

Avoiding the cause: Australia and political persecution in West Papua

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Introduction

In a speech to the [Castan Centre for Human Rights Law](#), Deakin University's Scott Burchill writes that the responses of the Australian Government to increasing unrest in West Papua have been either comical or disgraceful. "Blaming the messengers and avoiding the root causes of the problem may or may not pacify Jakarta, but they will certainly not resolve a problem which is now in its fifth decade - it will only make matters worse" argues Burchill.

"On the other hand, an immediate solution to the issue is at hand and always has been, though it is studiously avoided - terminate the persecution, rather than the persecuted, and the problem largely goes away. As in the case of the East Timorese, anyone with a view on the subject is consulted except those with a primary interest in it - the West

Papuans. The only question never asked is the only one worth posing: what do the people of West Papua want?"

Essay - Avoiding the cause: Australia and political persecution in West Papua

The arrival in Australia last January of 43 asylum seekers from West Papua was a timely reminder that Indonesia's political boundaries were not settled even after East Timor became formerly independent in 2002 - at least as far as those who live behind them are concerned.

By subsequently granting all 43 Temporary Protection Visas (TPV) because it found that they faced a "well-founded fear of persecution" if forced to return home, the Australian Government confirmed that all was not well in Indonesia's eastern province.

Since the decision and its diplomatic fallout on bilateral relations between Canberra and Jakarta, the Australian Government has been struggling to avoid the obvious implications of its own findings. Why is newly democratic Indonesia still producing refugees desperate enough to risk their lives in a bid to escape the country?

In some cases the responses of the Australian Government have been comical - effectively blaming officials for granting the TPVs as if the Department of Immigration and Multicultural Affairs was some rogue bureaucracy of state unconnected to Government.

Or former ASIO head Ambassador Dennis Richardson's claim that "Papua is part of the sovereign territory of Indonesia and always has been" - Richardson is apparently unaware that throughout the 1950s Robert Menzies, Percy Spender and Richard Casey opposed Indonesia's territorial claim to West Papua and 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."

In other cases Canberra's strategy has been disgraceful - Senator Vanstone's bizarre claim that "separatism is a toxic cause" and evidence of "racist sentiment" - stigmatising people fleeing what her own department agreed was political persecution.

And Ambassador Richardson's suggestion that it is "possible to ask the question whether those whose *raison d'être* was (the independence of) East Timor has now become Papua and perhaps those critics cling to an Indonesia that no longer exists." Surely freedom and human rights in East Timor, Aceh and West Papua are honourable causes? Is he suggesting human rights violation in provinces such as West Papua no longer take place?

Blaming the messengers and avoiding the root causes of the problem may or may not pacify Jakarta, but they will certainly not resolve a problem which is now in its fifth decade - it will only make matters worse. On the other hand, an immediate solution to the issue is at hand and always has been, though it is studiously avoided - terminate the persecution, rather than the persecuted, and the problem largely goes away.

Over recent months politicians, government ministers, conservative newspaper columnists and privately-funded think tanks (what I have previously described as the Jakarta lobby) have issued almost identical denunciations of activists and academics who have brought Jakarta's crimes in West Papua to public attention. These troublemakers are accused of fomenting secession (as if it would

otherwise disappear), raising false hopes (West Papuans have no rights to freedom from persecution or to reconsider their political arrangements), and endangering the lives of West Papuans (military (TNI) killings and torture are apparently not Jakarta's responsibility).

To these lobbyists, the West Papua problem isn't Jakarta's crimes in the province. It's their public exposure in Australia. For this group - whose arguments against self-determination in West Papua are a replay of their ultimately unsuccessful attempt to deny the East Timorese their freedom - good relations with Jakarta must be maintained at all costs, including the rights of West Papuans

The persecution of independence activists with legal immunity for those responsible, attacks on Melanesian culture (transmigration, cultural expression), the expropriation of wealth from the owners of the vast resources of the province, and widespread environmental destruction (tailings, logging) are simply the headings. The details are extensively documented and updated every day. They are easily accessed - I receive emails every second day (from groups such as TAPOL and ELSHAM) detailing the latest attacks and atrocities. And yet the lobbyists go to extraordinary lengths - including the demonisation of the refugees - to try and minimise the extent and seriousness of these crimes as if this will weaken the case for self determination.

The opponents of freedom for West Papua misunderstand the basis of the claim. No legitimate act of self-determination has ever been held in West Papua. The fact that Jakarta agreed to one being held in 1969 - the sham known as the Act of Free Choice - and felt the need to rig the result suggests two things. Jakarta was acknowledging the West Papuan's right to self-determination, otherwise why hold a plebiscite. And secondly, Jakarta knew the likely result and therefore needed to corrupt it.

As in the case of the East Timorese, anyone with a view on the subject is consulted except those with a primary interest in it - the West Papuans. The only question never asked is the only one worth posing: what do the people of West Papua want?

In a newspaper article in June, Alexander Downer argued that in Iraq "we are supporting values that deliver practical success for ordinary people. We are delivering tangible outcomes for people who deserve the opportunity to forge a future of their own." It's a commendable commitment, except that in the case of West Papua we are seeking to deny people the opportunity "to forge a future of their own" by opposing their right to self determination. The only "tangible outcomes" for them are persecution if they stay and off-shore processing on Nauru if they succeed in escaping the territory.

According to the foreign minister, "we need to promote moderation at the expense of extremism. We need to foster societies where there is tolerance for everyone except the intolerant" and, it appears, those in Indonesia's eastern province seeking a political future outside the repressive control of Java's political elite. Kopassus and the rest of the Indonesian military (TNI) are known for many things. Moderation towards the country's population isn't one of them.

"In democracies, people can freely express their disagreements with governments," says Downer. "They can exercise their right to influence governments and hold them to standards of accountability through public comment, political activism and, ultimately, by voting." True enough, though in Indonesia democratic rule still permits political repression, larceny, cultural attacks and lengthy prison terms for people who "freely express their disagreements with governments" or merely raise an unofficial flag.

Mr Downer claims that "it is a recurring theme in Australian foreign policy that where an oppressed people stand for freedom and democracy, Australia plays its part." The part that Australia is currently playing in West Papua, however, is helping to deny "an oppressed people" an opportunity to "stand for freedom and democracy," because good political relations with Jakarta are paramount.

It is a shameful record.

John Howard and Alexander Downer are more committed to West Papua's retention within the Republic of Indonesia than many of the province's inhabitants. They have successfully kept it off the agenda of the Pacific Island Forum. And they have even been prepared to enshrine their preference into international law via the recently signed Agreement Between The Republic of Indonesia and Australia on the Framework for Security and Cooperation, Article 2, point 2:

The Parties, consistent with their respective domestic laws and international obligations, shall not in any manner support or participate in activities by any person or entity which constitutes a threat to the stability, sovereignty or territorial integrity of the other Party, including by those who seek to use its territory for encouraging or committing such activities, including separatism, in the territory of the other Party.

But 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 make their own choices - whether it be 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. Their Government 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 its 4.5 million citizens. 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 - what is there to hide? Suggestions that a peace process based on the successful Aceh-2005 model have been 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 "shrunken 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 the wealthiest people in the world. In actual fact they are some of the poorest.

I am told that the Freeport gold and copper mine at Grasberg in West Papua is one of the largest human-made objects visible from outer space. How ironic it is then that the rest of the world still cannot see what is actually happening there on the ground and in the surrounding highlands of such a beautiful but sad part of our planet.

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Nautilus invites your response

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