately state terrorism, but of the kind that doesn't excite or even interest Western political elites, including the use of militias to target independence activists);
- *grave* (bordering on genocide - perhaps 400,000 unnatural deaths over four decades, according to a Yale University Law School study; and

- *committed with impunity* (there is no appetite in the Indonesian legal system for prosecuting those responsible for crimes over a long period – there is no accountability).

The crimes have been characterised by

- *the political persecution of independence activists* (the Free Papua Movement [OPM - Organisasi Papua Merdeka] and others have been targeted. Estimates suggest that up to 20% of Kopassus's 5,000 personnel are stationed in West Papua – why?;

- *cultural attacks* against Melanesians (including attempts to alter the demographic balance in the territory through transmigration);

- *the expropriation of wealth from natural resource exploitation* (the enormous mineral wealth of the province – from the Freeport mine in particular - should have made the West Papuans the wealthiest people on the planet, not some of the poorest); and

environmental destruction (pollution of river systems by tailings dams, illegal logging, etc).

Importantly these crimes have been extensively documented in studies by Yale University's Law School and the Centre for Peace and Conflict Studies at the University of Sydney, TAPOL, Human Rights Watch and Amnesty International, amongst others. No-one, especially neighbouring governments and their diplomats, can plead ignorance about the plight of the indigenous people in the territory. In fact the evidence of human rights violations in West Papua has probably been more comprehensively documented than they were in East Timor during its period of Indonesian occupation. Then again, the crimes have been going on much longer.

This is despite the enormous risks that are taken by those who gather the data, and the indifference and hostility to their claims by governments, and the mainstream media, in countries such as Australia.

Remarkably, the 2006 determination by Australia's Department of Immigration and Multicultural Affairs, that the 43 West Papuans were refugees under the UNHCR definition – that they faced a "well founded fear of persecution" if they were forcibly returned home – elicited no changes in Australian foreign policy towards Indonesia, other than an agreement between the governments to make subsequent flights to freedom more difficult and risky.

Preventing further embarrassment to both governments was clearly the first priority. Canberra could have asked Jakarta to stop the persecution of people in the province, and – if heeded – many of the political problems in the province would have eased. Instead, the old East Timor policy of appeasing Jakarta, blaming the victims and messengers, as well as avoiding the root causes of the problem, were again reflexively adopted. The challenge for both governments ever since has not been to terminate or even attenuate the abuses, but instead to prevent further exposure of the crimes committed in West Papua, with only mixed success.

Mistaken assumptions

Successive Australian Governments since the mid 1960s have adopted the view that political stability across the Indonesian archipelago - which they believe is bedeviled by inherent centrifugal forces - can only be secured through military repression. This largely explains Canberra's indifference to Indonesian military atrocities throughout the Republic. In fact precisely the opposite is true. State terrorism is a primary cause of political fragmentation and secession in Indonesia. A few points about this deserve elaboration:

- fears about the Balkanisation of Indonesia are largely irrational and unfounded (and don't exist to any serious degree beyond Aceh & West Papua). Promoting stability in a territory is meaningless unless you understand what is being stabilised there (in West Papua this means stabilising political repression and human rights violations);
- Canberra looks foolish and wins few admirers beyond the Javanese political elite when it appears more committed to West Papua's retention within the Republic of Indonesia than the people of the province are themselves;
- the political boundaries of states are not immutable, and in fact they change all the time (think of the USSR, Germany, Yugoslavia, East Timor, Czechoslovakia - Palestine, Korea, Cyprus, Kosovo), and are not as sacred or sacrosanct as often claimed by those who profit from the status quo;
- self-determination is not a once and forever event - people have the right to reconsider their political arrangements, especially when the bonds of nationalism are broken by state violence and exploitation;

The International Court of Justice (ICJ) opinion granting Kosovo the right to declare its independence may have implications for Papuans pursuit of self-determination.

The ICJ ruled that Kosovo's 2008 declaration of independence from Serbia did not violate international law. The ICJ decision has drawn broad international comment, much of it arising from the prospect that other cases involving secessionist movements might be advanced by this "Kosovo precedent." The Kosovo case was the first case of unilateral secession to be brought before the

ICJ.

Several principles established within the ICJ decision may apply to the call for a Papuan "right to self-determination." These include the ICJ's acceptance of the presumption in international law that civil and human rights, including the rights of minorities, should be protected. A Dutch government submission to the ICJ in the Kosovo case, for example, would appear to be relevant to the West Papua situation:

"The people of Kosovo had the right to self-determination and secession from Serbia because the Belgrade authorities systematically violated civil and human rights of Albanians for years. International law thus allows the proclamation of Kosovo's independence."

The violation of Papuan civil and human rights has, as I have argued, been comprehensively documented by several independent bodies.

- before we consider the possible consequences of altering state boundaries, we need to first ask what are the human costs of maintaining the status quo? Does Australia believe what is going on in West Papua is tolerable and sustainable?

One question which Canberra and Jakarta always refuse to ask will elicit answers to most of these issues - what do the people of West Papua want?

Responsibilities of outsiders

What responsibilities do outsiders have in promoting freedom and humanitarianism in West Papua?

First, outsiders should not reflexively support independence for West Papua, or integration with Papua-New Guinea or Indonesia, or any other specific option. Instead they should support the right of the people of West Papua to decide their own political arrangements - their right to self-determination. The freedom they are entitled to, which can be supported by those outside the territory, is the freedom to choose their own political future.

This is the political principle at stake in West Papua. The right to fashion their own preferred forms of political community has been denied to them by a range of outside groups:

- Indonesia's territorial claim as inheritor state of the Dutch East Indies is based on the paradox of sanctifying the borders of a colonial system Indonesia's nationalist founders themselves despised and violently resisted;

- the United Nations was complicit in holding and validating a sham plebiscite, the Act of Free Choice in 1969, which has no moral or legal legitimacy. The people of West Papua have never freely consented to the sovereign authority of Indonesia via a Dutch transfer (5);

- the diplomatic preferences and conveniences of others, including the Australian Government, which reinforce and legitimise Indonesia's territorial claim (as it did with East Timor), thus denying the West Papuans the opportunity to make their choices, are of little significance.

Secondly, if the West Papuans are to enjoy the rights others take for granted, their struggle needs to be internationalised. This will not be easy. The East Timorese eventually received the patronage of their former colonial overlords, the Portuguese. The West Papuans cannot expect similar levels of support from the Dutch in the foreseeable future. The sponsorship offered by Vanuatu is a start but it won't be sufficient. Opposition by PNG virtually cancels it out and even the Vanuatans couldn't get the issue on the agenda of the Pacific Islands Forum recently.

Thirdly, a starting point for terminating so many injustices in West Papua is for the United Nations to acknowledge the error of its ways in 1969 and revisit the issue so that an authentic expression of political intention can be made. This is a responsibility New York should not be able to avoid. But which state will sponsor such a move before the Security Council? Another Scandinavian state?

Fourthly, the demilitarization of the province, an end to endemic corruption, terrorism, exploitation, and cultural repression in the territory, together with investigations into crimes against humanity committed in West Papua must all take place simultaneously, regardless of what transpires in the short term on the political front. Accountability for these crimes is a pre-requisite to any political solution. These are matters of justice and can't be bought off by offers of "special autonomy."

Conclusion

To conclude and restate - it is not for outsiders - in Jakarta, Canberra or Washington - to decide what is best for the people of West Papua. Our responsibility is to see that the West Papuans get the opportunity to have their own choice - whether it is for retention within Indonesia, reunification with PNG or independence. We must also ensure that they are not persecuted for seeking to exercise this right - a right we take for granted ourselves. Successive Australian Governments may be opposed, but over 75% of Australians support the right of West Papuans to self determination, even if this means separation from Indonesia.

Secession is usually a product of political or military repression. It is never a political whim - the costs are always too high. The fact that many West Papuans want to leave the province, both politically and physically, should remind the Dutch, the US, the Australians, the UN and the Indonesians, that until an historical wrong is corrected, this issue will continue to fester.

Special autonomy, granted by Jakarta in 2001, has utterly failed to improve the situation in the territory for 60% of its 4.5 million citizens – the Melanesians, though economic and trans migrants have fared much better. For West Papua's indigenous, poverty, poor education and declining public health are the lowest of all of Indonesia's provinces. Journalists, politicians and human rights monitors are still banned from West Papua – so what is there to hide? Suggestions that a peace process based on the successful Aceh-2005 model were rejected out of hand by the Indonesian Government.

Forty years ago Robert Komer (US National Security Council, 1961-5 and Deputy Special Assistant to the President Kennedy) described West Papua as "a few thousand square miles of cannibal land" whose only known major resource was "shrunk human heads." Disingenuous or not, he couldn't have been wider of the mark. If the people of West Papua had control over their own political and economic lives, they would be some of the happiest and the wealthiest people in the world. Tragically, they are some of the saddest and poorest.

Footnotes

(1) Address by Dennis Richardson Australian Ambassador to the United States to the *US-Indonesia Society*, Washington DC – 8 March, 2006:

<http://www.austemb.org/speechUS-IndonesiaScty0306.htm>.

(2) 'Ambassador scolds pro-Papua mob', *The Australian*, 10 March, 2006.

(3) Elizabeth Brundige et al, *Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control*, Allard K. Lowenstein International Human Rights Clinic, Yale Law School, April 2004.

See also John Wing with Peter King, *Genocide in West Papua? The role of the Indonesian state apparatus and a current needs assessment of the Papuan people*, West Papua Project, Centre for Peace and Conflict Studies, University of Sydney, and ELSHAM Jayapura, Papua. August 2005.

See also Peter King, *West Papua & Indonesia Since Suharto: Independence, Autonomy Or Chaos?* (UNSW Press, Sydney 2004).

(4) See the work of the West Papua Project: Promoting Dialogues for Peace, Centre for Peace and Conflict Studies, University of Sydney

(5) *Indonesia's 1969 Takeover of West Papua Not by "Free Choice": Document Release Marks 35th Anniversary of Controversial Vote and Annexation*. National Security Archive, July 9, 2004.

(6) See Gerry van Klinken, 'The East Timor Truth Commission Report Shines', APSNet, Policy Forum Online 06-01A, 2006-02-06.