



FLOWERS IN THE WALL
Truth and Reconciliation in Timor-Leste,
Indonesia, and Melanesia
by David Webster

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Time for a New US Approach toward Indonesia and West Papua

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There are few places in the world where US human rights policy is as disingenuous as it is in West Papua. The bankruptcy of US posturing when it comes to respect for fundamental human rights, including protection of the physical security of civilian populations, human dignity, equal application of the law, and racial equality, is nowhere more evident than in West Papua. US advocacy for fundamental democratic principles such as self-determination, civil control of the military, and the accountability of security forces before the law simply does not extend to West Papua.

For decades the US government has consistently failed to address the widely acknowledged systematic abuse of human rights in West Papua. The US State Department's annual exercise of compiling human rights reports for every country is nowhere more lacking in candour and honesty than in Indonesia, where US interest in preserving military-to-military ties and in protecting opportunities for US corporations dictate the broad sanitizing of any genuinely critical commentary, especially with regard to West Papua. As a participant at a senior level of these annual exercises and as both a US government, and subsequently an independent, reviewer of the reports on Indonesia, I have been witness to the compromises with the truth that consistently shield the Indonesian government and especially its security forces from deserved criticism.

The genocidal policy of “transmigration,” which has rendered the Papuan population a marginalized minority in its own land, was rarely broached and never seriously criticized in the US State Department reports. Moreover, these reports and statements by US officials consistently avoid language critical of the Indonesian military that might jeopardize expanding military-to-military co-operation between the American and Indonesian militaries. This sanitizing of the Indonesian government’s record in West Papua, and especially the conduct of its security forces, was especially important during periods when US congressional scrutiny of such military aid raised the prospect that US military-assistance programs might be curtailed by congressional action. That prospect has faded as even congressional concern over human rights in Indonesia and especially in West Papua has diminished.¹

In their testimony before Congress regarding West Papua in late 2015, two senior State Department officials misrepresented the human rights environment in Indonesia and especially in West Papua.² Scott Busby, deputy assistant secretary, Bureau of Democracy, Human Rights, and Labor, and James Carouso, acting deputy assistant secretary for Maritime and Mainland Southeast Asian affairs, spoke before the Senate Foreign Relations Committee Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy. During their remarks on the region and in specific comments about human rights observance in Indonesia, the officials failed to address the brutalization of Papuan civilians and demographic policies, especially transmigration, that amount to genocide. Moreover, neither mentioned the many outstanding cases in which Indonesian security personnel have not been held accountable for egregious human rights abuses committed against Papuans, such as the Paniai massacre in December 2014, in which five Papuan youths engaged in peaceful protest were gunned down by Indonesian military personnel.³ The same two officials also ignored continued restrictions on access to West Papua by the UN special rapporteur, international journalists, human rights monitors, and humanitarian assistance personnel.

Instead, the officials commended Indonesia for its “press freedom.” These officials did note restrictions on press freedom in Malaysia and Vietnam, making their failure to note the same rights violations in West Papua all the more glaring. Moreover, their refusal to acknowledge the restrictions on press freedom in West Papua was in stark contrast to reporting by

Human Rights Watch (HRW). In a report entitled “Something to Hide,” HRW detailed the many ways that Indonesia has hindered the media and others from monitoring the situation in West Papua.⁴ Based on interviews with journalists, humanitarian workers, government officials, and others, the report found that “past restrictions have far exceeded what is permissible under Indonesia’s international law obligations.” The report summarized and added details to the instances when Jakarta hindered international NGOs, journalists, and human rights investigators from reporting on West Papua. It also provided an important service by providing details on the threats and other barriers local journalists face in carrying out their work. These include beatings, detention, and the placement of intelligence officers in newsrooms.

Underscoring the determined obliviousness of the US government to rights abuses in West Papua was a contemporaneous report by the International Coalition for Papua which described West Papua as “one of the regions in Asia most seriously affected by human rights abuse violations and an unresolved, long standing political conflict. The living conditions of the indigenous Papuan peoples are in stark contrast to those trans-migrants from other parts of Indonesia.”⁵ Amnesty International, exhibiting candour absent from US State Department accounts, noted the arbitrary arrest of at least 264 Papuan political activists for “peaceful protests when President Joko Widodo visited the province.”⁶

Pressure on US administrations and on the US Congress to minimize criticism of the Indonesian government and its security and intelligence forces has for years been mobilized largely by the US–Indonesia Society (USINDO), a Washington-based lobby organization comprised of US corporations with interests in Indonesia and retired senior US officials with Indonesian experience and interests. This cabal, originally formed to counter broad criticism of Jakarta, which developed after the 1991 Santa Cruz massacre in East Timor, has long since benefited from informal collaboration between current and former senior US officials and US corporations with interests in Indonesia. The US embassy in Jakarta, for example, has worked with USINDO to prepare travel for US congressional staff and even members of Congress, with the intention of building congressional support for policy initiatives that expand ties between the United States and Indonesia at the expense of human rights.

Corporate Influence over US Policy

US corporations, working through USINDO and sometimes unilaterally, have long exercised strong influence over US policy towards Indonesia. The protection and furtherance of these corporate interests in Indonesia, as elsewhere, are largely co-mingled with genuine US national interests so that US policy is developed in conjunction with and at the behest of American corporations. At times these corporate interests so dominate the formation of policy as to undermine broader US concerns and interests. This is seen most frequently when corporate interests are in conflict with human rights concerns, with the latter invariably getting short shrift.

The archipelago's vast natural riches have drawn the interest of American corporations. Among the corporations that early on developed interests in Indonesia were oil companies, notably the forerunners of Texaco, Chevron and Mobil, as well as other extractive industries.

US corporate interest in West Papua and more generally in the Indonesian archipelago is also extensive when it comes to the production of palm oil and other forest products. These industries have had a devastating impact throughout the archipelago, where logging and the creation of palm oil plantations have led to the destruction of virgin forest. While this has most severely affected other parts of the archipelago, notably Sumatra and Kalimantan, it is also becoming more common in West Papua, where the burning of virgin lands reached unprecedented levels in 2015. Indonesian military involvement in the harvesting of wood products (some of it illegal) is a matter of long-standing record in West Papua. The full impact of these activities on the livelihood and health of Papuans is not yet fully calculated. The US government has pressured its Indonesian counterpart to abandon these destructive practices, but these efforts have fallen short of those of various European governments such as Norway. It is unclear whether US corporate interest in palm oil and forest products has or will mitigate US policy to limit the impact of such destructive "development." It is noteworthy, however, that human rights concerns arising from the Indonesian government's drive to "develop" West Papua have not yet precipitated significant comment on the part of the US government.

Freeport and West Papua

By far the most dominant American corporate player in West Papua is the mining giant Freeport-McMoRan, which operates the world's largest copper and gold mine in south-central West Papua.⁷ For decades Freeport's mining operation has been the focus of human rights abuses meted out by the Indonesian military and police and directed against the Amungme and Kamoro peoples, the traditional landowners in the upland and coastal areas, respectively, of the sprawling mining operation.

Freeport's displacement of the local population—especially the Amungme, who have lived in the area for generations—has generated periodic tension and protest. Freeport has long relied on the Indonesian security forces, especially the army's Special Forces Command (Kopassus), to repress and intimidate the local people.

Freeport's at times contentious relationship with the Indonesian military has long amounted to a corrupt bargain. In one instance in 1996, the relationship transformed into one of naked extortion as the military, unsatisfied with the level of "support" it had received from Freeport, organized violent demonstrations among Papuans that threatened Freeport personnel and property. Freeport informed the US embassy of the nature of this extortion, but diplomats failed to report this to Washington because they feared that the US government would take steps against the Indonesian military and the Suharto dictatorship, which depended on the Indonesian military to retain control in West Papua and elsewhere in the archipelago.

Generations of Papuans have suffered extrajudicial killings, torture, and incarceration without trial at the hands of the security forces, and at the behest of Freeport. US military-to-military ties with the Indonesia have enabled the Indonesian military, rendering the United States complicit in the abuse of Papuan civilians. In the 1980s, the US military provided air-to-ground combat aircraft, which were then deployed against remote Papuan villages with devastating effect. The same aircraft were also employed by the Indonesian military to suppress popular resistance in East Timor, which Indonesia occupied from 1975 to 1999.

In addition to persistent human rights abuses, Freeport's mining operation has been responsible for damaging the ecology of the region and presenting serious long-term health risks for Papuans. For decades Freeport's mining operation has polluted the region in which it operates and

beyond. Its deposition of mining tailings in the Ajkwa River system, a previously free-running riverine system on which local people depend for fishing, bathing, and transportation, has transformed the river into a wasteland. Decades of such activities have created a delta of toxic waste that extends for miles to the Arafura Sea. That delta is virtually devoid of life and includes dangerous quicksand pits. Freeport has constructed some dikes to channel the tailings but they are periodically topped, allowing the tailings to flow into surrounding forest, where they smother extensive stretches of trees, notably the sago palm, which is an important food source for local Papuans. The tailings deposition extends to the sea coast, where tidal action pushes them west and east along the coast. As the tailings are deposited along the coast by the tides and coastal currents, they kill the mangrove forests that protect the coast and provide habitat for many aquatic species.

The mining operation, with its acid mine drainage, has also polluted ground water for miles at and below the mining site. Even the ground water in Timika, some twenty-five miles below the mine, has been polluted.

For many years the US embassy in Jakarta worked with Freeport to limit public awareness of the devastating impact its operation was having on West Papua and its people. US officials routinely refused to assist journalists, even American ones, who sought to travel to the Freeport site. They also worked with the Indonesian government to block travel to West Papua by an American lawyer seeking to represent Papuan clients in a US court in the late 1990s. Even travel by US embassy officers was tightly monitored by Freeport.

Concerned that reporting by the US embassy was revealing the plight of its Papuan victims, in the 1990s Freeport prevailed on the US ambassador to cease all reporting on the region. The resulting silence persisted for over a year, ending only when the American ambassador departed. Subsequently, as elements within the embassy sought to report on developments there, there were strenuous efforts by the Defense Attaché Office and the ambassador and his senior deputy to quash or refute this reporting. At the same time, as a new team of officers were transferred to the embassy, and it became clear that these officers were inclined to report on West Papua more candidly, the files made available to these officers were stripped of any records that revealed the years of collusion between the embassy, Freeport, and the Indonesian military.

US Administrations Pursue Similar Policies towards West Papua

Successive US administrations, despite their strikingly different foreign policy outlooks, have adopted effectively identical positions with regard to West Papua. The administrations of George W. Bush and Barack Obama each refused to acknowledge the genocidal dimensions of Jakarta's assault on Papuan human rights. Both ignored Jakarta's pursuit of transmigration, as well as its policy of malign neglect/marginalization of Papuans, including the persistent failure to provide minimal health, education, or other basic services. Both ignored the historic transformation, inherent in Jakarta's policy choices, that has rendered Papuans a minority in their own land. Rather than developing a meaningful policy to address this genocide, the Bush and Obama administrations confined their policy response to tinkering with Jakarta's failed "special autonomy" formulations, which manifestly do not, and have never, addressed the ongoing tragedy afflicting Papuans.

US government unwillingness to pursue policies or initiatives that might address Jakarta's genocidal policies vis-à-vis West Papua should not be perceived as simply a failure to act responsibly. Sadly, since the 1962 American-engineered New York Agreement, which effectively transferred an incipient independent West Papua to Indonesian control, the United States has conspired with Indonesian regimes, notably the Suharto dictatorship, to solidify Indonesian control in West Papua. The United States provided military equipment and training for Suharto's military for decades, and thereby facilitated the brutal military efforts to repress the two most serious challenges to its control, namely in East Timor and West Papua. American complicity in this repression is not in question.

That two such different American administrations would pursue policies that failed to reflect meaningful, effective concern for systematic human rights abuses in West Papua, the absence of accountability for the security forces and effective civil control of the military, the fettering of free media, and most importantly the genocidal implications of Jakarta's approach to ensuring control of West Papua, is perplexing. In particular, how could the Obama administration, which claimed to sympathetic to human rights and the promotion of democratic principles, fail to protect human rights and democratic values in West Papua? A meaningful

assessment of the weight of human-rights-related goals and objectives in the formulation of the Obama administration's foreign policy awaits a comprehensive analysis.

Nevertheless, a review of US policy vis-à-vis West Papua, along with a consideration of US security co-operation with regimes ranging from those of the coup-birthed government in Honduras or the human-rights abusing regimes of Uzbekistan or Vietnam, suggests that human rights may sometimes have been sacrificed at the altar of realpolitik. In this, neither the Obama nor Bush administrations veered significantly away from the post-Second World War American model.

The Possibility of a more Enlightened US Approach to West Papua

Given this record of complicity, is there any conceivable hope that future US policy might be directed toward addressing Papuans' desperate plight?

The sense, shared by many Americans, that the United States constitutes the only remaining superpower, the "indispensable nation" and "leader of the free world," renders it unproductive to search the globe for models that US policy-makers might seek to emulate in devising an approach that would more genuinely promote human rights and democratic principles in West Papua. American "exceptionalism," for good or ill, has long dissuaded US policy-makers from applying to themselves the constraints of moral/ethical, or even legal, obligations which might govern other nations' policy-makers.

However, there is one model in the United States' own historical experience that might have some bearing on its policy vis-à-vis West Papua and Jakarta. In late 1991, Washington was confronted by a massacre carried out by a dictator who had for decades been a U.S. ally. Indonesian dictator Suharto's military murdered several hundred unarmed, mostly youthful, protesters in the streets of Dili, the capital of Indonesian-occupied East Timor. The horrified reaction in the United States, and most especially in the US Congress, meant that the government was forced to react in substantive ways. The administration of George H. W. Bush, and subsequently that of Bill Clinton, agreed to congressionally-imposed sanctions on the Indonesian military, which as we have seen had heretofore benefitted from

very generous US military-to-military co-operation. While the Suharto regime remained a repressive dictatorship, and while the Indonesian military continued to be a brutal oppressor (notably in West Papua and Aceh), repression in occupied East Timor waned. The reduction of US military assistance had some limited beneficial impact, at least in terms of Indonesian military abuses in East Timor. Might not similarly targeted sanctions limiting US-Indonesian military-to-military co-operation have an ameliorative effect in West Papua?

Long-term American interests in Indonesia entail encouraging the emergence of that country as a stable, democratic state in which the military is no longer corrupt, is accountable to a civilian judiciary, and, crucially, is under civil control. Currently, the Indonesian military is a very corrupt institution with deep involvement in both legal and illegal businesses, notably including illegal operations in West Papua that range from logging to shaking down Indonesian and foreign corporations based in the region, including, periodically, Freeport-McMoRan. The Indonesian military's business empire throughout the country, but especially in West Papua, contributes to the environmental devastation that, in turn, adds to Indonesia's major contribution to global climate change.

The Indonesian military is also notoriously unaccountable for its past and current human rights abuses. Once again, this is most apparent in West Papua, a reality acknowledged even in the otherwise truth-challenged annual US Department of State human rights reports. And it is in West Papua where the Indonesian military most obviously continues to operate under the rules of the Suharto dictatorship, *inter alia* ignoring efforts by the ever more hapless Widodo administration to liberalize rules governing journalists' and other international observers' access there.

An enlightened US policy in Indonesia, one that seeks to advance prospects for the evolution of an Indonesian state neither dominated by nor subservient to a corrupt, unaccountable, human-rights abusing military, could be the basis of a new US approach to Indonesia. That new approach could engage policies that employ existing, significant US leverage, including US military and other forms of assistance, to press for genuine reform of the Indonesian military, and in particular its operations in West Papua. Specifically, continued US military co-operation with the Indonesian security forces could be conditioned on explicit reforms, especially those having to do with Indonesian military conduct in West Papua.

Moreover, US officials should engage with their senior Indonesian counterparts to encourage them to abandon the “security approach” that has long governed Jakarta’s policies in West Papua, and instead pursue reconciliation with Papuans. Realistically, for any reconciliation process to move forward credibly, the Indonesian threat to Papuan security must be removed. A withdrawal of Indonesian military forces from West Papua is therefore essential to any genuine reconciliation. This would also entail the dismantling of the military’s massive, and often illegal, business infrastructure in West Papua. Retention of military components should be specifically defined and limited to legitimate border defence. A similar drawdown of state intelligence operatives targeting Papuan dissenters is similarly essential to a credible reconciliation process.

Such reconciliation must entail engagement with Papuan civil society, and not simply empower Papuan officials whose power and authority is often derivative of the political power circuitry emanating from Jakarta. Also, as a vital good-faith gesture, Jakarta must also be prepared to include, within the scope of reconciliation discussions, the long-standing Papuan demand that the internationally recognized right of self-determination be extended to them.

To date, US policy toward Indonesia has been in the service of American corporate interests as well as the Pentagon’s long-held intention that Indonesia should serve as a component in the United States’ Pacific defence policy, especially vis-à-vis China. This narrow, realpolitik-based definition of US interests has rendered the US government complicit in the crimes of the Suharto dictatorship and its bastard son, the Indonesian military, which continues to threaten democratic reform in Indonesia and the survival of the Papuan people.

A broader understanding of what constitutes long-term US interests in Indonesia—i.e., the evolution of a stable and democratic Indonesia—is long overdue.

Notes

- 1 West Papua Advocacy Team, “West Papua Report July 2015,” http://etan.org/issues/wpapua/2015/1507wpap.htm#State_ (accessed 30 March 2016).
- 2 Department of State testimony to US Congress, 19 Nov. 2015, <http://www.state.gov/j/drl/rls/rm/2015/249788.htm> (accessed 30 March 2016).

- 3 Benny Wenda, “Statement on the Massacre of Youths and Children in Paniai, West Papua,” press release, 9 December 2014, <https://www.bennywenda.org/2014/statement-on-the-massacre-of-youths-and-children-in-paniai-west-papua/> (accessed 30 March 2016).
- 4 Human Rights Watch, “Something to Hide? Indonesia’s Restrictions on Media Freedom and Rights Monitoring in Papua,” 10 November 2015, <https://www.hrw.org/report/2015/11/10/something-hide/indonesias-restrictions-media-freedom-and-rights-monitoring-papua> (accessed 30 March 2016).
- 5 International Coalition for Papua, *Human Rights in West Papua 2015* (Wuppertal, DE: International Coalition for Papua, 2015).
- 6 Amnesty International, “Indonesia: End Mass Arbitrary Arrests of Peaceful Protesters In Papua,” 11 June 2015, <https://www.amnesty.org/en/documents/asa21/1851/2015/en/> (accessed 30 March 2016).
- 7 On Freeport see Denise Leith, *The Politics of Power: Freeport in Suharto’s Indonesia* (Honolulu: University of Hawai’i Press, 2003) and S. Eben Kirksey, *Freedom in Entangled Worlds* (Durham, NC: Duke University Press, 2012).

