

ANTI-SLAVERY SOCIETY
for the
PROTECTION OF HUMAN RIGHTS

REPORT TO THE WORKING GROUP ON INDIGENOUS POPULATIONS 1989

West Papua: The Act of Free Choice

The noted Dutch scholar and specialist on Indonesia, Professor W F Wertheim has written:

The terrible atrocities still daily committed in East Timor and West Irian (West Papua) are only the most glaring symptoms of what is still a generally prevalent condition humaine - to borrow Andre Malraux's term.¹

Although that was written in 1982, the Anti-Slavery Society contends that the indigenous peoples - and here we are concentrating on those of West Papua - would recognise its validity and relevance today, seven years later.

In 1973 the provisional government of the Republic of West Papua, from its New York office, sent an urgent appeal to the United Nations. The appeal pointed out that:

- A West Papuans had "lived under and been oppressed by Indonesian colonial rule ever since Indonesia annexed the territory by the so-called New York Agreement" (15 August 1962);
- B "This Agreement, although containing the guarantee for the right of self-determination for the Papuan People of West Papua, was implemented over the heads of the entire population of West Papua....";

C. From 1 May 1963, the start of Indonesian occupation of West Papua, "over 30,000 Papuan men, women and children, i.e. over 3 per cent of the total population of West Papua, have been brutally and summarily executed by Indonesian firing squads, both in public and, mainly in secret";

D. For the people of West Papua both the Netherlands and Indonesia are foreign, colonial powers.

The last point encapsulates the essence of the plight of the people of West Papua today, after over a quarter of a century of brutal colonisation characterised by racial prejudice, murder, torture, dispossession of land and, through the disastrous transmigration programme, the planting amongst them of people from, mainly, Java. These people are different in race, religion, language, culture and attitude to land. Although their presence is a contributing cause of the ethnocide, and indeed genocide, of the West Papuans, they are themselves mostly innocent victims of a policy designed to put a minimum of four million impoverished, landless peasants on to the traditional lands of some one million Papuans.

Originally Jakarta had plans to relocate 65 million people.

One of the reasons for so massively outnumbering the Papuans was racist. Former Foreign Minister, Dr Subandrio, said Jakarta intended to "get them down from the trees, even if we have to pull them down". Perhaps the true nature of transmigration - whatever had originally been intended - was revealed in the now infamous speech of one of Jakarta's governors of West Papua, Izaak Hindom, who said it would give "birth to a new generation of people without curly hair, sowing the seeds for greater beauty."

It seems that transmigration is to be another final solution.

When the Anti-Slavery Society reported on the tragedy of West Papua to this working group in 1983 we then believed "that the West Papuan people are threatened with destruction by the Indonesian security forces, by the massive influx of settlers from outside the island, and by the rapacious extraction of natural resources by Indonesian and foreign companies". We still do.

In the following year the Society told the working group that "In the development of this whole situation much blame must fall on the United Nations itself."

It is regrettable that the Anti-Slavery Society must this year emphasise the culpability of the United Nations, but it is appropriate that it should do so on the premises of the United Nations Centre for Human Rights.

This year sees the twentieth anniversary of the controversial and, in the opinion of the Anti-Slavery Society and other interested organisations in a number of countries, illegal Act of Free Choice by which West Papuans supposedly voted for incorporation into the Indonesian state. There was neither choice nor freedom. Indonesia appointed 1,024 men and one woman to represent the indigenous population of West Papua.

On 2 January 1969 these delegates voted in the Act of Free Choice and unanimously decided to remain with Indonesia. For the previous three weeks or so they had been kept isolated by the army. Before the Act of Free Choice President Suharto had let it be generally known that to vote against the government would be considered treason, and one of his officers, Major Soewondo, was reported as saying "I will shoot dead anyone who is against us and all his followers".³ On 16 August President Suharto announced that the result of the voting was final "and cannot be disputed by anyone under any pretext".

In November, Dr Fernando Ortiz Sanz, the Bolivian Special Representative of the United Nations who observed the Act of Free Choice, told the General Assembly:

I regret to have to express my reservation regarding the implementation of Article XXII of the Agreement, relating to 'the rights, including the rights of free speech, freedom of movement and of assembly, of the inhabitants of the area'. In spite of my constant efforts, this important provision was not fully implemented and the Administration exercised at all times a tight political control over the population.

The General Assembly "took note" of the referendum and this diplomatic sidestepping gave Jakarta the legitimisation it sought.

The representative of Ghana, honourably and almost uniquely, queried the validity of the Act of Free Choice and said: "It is a matter of record that the method adopted to determine the people's will was not in accord with international practice." His motion that West Papua "be given further opportunity, by the end of 1975, to carry out the Act of Free Choice" was defeated.

The Anti-Slavery Society requests this Working Group to do all in its power to urge the General Assembly to reverse this decision and to invite the Government of the Republic of Indonesia to hold another referendum based on the principle of one man one vote.

This year, the twentieth anniversary of a terrible wrong, affords the United Nations a suitable opportunity to make amends both for the benefit of the West Papuans and for its own credibility.

¹ Indonesia: Law, Propaganda and Error. Julie Southwood and Patrick Flanagan, Zed, London

² Poisoned Arrows, George Monbiot, Michael Joseph 1989

³ Tjenderawasih, Jayapura newspaper, 24 May 1969