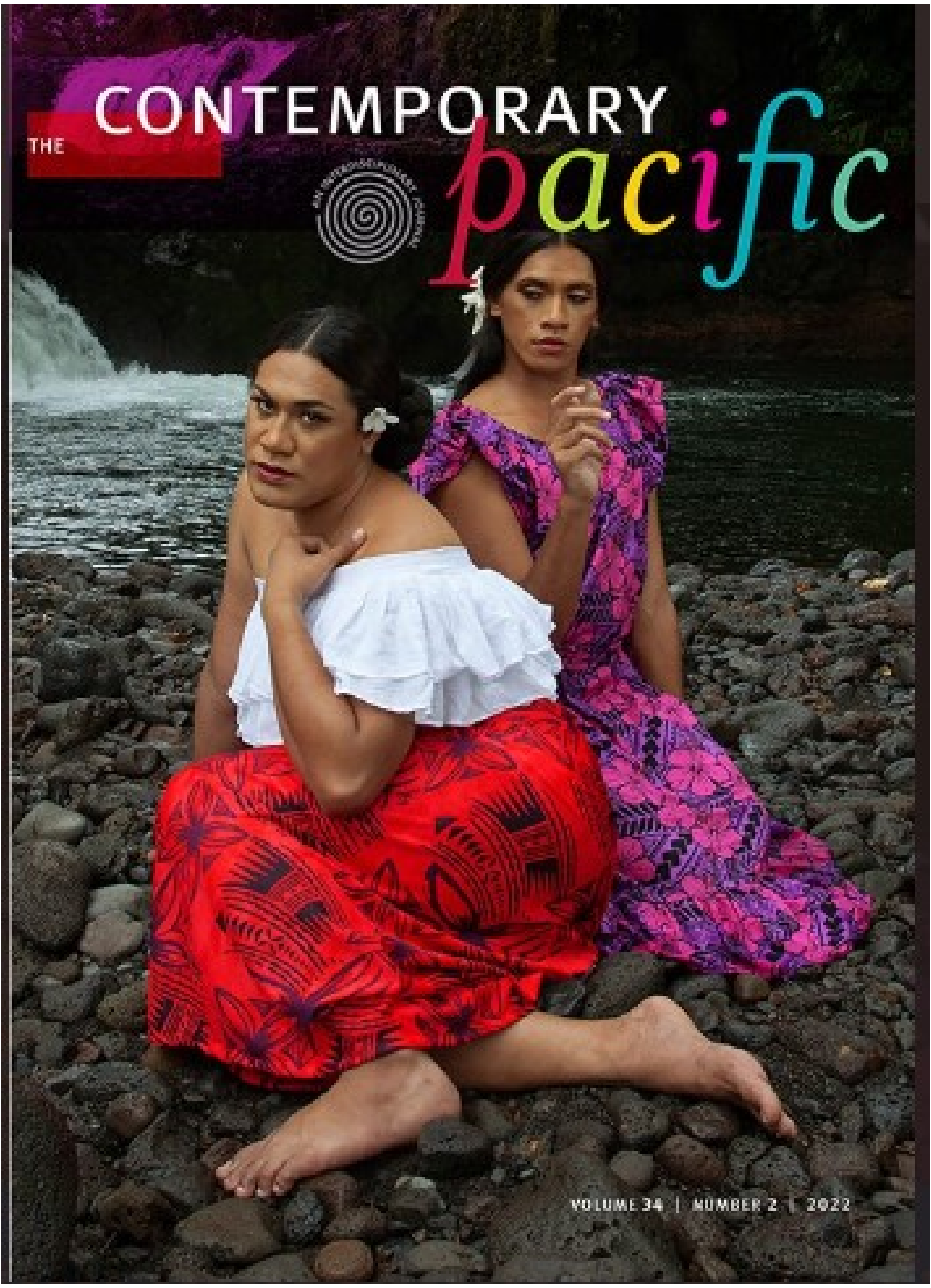


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PAPUA

It was the most violent year. This phrase would encapsulate the year 2021 in Papua, as various sources documented. The International Coalition for Papua summarized the state of armed violence in Papua by stating that “as of 15 December 2021, the coalition documented 85 armed clashes, causing the deaths of 18 security force members and 23 members of the West Papua National Liberation Army (TPN PB). At least 28 civilians were killed due to armed clashes, while more than 60,000

indigenous Papuans continue to be internally displaced” (ICP 2021a). If the number of armed clashes was eighty-five, that means around seven incidents occurred per month, which was higher than in previous years. While the average number of civilian casualties was relatively low, the number of internally displaced persons (IDPs) increased exponentially in comparison to the previous year. Throughout the year, there were six elements, described in this review, that indicated that the conflict might reach the level of non-international armed conflict under the International Humanitarian Law because of the intensity and level of organization of the non-state armed group (ICRC 2008, 5). Further, one should not forget that the ongoing armed violence occurred in the midst of the COVID-19 pandemic, with minimal access to vaccines.

The first indicator of the intensity of violence was the increasing number of IDPs. By Papua standards, the number of IDPs in 2021 was massive since the population of each district of Papua is only around 12,000–15,000 people (see *Badan Pusat Statistik Provinsi Papua 2022*). Having sixty thousand people fleeing their homes for safety means we are dealing with at least four empty districts. Yet there was limited mobilization of humanitarian relief to respond to this crisis. Church-based humanitarian organizations were the only ones to provide relief to the IDPs in the regencies of Intan Jaya and Maybrat, and only for a short period of time. The Indonesian Red Cross (Palang Merah Indonesia) of Intan Jaya delivered relief in conjunction with the Catholic Diocese of

Timika to the IDPs who took refuge in the Catholic Church compound of Bilogai. But it is unclear whether the relief operation was conducted in all affected districts of Papua and West Papua Provinces.

The second indicator was the Indonesian government’s decision on 29 April 2021 to label the TPNPB as terrorists based on the 2018 anti-terrorism law (Arnaz and Andriyanto 2021). This decision was driven by the killing of Papua Intelligence Chief I Gusti Putu Danny Nugraha Karya during an exchange of fire with the TPNPB in Beoga, Puncak Regency, on 25 April 2021. The incident was a big blow for the Indonesian security forces and immediately prompted President Joko Widodo to order the military and police to arrest all perpetrators. Further, the government stepped up its military operation across Papua, which gained overwhelming support from the Speaker of the People’s Assembly, who even emphasized that the government must eradicate the TPNPB without respecting human rights (CNN Indonesia 2021a).

The government’s decision drew fierce criticism from Papua Governor Lukas Enembe, human rights observers, Papuan church leaders, and Papuan political leaders. Enembe called for the central government to review the decision and adopt a humane approach (CNN Indonesia 2021b), whereas Beka Ulung Hapsara, a member of the Indonesian National Commission on Human Rights (Komnas HAM) rejected the government’s position outright, stating that the labeling would not stop the cycle of violence. He affirmed that the presidential order to arrest perpetrators

and bring them to justice was correct but that Papua's conflict should be resolved through peaceful dialogue (Ramadhan 2021). Similarly, Usman Hamid, director of Amnesty International Indonesia, insisted that "the designation showed the government's failure to address the root of Papua's problems and could lead to more human rights violations in the country's easternmost provinces rather than helping the Papuan people" (Gorbiano 2021).

The church leaders of Papua joined the choir. In an official statement, the Catholic Diocese of Timika rejected the government's decision, arguing that "the label will definitely kill democracy in Papua" (Nugroho 2021). Fr Marthen Kuayo further called for a ceasefire for both the Indonesian security forces and the TPNPB and encouraged them to seek dignified and humane solutions. He also asked religious leaders and the governments at all levels to continue promoting human development toward a better future. The West Papua Council of Churches strongly countered the government of Indonesia's use of a "colonial gaze" in dealing with Papua while ironically defending the rights of Palestinians and the Rohingya in the international fora. It also questioned whether there is any evidence that the TPNPB is involved in any attacks on mosques in Indonesia or has any links with global terrorist organizations such as Jemaah Islamiyah, al-Qaida, or the Islamic State (ICP 2021d).

At the international level, a number of human rights networks raised their concerns. Joe Collins of the Australia West Papua Association stated that

"it was counterproductive to label the TPN PB as a terrorist group" and cautioned "that any West Papuan could be arrested on the whim of security force personnel. It could also be used against civil society groups in West Papua protesting against human rights abuses, environmental destruction and to curb free speech and the media" (ICP 2021b). In a similar vein, West Papua Netzwerk, a Germany-based coalition of nongovernmental organizations in support of Papua, described "the classification of the TPNPB-OPM as 'terrorists' as a further step in this spiral of escalation" (ICP 2021e).

Papuan political organizations voiced similar objections. The diplomatic board of the Free West Papua Movement (OPM) countered the Indonesian government's decision by stating that Indonesian security forces are committing crimes against humanity and acts of genocide in West Papua. It "reemphasised that the TPN PB does not attack Indonesian civilians, whereas the ongoing atrocities against indigenous Papuans illustrate Indonesian security forces' incapability to cope with the TPN PB" (ICP 2021b; see Douw 2021, 2). The United Liberation Movement for West Papua (ULMWP) stated that the label would not stop them from fighting for self-determination and insisted that the TPNPB was simply following the example Indonesia set when it fought against the Dutch colonial power (ICP 2021b).

While the Indonesian government did not change its position, this broad spectrum of criticism illustrates the widespread support for and solidarity with Papua. The direct result of the decision was an attack on Papuan

students in Bali and Makassar who were labeled terrorists.

The third indicator of the intensity of the violence was a series of indiscriminate attacks on civilians by both Indonesian forces and the TPNPB. Since the killing of road workers in 2018 by TPNPB in Nduga, both armed groups have upscaled their operations. One of the most concerning developments was the TPNPB's attack on a clinic (puskesmas) and health-care workers in Kiwirok, Pegunungan Bintang, on 13 September 2021. The attack killed one health-care worker, Gabriella Meliani, and seriously wounded two others. TPNPB spokesperson Sebby Sambom and ULMWP Chairman Benny Wenda separately denied that they had targeted the health-care workers, but they did claim responsibility for a separate attack on the police station (Jubi 2021; Asia Pacific Report 2021). The attack on the clinic and health-care personnel signified a serious development in the conflict since the people targeted were those who are specifically protected under international law in any armed conflict situation (ICRC 2005). The tragic incident drew broad reaction from inside and outside Papua since such attacks had been unheard of in the last few decades. In honor of their fallen colleague, 250 health-care workers staged a protest in the district capital of Oksibil, and the Association of District Heads of Papua's Central Mountainous Region strongly condemned the attack (Tempo.co 2021).

On 10 October 2021, Indonesian security forces reacted by launching an air strike targeting villages of Kiwirok, destroying houses and livelihoods, as reported by the Speaker of

the Papuan People's Assembly (Majelis Rakyat Papua, MRP), Timotius Murib (Putri 2021). After the air strike, locals found unexploded grenades. Some two thousand people fled to the bush for safety, and some two hundred people even crossed the border into Papua New Guinea. This kind of indiscriminate attack on civilians has prolonged the conflict and its humanitarian consequences.

The fourth indicator was the geographical expansion of the conflict. No longer confined to the Central Highlands of Papua, the conflict penetrated the western side of the island, Maybrat Regency. The TPNPB attacked an Indonesian National Military outpost on 2 September 2021, killing four soldiers and injuring one. Sambom claimed responsibility for the attack and called for President Widodo to come to the negotiation table with the TPNPB (Riana 2021). The attack marked an important development in the armed conflict in Papua, as the western part of the island had remained largely untouched by armed opposition in previous decades. The immediate impact was obvious: more than two thousand villagers fled their homes for safety (Suchayo 2021).

The fifth indicator was digital repression, as Indonesian authorities restricted access to media aiming to cover armed clashes. The Southeast Asia Freedom of Expression Network (SAFEnet) identified a correlation over the past two years between Internet shutdowns and military operations, such as the ones in Puncak Regency following the killing of the intelligence chief (ICP 2021c). In that example, the shutdown was preceded by doxing attacks against Papuan activists and

journalists. In 2020, the Jakarta State Administrative Court ruled that President Widodo had acted unlawfully by shutting down the Internet in Papua ([Hernawan 2021](#)), but on 27 October 2021, the Indonesian Constitutional Court ruled that the government's action to block the Internet during social unrest was lawful. Indonesia's Alliance of Independent Journalists raised serious concerns that the latter court ruling would threaten the freedom of the press and democracy ([Da Costa and Widiyanto 2021](#)).

Finally, the sixth indicator was the ongoing violation of Papuan activists' and human rights defenders' freedom of expression and freedom of association. Police routinely dispersed demonstrations and arrested protesters for up to twenty-four hours before releasing them. The International Coalition for Papua documented 366 political and 219 nonpolitical arrests throughout 2021 ([ICP 2021a, 1](#)). The Komite Nasional Papua Barat (KNPB, West Papua National Committee) was the most targeted group. The arrest of the KNPB's international spokesperson, Victor Yeimo, on 9 May 2021 illustrated the typical police action. The police produced no arrest warrant. Yeimo was transferred to different detention facilities without informing his lawyers and family. He was restricted from having legal assistance, and when he was seriously ill, it took a complicated procedure for him to get permission to be treated in hospital ([Papua Behind Bars 2021](#)). While the police's treatment of Yeimo was not unique, the ongoing pattern signifies the degree of impunity that the law enforcers enjoy when they deal with Papuan political activists.

This increasing violence prompted church leaders both inside and outside Papua to continue raising their voices. Inside Papua, in November 2021, 194 Catholic priests reiterated their pastoral calls for peace for Papua ([Multimedia KTDW 2021](#)). Similarly, the West Papua Council of Churches (WPCC) repeatedly expressed moral calls to the government to address the human rights situation in the region. In a December 2021 statement, the WPCC demanded: (1) access to the United Nations (UN) human rights mechanisms to visit Papua as promised; (2) dialogue between the government and the ULMWP; (3) termination of all military operations and withdrawal of all troops from Papua; (4) an end to racial discrimination against Papuans; (5) international support for political negotiation; and (6) an independent investigation of the 2014 Paniai incident by the UN Human Rights Council. It also expressed its appreciation to all parties who supported the celebration of 1 December ([WPCC 2021](#)). While most points are not novel, it is interesting to note that the statement does not address the TPNPB as an equally influential party to the armed conflict. Instead, it only mentions the ULMWP as the political actor to negotiate with the government.

In solidarity with the WPCC, on 21 December, the Catholic Bishops' Conference of Papua New Guinea and Solomon Islands issued a statement calling for dialogue, something rarely seen in the last four decades, at least. The bishops eloquently underscored the effectiveness of dialogue as the way to achieve peace and harmony, stating, "There is no international agreement,

legislative initiative, development process, and much less military action that can bring about peace and harmony; it can only be, rather, the result of a humble and listening attitude by all parties, beginning with the most powerful and better armed” ([CBC PNG and Solomon Islands 2021](#)).

Unlike the WPCC’s statement, the bishops’ statement identifies the two most important elements of an armed conflict: the parties to the conflict and the weapon bearers. The bishops believe that in order to start a peace talk, it is imperative to engage all parties, especially those who have guns, who tend to be the most difficult to engage in the conflict-resolution process. So if Papua wants to reach peace and harmony, all parties and weapon bearers must be involved in the peace talk.

Unlike the church leaders’ responses, those of the provincial and central governments were patchy and reactive. Both governments were preoccupied with their own priorities, which did not necessarily correspond with the ongoing conflict. While the provincial government of Papua occasionally reacted to incidents, there was no systematic mobilization of humanitarian response to the increased number of IDPs in five regencies. Instead, the provincial government was preoccupied with hosting the National Sports Games (Pekan Olahraga Nasional). In a similar vein, the provincial government of West Papua simply asked IDPs from Maybrat Regency to return home when there was no safety for them ([Yulianto 2021](#)). The regent of Maybrat even refused to allow charity organizations to provide humanitarian relief for the IDPs in his territory.

The central government, on the other hand, focused on the revision of the Special Autonomy Law (Otsus), which was passed by the Indonesian Parliament in July 2021. While the governor of West Papua welcomed the amendment ([Kapisa 2021b](#)), the governor of Papua expressed his disappointment, arguing that it was not in line with the wishes of Papuans, especially in the area of human rights, which he had proposed in 2014 ([CNN Indonesia 2021c](#)). For the Jakarta-based Institute for Policy Analysis of Conflict (IPAC), the revision of Otsus has led to the erosion of autonomy and has created greater friction between Jakarta and Papua. In its in-depth analysis, IPAC identified three elements that removed “special autonomy” from Papua altogether: “diminished provincial power, greater fiscal control from Jakarta and reconfiguration of political representation for indigenous Papuans” ([IPAC 2021](#)).

The amendment has returned executive power to Jakarta, so the central government no longer sends funds to the provincial governments and instead has the full authority to channel funds directly to regencies and municipalities. Further, the central government and the national Parliament are now authorized to create new provinces without any consent from the provincial governments and MRPs. Finally, Papua no longer has the authority to create a local political party, as this provision was completely removed in the amendment. Given the drastic changes to Otsus, it is not surprising that the MRPs of both West Papua and Papua provinces filed a lawsuit in the Indonesian Constitutional Court, as

they believe their rights as Indigenous people have been violated (Argawati 2021).

The central government's direct intervention in Papua is much more devastating in the area of conservation. Greenpeace International's latest report, *License to Clear: The Dark Side of Permitting in West Papua*, has revealed that forest estate land in Papua Province alone has reached nearly one million hectares—more than one and a half times the size of Bali (Greenpeace 2021, 25). Two important policies of protection—the forest moratorium and the oil palm moratorium—have done little to preserve forest and peatland from the control of an oligarchy consisting of tycoons, politicians, and retired army and police generals (Greenpeace 2021, 8–9).

The penetration of tycoons was also revealed by the New Zealand media outlet Newsroom, which discovered the link between large-scale deforestation in West Papua and a New Zealand property developer named Neville Mahon (Reid and Summer 2021). While Mahon denied ownership of the majority of shares of Digoel Agri Group, Newsroom found official documents from the Indonesian authorities that state the contrary. He also denied that the company had cleared rain forest in Tanah Merah, where the company operates. The director of the nongovernmental organization Pusaka, Franky Samperante, independently explained that the company had obtained the license illegally and evicted people from the forest.

While the Greenpeace and Newsroom reports do not identify any

military involvement in the plantation industry, ten Indonesian nongovernmental organizations scrutinized the correlation between the mining industry and Indonesian military deployment in a joint case study of Intan Jaya titled *Political Economy of Military Deployment in Papua* (Asfinawati and others 2021). They found that the deployment of the Indonesian military and police might benefit four company concessions in the regency of Intan Jaya since they are located in the areas where the military and police posts are situated. Further, their investigation revealed that active and retired military generals are in the ranks of company boards, demonstrating the “second leg of military business.” Therefore, there are “potential economic interests behind the series of ‘illegal military operation’ [*sic*] in Intan Jaya” (Asfinawati and others 2021, 24).

The report is quite convincing in demonstrating the illegality of the military operation in Intan Jaya since there is no presidential decree or endorsement from the National Parliament as the law on the Indonesian National Military requires. However, the report remains inconclusive regarding the correlation between the location of the military deployment and the company concession, leaving it open to further investigation to determine whether this correlation is a coincidence or a deliberate design.

Despite the whirlwind of deforestation across Papua that has impoverished and seriously undermined the existence of Indigenous communities, on 27 April 2021 there was a glimmer of hope when Regent of Sorong Johnny Kamuru annulled the permits

of four palm oil companies because they had not complied with legal requirements (Pademme 2021). Three of the four companies filed a joint lawsuit against the regent in the Jayapura State Administrative Court, and the judges ruled that the regent had acted lawfully. The companies did not give up and instead filed an appeal; the decision is still pending. The regent's decision was highly unusual given the oligarchic grip on plantations in Papua, so he received overwhelming support from civil society and the Moi Indigenous community. The MRP of West Papua Province even established a task force to support the regent's legal battle (Kapisa 2021a). As of this writing, however, the legal dispute is not yet over.

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PAPUA NEW GUINEA

Papua New Guinea (PNG) slogged through a year of uncertainty and trials as it faced a triple threat from the combined forces of the COVID-19 pandemic, economic stagnation (in no small part connected to COVID-19), and a parliamentary power struggle that dispelled challenges against Prime Minister James Marape but will leave his government asking questions as they head into a general election in 2022. These issues, along with general misinformation regarding the coronavirus and accompanying vaccine hesitancy, as well as the deaths of several prominent leaders, made for a year to be forgotten.

Last year's review of PNG in this publication noted that the country had