Building Sustainable Peace and Fostering Development in Papua

Final Report of the E-Conference

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Center for Security and Peace Studies Gadjah Mada University
PUSAT STUDI KEAMANAN DAN PERDAMAIAN (PSKP) UGM

EXECUTIVE SUMMARY

From 20th June through the 5th of July 2002, the Conflict Prevention Initiative of the Harvard Program on Humanitarian Policy and Conflict Research (CPI HPCR) in cooperation with the Center for Peace and Security Studies at the University of Gadjah Mada (CSPS) carried out a series of activities under the theme: "Building sustainable peace and fostering development in Papua".

This event was an effort to gather ideas and support from those representing Papua in the fields of peacebuilding and development. Using the Internet to discuss policies in the field of conflict prevention, this CPI-CSPS event also aimed at providing a platform for spreading information and strengthening networks between participants and decision makers at the national and inter-national levels.

The event started with a roundtable discussion at the University of Gadjah Mada on 20-22 June 2002, with 8 people from Papua representing the academic world, NGOs, religious organizations, customary institutions, women's groups and youth. The main ideas that emerged during this discussion then became entry points for the e-conference, an online virtual discussion online in Indonesian. The e-conference took place between 24 June and 25 July 2002, with the participation of 89 people from various backgrounds. Simultaneously, an e-forum was carried out in English, with the participation of 32 people.

| round table discussion 20-22 June 2002 | → | e-conference 24 June–25 July 2002 |
| | → | e-forum 24 June –25 July 2002 |
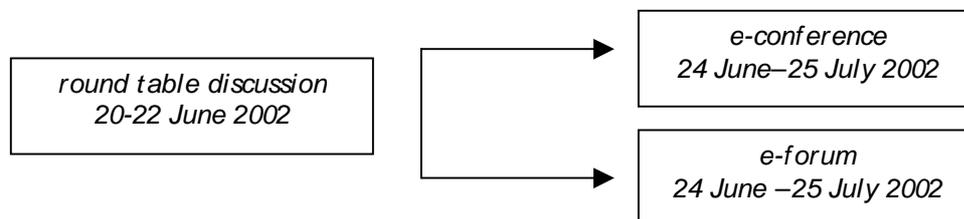
The roundtable discussion, e-conference, and e-forum generated many thoughts, debates and recommendations concerning the dimensions of the Papuan issue. The principal themes of discussion and areas of recommendation can be summarized as follows:

· Dialogue
· Political history
· Fundamental rights
· Special Autonomy
· Violence, militarism and human rights violations
· Foreign multinational companies
· Third party facilitation

Dialogue

Participants agreed that dialogue is the most appropriate way to solve the problems in Papua. In this regard, dialogue needs to be carried out at three different levels: among groups within Papua; at the national level between Papua and the central government; and at the international level, particularly by involving the United Nations and some member states such as Indonesia, Australia, Holland and the United States. The agenda for the dialogue at a national level, proposed by Papuans themselves, could be (1) review the history and political status of Papua, (2) investigate Human Rights violations, and (3) determine how to improve the welfare of local populations.

Political history

A majority of participants agreed that the history of Papuan integration into the Republic of Indonesia (NKRI) continues to put considerable strain on the relationship between Papua and the central government. Papuan representatives believe that the integration of Papua into the Republic of Indonesia was in fact engineered with the cooperation of the UN and some member states such as Holland, the United States and Australia. For this reason, participants saw a need to reconsider the history of Papuan integration into Indonesia in order to understand what really happened before and around the 'opinion poll' of 1969.

Fundamental rights

The need to provide protection for fundamental rights in Papua became a topic of discussion. Included in these rights is the right for the population of Papua to live in peace, carry out their everyday activities and pursue their own interests. Fundamental rights also include cultural rights of the Papuan people with regards to the land and forests and their role in local cosmology. It was noted that the position of traditional institutions such as the Papuan Customary Council (Dewan Adat Papua) as a body that protects Papuan cultural rights, both at the district and town level, needs to be acknowledged and strengthened.

Special Autonomy

According to participants, the Papuan people refuse Special Autonomy because the scheme only covers social and economic aspects while neglecting other problems such as human rights violations and a review of the official version of Papuan history.

Some participants even thought that the establishment of special autonomy would produce new problems such as conflict within Papuan bureaucracy, for instance between governors and regents (Bupati), as well as between legislative and executive powers. Participants considered that the scheme for Special Autonomy still needs debating, modification and assessment.

Violence, militarism and human rights violations

The Papuan population has long witnessed and experienced violence and human rights violations, particularly as a result of excessive military action. Reports of human rights violations and violence in Papua have not been based on thorough investigation. Participants pointed to the fact that violence in Papua was also caused by the presence of militia groups. It was agreed that violence towards civilians, human rights violations, and militarism need immediate attention.

Foreign multinational companies

Participants considered that foreign multinational companies operating in Papua – such as Freeport McMoran and BP needed to reassess their operations. It was also noted that there is a need for these companies to pay closer attention to the environment and local customs, as well as to the welfare of local populations. At the same time, multinational companies should review their cooperation with the military in security matters.

Third party facilitation

Participants stressed that the presence of a third party that is neutral, competent, and acceptable to all is needed to overcome the current deadlock between the central government and Papuan representatives. Until now, there has been very little trust on the part of Papuan people towards the central government and vice-versa. The presence of a third party is not only needed to facilitate dialogue, but also to discuss the agenda for this dialogue. However, participants did not agree on who the third party should be, or whether central government would accept the terms of a third party.

DIALOGUE

Participants noted that the 'Papuan People's Congress' in 2000 decided that 'dialogue' should be the main political strategy for solving the problems in Papua. The previous approach— military operation and legal processes—was not only insufficient but also bred distrust and resentment towards the government. The agenda offered by Papuan representatives was associated with three major issues: (1) political status and historical review, (2) investigation of human rights violations, and (3) improved standards of living. According to participants, the dialogue needs to be carried out at every level, intra-Papua, between the central government and local representatives (center-regional), and at the international level. An intra-Papua dialogue would articulate the aspirations of every ethnic, religious, and socio-political group in Papua. The center-regional dialogue should go beyond the two major interest groups (Jakarta and Papua). It is essential to remember that within these two groups exist diverse sub-groups. For this reason, there must be a careful identification of potential participants at the pre-dialogue stage. Groups that need to be involved in the center-regional dialogue are:

- the President

- the military

- the central legislative body

- the Coordinating Minister for Politics and Security (Menkopolkam)

- the Minister for Domestic Affairs

- the President of the Papuan Council

- the Free Papua Movement (OPM)

- the Papuan Customary Councils (dewan-dewan adat Papua)

- Papuan religious leaders

- other Papuan representative

Recognition of these independent groups within the larger grouping (Papua and Jakarta) will help build trust and guarantee the implementation of dialogue results. The international dialogue should include parties associated with Papuan history, such as Holland, the US, Australia and the UN.

Other issues noted by participants include the need to base dialogue on the principles of equality and mutual respect. This means that the systematic stigmatization of the Papua, which has given birth to an anti-Indonesian sentiment and has put a strain on the relationship between local and central representatives, must be rooted out. Papua should therefore not be seen as a 'troubled province' but as a part of the Indonesian nation that deserves as much respect as any other part does.

A lack of trust towards the central government emerged a few times in the discussion. Some participants said that the experience of the last four decades has had much influence on damaging this trust. In the eyes of participants, the central government has had a few critical opportunities to regain this trust, but failed to take advantage of these opportunities. One such opportunity was the killing of Theys Hiyo Eluay. The local community knew that the killing involved security forces, and was carried out under specific orders. The decision taken by the national investigating commission that established the case as a normal criminal case without political motives was rejected by the community, the Papuan Council, the Church, local NGOs and local government.

On the basis of this low level of trust between the local community and the central government, participants believed that the dialogue needs to be carried out slowly and in stages. At the beginning stage, the dialogue should be focused on developing communication between the parties involved and clarifying circulating rumors. One participant was disappointed that the issue of distrust had not been addressed in the process of dialogue and mediation, when it is a source of conflict in itself. According to this participant, unless rumors are expressed and discussed, they will transform into destructive attitudes.

When some trust has been established, the dialogue can be directed to more substantial issues. Learning from past experience, the discussion need not focus on such outcomes as independence or autonomy. According to participants, this would only create resistance on all sides and render difficult the process of reaching common ground. The dialogue can instead be directed on exploring interests, fears, and alternatives.

The goodwill of the central government is essential in this dialogue. In the view of participants, Megawati's government has limited the space for dialogue by stressing that the conversation should be held within the framework of Indonesia's unity and that it should be focused on the implementation of Special Autonomy laws. Some participants questioned the reason behind the government's stance, and in particular that of Megawati, with regards to the dialogue. Does the government not wish for a dialogue or is it simply incapable of it? If the issue has to do with incompetence—and not willingness to join—then participants thought it would be useless to push for dialogue.

Furthermore, participants expressed the view that Papua receives very little attention. High government officials such as the President and ministers have very rarely visited Papua and on such occasions, dialogue with the community was very limited.

Recommendations

· Dialogue should become the main strategy for all parties to solve the problems in Papua. In order to find a solution, this dialogue should be carried out at three levels: intra-Papua, at a national level and at an international level.

- A solution through dialogue will only be reached if all parties involved, or previously involved in Papua, are ready to take part. For this reason, the following parties should express their readiness to take part in a dialogue aimed at solving the Papuan conflict: the government of Indonesia, Papuan representatives, the UN, the Netherlands, the United States and Australia.

- Dialogue must be understood as a process aimed at improving relationships and trust between the parties involved—it should not only be focused on results. Consequently, the framework and substance of the dialogue will need to remain as open and flexible as possible.

- At the pre-dialogue stage, there will need to be a process of careful identification of the potential participants. A reductive approach to participation that would only involve the main parties like 'Jakarta' and 'Papua' should be avoided as it would likely result in *political hijacking* and a fragile agreement.

- The government of Indonesia should start a dialogue with various elements of the Papuan population, and not simply with the local elite and middle class. The Papuan community should be seen as a heterogeneous entity consisting of many interdependent groups. Approaching only a few major parties will therefore not bring about a dialogue with the potential of solving the Papuan conflict.

- Non-governmental organizations, as well as religious and educational institutions, should take the initiative to facilitate the intra-Papua dialogue, which will aim at bridging the interests of various ethnic, religious and social groups. The principle of inclusiveness should be emphasized as a crucial element of this process.

- Interaction between the Papuan community on the one hand and the international community on the other should be facilitated. All parties can support this process by providing the Papuan community with access to communication facilities and appropriate technology.

POLITICAL HISTORY

The discussion on Papuan political history generated ideas about a possible historical review and the extent to which a new approach to history should be considered.

Some participants defined history as the collective memory of a nation. They regretted the fact that this collective memory was often forced through a power relationship between government and its population. Instead, it was felt that the people themselves should agree on their collective memories. These collective memories could then become a bargaining tool to defend their position. Various propositions as to how history should be reviewed emerged from the above discussion.

Some participants thought that a reconsideration of history was a starting point to solve the issue of Papua's political status. For this reason, a historical review should be done through a process of searching for historical documents, investigation and fact-finding, particularly around the issue of the 'Opinion Poll' (Pepera) of 1969. Participants coming from an academic background proposed consulting associations specializing in historical issues, both in Indonesia and abroad.

Other participants took a more political approach. They believed the process of historical review was unconnected to legal proof. According to them, Papua's historical review should be based on the need for involved parties (in this case the government of Indonesia, the UN, the US, Holland, and Australia) to acknowledge past mistakes.

Some participants thought that an anthropological approach to history, which believes that ethnicity determines Papuan independence, did not justify a struggle for independence. The Papuan struggle is justified by the historical fact that Papua's integration to the Republic of Indonesia took place through a process of 'annexation', whereby the decision was taken by outside parties. The anthropological discussions lead to a consideration of the contemporary Papuan community. Some participants felt there was a need to decide which 'natives' will become Papua's 'legal owner'. They argued that the 'Javanization' process and the uncontrolled flow of immigration from Sulawesi and Maluku has already marginalized the Papuan people. This emphasis on ethnicity was contrasted by another view according to which 'Papua-ness' is based on emotional ties and loyalty to the land and not on ethnicity. This last view saw, ethnic diversity as a cultural wealth fostering values of plurality and reciprocity.

Differences in opinion also emerged while discussing the extent to which history needs to be reviewed. Some felt that a review should focus on the period of Indonesia's proclamation of independence (1945), Round Table Conference (1949), Trikora (1961), Pepera (1969), and the New York Agreement. Others argued for a discussion of even earlier historical events, such as the Ternate negotiations of 1667, which placed Papua under the kingdom of Tidore.

Another approach to Papua's historical review was suggested in the form of a constructive criticism of law number 21 (2001). This approach is based on article 46, which requires the establishment of a truth and reconciliation commission in Papua.

It is important to underline the fact that some participants offered a more general approach to the concept of historical review. According to them, a review was not only needed within the Papuan context, but also within the context of Indonesia's own formation. This approach argues that the state of Indonesia was established on the basis of a bias claim from Jakarta at the expense of other regions in the archipelago. On this basis, a historical review of integration is needed in every part of Indonesia.

Some participants expressed a pessimistic view of the prospects of a meaningful historical review in Papua. One participant noted that Papuan history was a 'creation' of both Jakarta and the Papuan elite, and was based on political interests rather than historical truth. A review of Papuan history would therefore likely turn into a long dispute, as every version of history would be met by strong opposition.

Apart from the above debate, participants agreed that a review of Papuan history needed to be followed by a campaign directed at the entire Indonesian population. In this sense, this review would not only become a starting point for Papua's political struggle, but also a process of reviewing the collective memories of the whole nation. Furthermore, participants hoped that social solidarity would prevail and that the whole Indonesian nation would reflect on the Papuan issue. Participants stressed that honesty, wisdom and openness were essential principles for such historical reconstruction to succeed.

Recommendations

- The government should immediately implement a historical review on Papua, as defined in article 46 of law no 21 (2001).

- In order to facilitate the process, the Indonesian government will need to provide support and space for the various approaches that will emerge during the reconstruction of Papuan history.

- Given that history is the collective memory of a nation, a historical review of Papua should occur in parallel with a national campaign that will portray the Papuan issue in the context of Indonesia's own heritage.
- The international community, and particularly the United Nations, Holland, the United States and Australia will need to provide access to historical documents and to testify as needed.

FUNDAMENTAL RIGHTS

Participants discussed the issue of fundamental rights as a separate topic. They emphasized the need to provide protection against fundamental rights violations in Papua. Focused discussions emerged on the topics of the right to live, cultural rights and human rights.

Many participants emphasized the importance of the right of the Papuan people to live peacefully and carry out their day-to-day activities. Up to now, intimidation and violence such as killings and extortion have produced collective fear and acute sensitivity. Consequently, the population in Papua has felt incapable of carrying out their economic, social, and political activities in a normal way. Papuan community leaders and local government officials have given serious attention to this by passing regulations (Surat Keputusan) on the right to live peacefully. Participants hoped that this decision would eventually be passed as a regional regulation.

Some participants argued that in order to defend the right to live peacefully, institutions such as the Papuan traditional council need to be strengthened both at the provincial and town levels. Before state bureaucracy even existed in Papua, the needs of the community were looked after and regulated by traditional institutions that held executive and legislative authority. Giving back authority to these traditional institutions was seen as a means to strengthen Papua's traditional community, and thereby empower the local civil society.

Cultural rights in the context of Papua were also discussed. Emphasis was placed on the idea that Papua's natural resources should not be considered simply in economic terms. Indeed, natural resources should also be considered as a source of inspiration and wisdom for the Papuan community. For this reason, the perspective of local people towards their land and forest and the function of these resources in the context of local cosmology should be safeguarded. Participants emphasized that in traditional Papuan societies, the forest was not only a source of wood, but also a place to teach children about traditional values.

At this point it was felt that if the local perspective towards the land and forests was not safeguarded, the local communities would run the risk of loosing their cultural identity as well as their traditional economic assets. According to one participant, the Papuan society had already seen the disappearance of sago and sweet potato producing villages as a result of insensitive government policies. Policies on the mass production of rice, for example, have disrupted local cycles; apart from reducing the supply of sago and sweet potatoes, they have also caused famines, as communities had to wait for months before the harvest. Furthermore, rice does not fit with their taste. It was also noted that in the fishing sector, fishermen using traditional methods are being increasingly marginalized by modern practices that prioritized quantity and efficiency.

One participant pointed out that defending fundamental rights (such as protecting the ability to carry out daily activities safely and productively) for the average person was more important than debating the issues of Papua's political status and Jakarta-Papua relations and economic distribution. Those issues were largely the concern of the Papuan and Indonesian elite. He noted that these fundamental rights could be defended outside the framework of the larger issues discussed above.

Out of the discussion on human rights emerged the concept of Human Security. As a multi-disciplinary and non-conventional concept, 'Human Security' was considered better suited to problems of fundamental human rights in the field. The conventional concept of security places the state as the main actor, and territorial integrity as its focus. Logically, if a state is peaceful and safe, so is its population. In contrast, 'Human Security' places human beings as the focus, and concentrates on their physical safety and individual freedoms. Individual freedoms are understood to include the freedom to interact with one's environment and choose one's own lifestyle. In the perspective of 'Human Security', the state will only be safe and peaceful if the physical safety and individual freedoms of its population are guaranteed.

Based on the above comments, the discussion on fundamental human rights moved to a more specific consideration of the rights of the community to access health services and education. One participant noted how difficult it was to obtain proper health treatment and education in Papua, particularly for the poor.

In the eyes of participants, the concept of 'Human Security' offered the possibility to provide fundamental rights to the Papuan people, including the right to live peacefully, cultural rights, and the right to obtain sufficient health treatment and education.

It could of course take another 5 years or more to resolve the conflict between Indonesia and Papua, but this does not mean that the fundamental rights of the Papuan people cannot be guaranteed immediately. Indeed, the government of Indonesia and Papuan representatives could continue to argue and negotiate their differences while respecting these fundamental rights.

Recommendations

· Human rights should be guaranteed in Papua. The right to live peacefully, cultural rights, and the right to obtain sufficient health treatments and education should become a priority, particularly for the government of Indonesia. In this regard, every policy related to Papua should consider the safety, individual freedoms, and traditional culture of the local population.

· As with human rights in general, fundamental rights in Papua should become the subject of local and international campaigns. This concept should be framed in terms of Human Security.

· NGOs, religious institutions, and educational institutions should establish an affordable, non-discriminatory and independent program to provide health and educational services to the population in Papua.

· The role of traditional institutions in the Papuan social system should be revitalized.

SPECIAL AUTONOMY

During the discussion, participants argued that autonomy had become a standard 'strategy' used by the central government to handle regional 'rebellion'. Some then argued that autonomy, meaning self-governance, should already have been given to all regions in Indonesia without exception. According to some, the government's centralist approach in the past had in fact stimulated rebellion and struggle for independence in regions that were already seeking this autonomy.

Some participants explained that the population in Papua in general remained very suspicious of the central government's Special Autonomy plan. They apparently considered that this policy would not solve their problems, as it focused on the redistribution of resources, without dealing with the issues of history, politics and human rights violations.

According to participants, the people's resistance towards special autonomy is also based on the assumption that autonomy is diametrically opposed to independence. Autonomy is therefore seen as another form of repression. In the eyes of participants, the people in Papua can hardly understand how the Special Autonomy would widen their own authority. This is due to the fact that the current process of policy making does not involve the population, and that the details of its content are not popularized. As a result, the perception is that Papuan people would only have limited information on the opportunities and possible consequences of the policy. In that regard, the policy could have better been described to them in terms of increased local authority and opportunities.

One participant pointed out that in order to strengthen the status of the Special Autonomy in Papua, traditional institutions should be revitalized and the local government empowered. According to this view, if traditional institutions are modernized, and the integrity of local government strengthened, the hegemony of a centralized government would be restricted.

Some participants considered that even at the level of central government, the concept of Special Autonomy was not entirely accepted. The military, for example, is thought to consider Special Autonomy as an unacceptable concession that should not be granted to Papua. In the meantime, some bureaucrats only see autonomy as a legal headache, as so many laws, constitutional articles and local government regulations will have to be passed, cancelled and amended.

During the discussion, participants clearly voiced criticism towards the Special Autonomy package. According to them, the policy should better anticipate the emergence of new problems and horizontal conflict, particularly with regard to corruption, collusion and nepotism. Some participants complained about the high level of corruption throughout the Papuan bureaucracy, including corruption of 'special autonomy' funds and budget. The practice of *mark-up* and share cutting on the budget often takes place at the bureaucratic level, to the point that between 40% and 50% of the special autonomy funds are swallowed by corruption.

Other issues discussed include the lack of clear priorities, transparency and accountability in fund allocation (will the funds buy a new plane or improve health services?). Given the context described above, participants were concerned that more money flowing to Papua would not necessarily mean better development, but could on the contrary mean more corruption. One participant argued that opportunities for nepotism would increase in the era of Special Autonomy. According to him, one particular ethnic group dominated the public servant positions in Papua at present.

Another participant emphasized the fact that the above situation was made possible by the absence of detailed operational rules (as it is the case with the allocation of funds at district and sub-district levels), so that on the ground political decisions were still based on power relations between the Papuan elite. At this point, participants expressed their fear that Special Autonomy will only preserve existing repression, and that the change would only translate into a change in perpetrator (and beneficiary), namely the Papuan elite instead of central government.

Given that the problems in Papua cannot simply be solved by autonomy or independence alone, participants saw the need to find alternative solutions. Some participants suggested exploring alternative solutions by framing the Papua issue within a larger context. According to them, the tensions in Aceh, Riau and other regions are symptoms of a more fundamental problem in the political system. It was suggested that a solution may be found by looking for a better form of state or government, and not merely a better relationship between Papua and Jakarta. Here participants suggested federalism as one possible alternative.

Recommendations

· Information regarding Special Autonomy laws should be widely disseminated in detail to all levels of society. This should include both the content of the laws and their implementation, and should involve traditional, religious and ethnic leaders in Papua.

· The government of Indonesia should clarify that its policy on Special Autonomy is not final, but negotiable, open to trial, and revisions until it can guarantee the authority of Papuan people over their own territory.

· The government of Indonesia should speed the process of 'Papuanisation' within the bureaucracy and the private sector, while still upholding the *merit system*. Furthermore the government should incorporate elements of the Papuan elite within the state institutions at a national level.

· In order to anticipate the potential for conflict among the Papuan elite, and avoid irregularities, the government should draft technical proceedings on the basis of the Special Autonomy laws, which will guarantee equitable representation of ethnic and socio-political groups, and clarify allocations of autonomy funds.

VIOLENCE, MILITARISM, AND HUMAN RIGHTS VIOLATIONS

Participants thought that the violence, militarism and human rights violations that occur in Papua were closely related to the central government's claim on Papua as an 'integral part' of the Unitary State of Indonesia (NKRI). This status has legitimated every military operation in Papua. As a result, participants argued that violence in Papua would not easily cease, and that the issue of political status would have to be solved first.

Others considered that militarism in Papua is related to the presence of foreign multi-national companies. With their central office in Jakarta, exploration projects in Papua need constant protection, and they largely call on the military for this task. According to participants, an important step in order to stop the violence in Papua would be to carry out advocacy work towards foreign multinational companies, with the aim of finding local mechanisms for security, such as traditional policing (Polisi Adat).

Participants concluded that militarism in Papua has both socio-political and business dimensions. These dimensions are not only visible at an institutional level, but also at a personal level. It is no secret that military appointments in conflict areas are directly linked with promotions in rank and earnings of military officers.

Some participants stressed that apart from the state, the OPM has also used semi-militaristic strategies. While there was a time when all warring parties used violence to achieve their goal, since 1998 a peaceful cultural movement emerged under the guidance of intellectuals such as Arnold Ap.

During the discussion, it was argued that the militaristic approach that prevailed since the integration of Papua into Indonesia had started to weaken in the era of 'Reformasi'. This softening of the military came with the new regime and the strengthening of public controls through the media and NGOs. The community has tried to take advantage of this new context by approaching the government to ask for the investigation of past violence and human rights violations.

Unfortunately, the initiative described above has not come to fruition, as the government has taken no concrete step or shown any commitment on these issues. The disappointment of the

Papuan people on the issue of human rights violations reached its peak after the killing of the president of the Papuan council, Theys Hiyo Eluay, when the government failed to investigate the case in a manner that seemed impartial. Participants argued that the government stance, according to which the death of Theys was to be treated as a normal criminal case and not a human rights violation, stabbed at the heart of the Papuan people.

According to participants, violence, militarism and human rights violations have caused high levels of resentment and trauma during the last few decades. Furthermore, participants argued that a shift had occurred placing horizontal violence (among Papuans) on a par with state violence (by the military). This is indicated by the current use of violence by the Papuan population in their daily disputes. The use and possession of sharp weapons among the population has also become a frequent occurrence.

According to participants, the spread of violence at the community level has been aggravated by the presence of militia groups such as Laskar Jihad, Laskar Kristus and Barisan Merah-Putih. During a meeting between Protestant, Catholic and Islamic leaders in Jayapura, it was declared that the Laskar Jihad was not connected to the Indonesian Council of Ulamas (MUI), Muhammadiyah or Nahdlatul Ulama (NU). It was presumed that the militias were operating under military cover, suggesting that they were created and supported by the security forces, and particularly the military. Some participants thought that the militias were in fact a replacement for the forces of the 'New Order' from the previous regime.

One of the consequences of continuing violence in Papua has been the emergence of the sentiment that Papuans are being treated differently from the rest of the Indonesian population. This differentiation was felt in terms of legal access, education, economy and culture. According to one participant, this systematic differentiation has resulted in a Papuan sentiment of 'not belonging' to the Indonesian population.

Participants discussed the possibility of carrying out peace education in Papua. The emphasis was placed on the establishment of a curriculum that bridges religious and ethnic limitations and a method based on participation, dialogue, democracy and egalitarianism. Although they saw peace education as a concrete step towards reducing violence in Papua, participants were also aware of the limitations of such a program. According to them, peaceful values would not easily take roots in the present context, especially given how Papuan society tends to teach the youth that violence is an effective way to reach one's goals.

Participants suggested that the cycle of violence in Papua could be broken by pressuring the elite and authorities, both in Papua and Jakarta, to establish Papua as a 'peace zone'. This would mean the demilitarization of Papua, and would have to be enforced by the presence of an independent monitoring team from Indonesia or abroad.

Recommendations

•   The government of Indonesia should offer an official apology for the violence and human rights violations that occurred in the past.

•   The government should investigate all human rights violations that occurred in the past, including the case of Theys Hiyo Eluay. The government will need to provide access to independent teams and commissions created by civilian groups, and will need to accommodate their results.

• The government of Indonesia should give full support to local efforts to make Papua a 'Peace Zone'. This implies the withdrawal of all troops from Papua, both military and paramilitary, and placing the issue of security in the hands of conventional and traditional police forces, as well as using the concept of community policing.

• A culture of peace must be developed within local communities. Educational programs on peace and non-violence must be carried out, touching on cognitive, affective and conative approaches. The curriculum will need to follow a pluralist approach by being multi-cultural, multi-religious, and multi-ethnic.

• Human rights advocacy should not only be concentrated in NGOs, religious institutions and educational institutions. A transfer of knowledge and skills should occur in the direction of the community and individuals, so that civilian initiatives in advocating human rights in Papua can be strengthened and popularized.

FOREIGN MULTINATIONAL COMPANIES

All participants agreed that Papua's natural resources constitute an important issue in the context of the present conflict. There are two big foreign companies operating in Papua, Freeport McMoran and BP, the first is a mining company and the second makes use of natural gas.

The Freeport contract was signed in 1966, 3 years before the 'Opinion Poll' (Pepera) was held. Some participants raised the question of how the contract could be signed before Papua's political status was finalized. Also questioned was the fact that the contract with Jakarta did not involve the local people, so that their cultural and economic rights were not taken into account. In the eyes of some participants, a 'social contract' needs to take place between local people and local institutions, such as the traditional Papuan council. In parallel, foreign multinational companies should be encouraged to localize, for example by maintaining an office in Papua.

Participants also discussed direct and indirect human rights violations that involved these multinational companies. These violations occurred when multinational companies (particularly Freeport) asked the Indonesian armed forces to provide protection and ensure security. The military in Papua had access to heavy artillery and armored vehicles and sometimes military units like Kostrad exchange fire with the special police unit, Brimog, for reasons unrelated to security, such as cable theft or competition.

Participants acknowledged that BP was trying to avoid working with the military. Despite this, the military still protected vital projects where the military institution itself has business interests. Some participants explained how the military had bought land near the area where BP operates, and how they prepared to build a military complex there. To justify their buying this land, the armed forces declared that the area of Wasior, Monokwari, was a bastion of the Free Papua Organization (OPM). Participants feared that new human rights violations will occur in the region through military involvement in BP operations. This would add to a long list of military violations related to the presence of foreign multinational companies in Papua.

Participants disagreed with the policy to use the military to protect mining or otherwise commercial activities. As an alternative, they suggested that mining companies should liaise with the local population and its institutions with regards to security and protection. As expressed by one participant, the Papuan people and their institutions are not fundamentally opposed to the exploitation of Papua's natural resources, but expect the big foreign companies to focus not only on natural resources.

According to some participants, foreign multinationals will also need to involve the local population in shareholding so that the patterns of support do not remain solely charitable in nature. Multinationals will also need to help local people in their efforts to uphold fundamental human rights, protect the environment, and respect local culture.

Recommendations

· All parties, particularly foreign multinationals, should avoid using the military to protect their operations. As an alternative, community policing mechanisms of local security and traditional policing needs to be developed.

· When operating in Papua, foreign multinationals should co-operate with the Papuan population directly, not through Jakarta. The Papuan population should be involved from the beginning at the planning and operating stages of a project.

· When evaluating the projects of foreign multinationals operating in Papua, the government of Indonesia should act as a facilitator. This would mean that the planning process, decisions and operations would in effect be decided by Papuans themselves, the role of the government being to make sure that the presence of a foreign multinational would benefit Papuan people in the first instance. The government should establish a monitoring team that would evaluate the commitment of foreign multinationals towards the Papuan population, and its implementation.

· Given the negative precedents of foreign multinationals in Papua, the government of Indonesia should act as an advocate for the interests of the local population. This means that the government should take the side of the Papuan people and take action against any violation on the part of the multinational, whether it affects the environment, workers, tradition or other human rights standards.

· Foreign multinationals operating in Papua should respect local traditions, particularly with regards to the environment. Furthermore, they should consider the safety of workers and local inhabitants, as well as human rights standards.

· Foreign multinationals should create a unit to carry out consultations with the local population, and not solely with the local elite, about policies and local mechanisms. This unit would also function as a space for accommodating complaints originating from the local population, and solve disputes between local people and the companies themselves.

· The population in Papua should benefit from the exploitation of their land by foreign multinationals. However, contributions and help should be given through an empowering approach, and not through charity.

THIRD PARTY FACILITATION

There was significant debate about including third parties to solve the problems in Papua. Participants thought the presence of a third party avoids deadlock. A third party could facilitate communication between central government and the population in Papua, particularly those outside executive and legislative spheres. For good communication to take place, it is desirable for trust to increase between the conflicting parties.

Participants saw the role of a third party focused on providing services that help the conflicting parties discuss complex problems—such as the history of Papuan integration into Indonesia and human rights violations. The role played by the Henry Dunant Center in the negotiations between the Indonesian government and the Free Aceh Movement (GAM) was often mentioned as a precedent for the Papua case.

Participants discussed the cases of a few candidates that were considered to have the potential to play a positive role in mediating between the conflicting parties in Papua. Among potential candidates were domestic and foreign actors from state and Civil Society Organizations (CSOs).

With regards to non-state actors, participants mentioned a few institutions such as the Church, both protestant (PGI) and Catholic (KWI) and Islamic organizations such as Nahdlatul Ulama and Muhammadiyah. Other potential actors mentioned were universities, particularly those from outside Papua, and Non-Government Organizations working in the field of human rights and the environment. State actors, such as parliamentary institutions both in Papua (DPRD) and in Jakarta (DPR and MPR) were also considered. Participants argued that the government would not constitute a suitable third party because its neutrality could easily be questioned.

Some participants considered that a third party from inside Indonesia, other than the government, would be the best option. According to these participants, a domestic non-government party would be acceptable to all conflicting parties. Involvement of such a party would tend to demonstrate a level of empathy on the part of the Indonesian population for the problems in Papua.

With regards to potential international actors, participants stressed the potential role of international non-government organizations, such as the Henry Dunant Centre, the Carter Center, or established American universities. Although some participants mentioned ASEAN as a potential facilitator, no participant mentioned the UN.

Participants discussed necessary characteristics and ethics of a third party. Participants stressed that a suitable third party would need to be neutral. Other abilities include: the ability to approach all involved parties, the ability to offer wide ranging alternatives, the ability to carry out advocacy and the ability to access any sources or data needed such as data on human rights violations and the integration of Papua to Indonesia.

Participants were aware of the difficulties involved with including a third party mediator. Some participants concluded that the central government would not be easily convinced about the need for a third party to handle the Papua issue. At present the government is now more inclined to focus not on a dialogue or negotiations in Papua, but on the implementation of the 'Special Autonomy' laws. The direct implication of this approach is that a third party is not needed.

There are various levels of international support for the idea of third party facilitation in Papua. As noted by participants, Southeast Asian countries and international organizations such as the UN keep to the principle of Indonesian integrity, and consequently tend to consider that it is the role of Indonesia to handle the Papuan issue. Participants considered that this sort of international opinion is not conducive to third party facilitation. In accordance, some participants considered that the suitable third party will in fact come from inside Indonesia.

On the other hand, some participants considered that international opinion is sympathetic to the Papuan struggle to defend their fundamental rights. This is exemplified by the position of the 'Pacific Islands Forum', which consists of 16 countries. The Papuan Council Presidium has built a relationship with these countries and concluded that they would support, both explicitly and implicitly, the Papuan efforts to find a suitable third party to facilitate a resolution of the conflict.

Recommendations

- Jakarta and Papua should acknowledge the need for a third party in order to overcome the current deadlock.
- A potential third party mediator should be identified immediately. The mediator should be independent, impartial, and possess the necessary competence in the field of conflict resolution.

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Background information on HPCR and CSPS

C P I

The Conflict Prevention Initiative (CPI) is part of The Program on Humanitarian Policy and Conflict Research based at Harvard University. The Program is engaged in research and advisory services on conflict prevention strategies, the management of humanitarian crises and the protection of civilians in conflict areas. The Program advises international organizations, governments and non-governmental actors and focuses on the protection of vulnerable groups, conflict prevention strategies, and the role of information technology in emergency response.

A key project of the Program is the Conflict Prevention Initiative (CPI), which develops website portals on conflict prevention and crisis management, in partnership with the United Nations and with the generous support of the UK Department for International Development (DFID-UK). The portals provide an interactive platform for policy and decision makers to gain access to information, analysis and academic resources as well as online discussion forums and conferences. CPI also aims to develop partnerships and to collaborate with local organizations focusing on innovative approaches to conflict prevention.

C S P S

The Center for Security and Peace Studies (CSPS) is located at Gadjah Mada University, a leading and innovative university in Indonesia. The Center was established in October 1996 in response to the demand for an "intellectual enterprise" to reshape conceptions of security and peace, with the goal of raising public awareness about international, regional and national security and peace issues.

The Center focuses on the study of changing conceptions of security, peace and order. The main interests of the Center are (a) security sector reform; (b) conflict resolution; (c) peace education and (d) youth.

As a research and educational institute of Gadjah Mada University, CSPS has conducted researches, trainings, facilitations, mediations, and advocacies in Mollucas, North Mollucas, Aceh, Riau, Kupang, Bima, Poso, Palu, Papua, and Yogyakarta. Proceedings from these activities can be accessed at www.csps-ugm.or.id. Researchers at CSPS are lecturers, students, and alumni of Gadjah Mada University. Nevertheless, the Center makes a strong effort to widen its community by providing opportunities for people to join as associates and interns.