

photos/a.601667066615820/1880416828740831/?type=3

RNZ, Radio New Zealand. 2018. UN Approves New Caledonia Voter Registration. 17 September. <https://www.radionz.co.nz/international/pacific-news/366594/un-approves-new-caledonia-voter-registration>

Tromeur, Françoise. 2018. Gaël Yanno à la tête du Congrès, analyse et réactions. nouvelle calédonie 1, 30 July. <https://la1ere.francetvinfo.fr/nouvellecaledonie/gael-yanno-tete-du-congres-analyse-reactions-611974.html>

Wasmer, Etienne, and Quentin David. 2012. Rapport sur la situation économique de la Nouvelle-Calédonie: “Et si la prospérité n’était pas éternelle?” August. Available from <https://larje.unc.nc/fr/le-rapport-wasmer-sur-la-situation-economique-de-la-nouvelle-caledonie-2/>

## PAPUA

Papua concluded 2018 with a tragic incident when thirty road workers and one soldier in Nduga District were killed by the West Papuan National Liberation Army (Tentara Pembebasan Nasional Papua Barat, or TPNPB), one of the military wings of the Free Papua Movement (Organisasi Papua Merdeka) led by Egianus Kogoya (Tehusjarana 2018). The workers were working on an infrastructure project that penetrated the isolation of the Papua Central Highlands. The incident constitutes the largest number of civilian casualties by a non-state armed group in Papuan history. The TPNPB insisted that the workers were double agents who worked for the Indonesian military in disguise. The responses from the Papuan commu-

nity were quite diverse. Some believed that the TPNPB would never attack civilians, and some regretted it. Sebby Sambom, the spokesperson for the TPNPB, made it very clear, however, that the TPNPB was responsible and had planned the attack three months in advance (Hadi and Ayu 2018).

Despite these claims, the truth remains far from resolved since none of the state’s legal institutions conducted investigations to establish facts. Indonesia’s national human rights commission (Komisi Nasional Hak Asasi Manusia Republik Indonesia, or Komnas HAM) issued a press statement declaring that “such an act carried out by the armed group is a serious human rights violation” (Tempo.co 2018a). The public statement, however, did not prompt Komnas HAM to undertake a proper fact-finding mission, even though it is the only legal institution in the country that has subpoena authority to look into allegations of human rights abuses. As a result, both the victims’ families and the public live with one-sided stories about the incident.

In contrast, the government’s response was to immediately deploy troops to hunt down the TPNPB. This decision shows that a heavy-handed approach remains the most preferred option for state authorities in dealing with Papua’s security. Still, two months after the incident, it remained unclear whether the joint operation between the Indonesian police and the military had captured the group. Instead, the public was informed that many Nduga residents, especially women and children, had fled their homes and taken refuge in Wamena or Agats for safety. At the time of

writing, these vulnerable groups were living in dire conditions and required immediate humanitarian assistance. Father John Djonga, a local Catholic priest who shelters internally displaced persons from Nduga, made a public appeal: “Please help us since we are overwhelmed with thousands of refugees. Nobody helps us to date” (pers comm, 20 Jan 2019). He had already established a temporary school to shelter some four hundred internally displaced children.

The worker tragedy was not entirely unprecedented. Five months earlier, a number of violent incidents had occurred. TPNPB members shot at Dimonim Air and Trigana Air commercial aircrafts that carried ballots for the regional elections, injuring the pilots of both aircraft and killing three civilians during the Trigana Air attack (Gumilang 2018; CNN Indonesia 2018). These incidents were considered a bad omen, prompting the locals to flee their homes and take safety in the Asmat area (Tempo.co 2018b), even though they had to walk and canoe across difficult, swampy terrain.

In retrospect, the protracted conflicts in Papua have changed little in the last five decades. The heavy-handed approach of the authorities is not just meted out against Papuans inside Papua’s jurisdiction. Rather, it has become a common pattern for the police to put pressure on Papuan communities across the Indonesian archipelago. The International Coalition for Papua has documented a persistent pattern of police brutality against Papuan students and their solidarity groups. The police raided Papuan students’ dormitories in various

cities in Indonesia, such as Ambon, Yogyakarta, Surabaya, and Makassar.

Statistically, the coalition documented the ten most common patterns of human rights violations, the top three being political arrests in relation to political events (1,201 cases); violations of victims’ health (648 cases); and torture (80 cases) (ICP 2019).

Unlike in previous years, in 2018 we have seen new players involved in the raids, namely mass organizations (organisasi kemasyarakatan, or ormas) such as the Front Pembela Islam (Islamic Defender Front), the Pancasila Youth, the Community Forum for Sons and Daughters of the Police and Armed Forces (Forum Komunikasi Putra Putri Purnawirawan dan Putra Putri TNI Polri, or FKPPPI), and the Association of Sons and Daughters of Army Families. These organizations take a more active role in confronting Papuan students without any restraint from the police. This action suggests that the police welcome their participation in dealing with Papuan matters and consider them proxies. The ormas not only encourage the police to take harsh measures against Papuan students but even participate in clamping down on the political activities of Papuans in their own neighborhoods.

The involvement of proxies in handling security matters in Indonesia is not novel. On the contrary, it is common for the state security apparatus to make use of illegality and illegal groups for its own benefit (Aspinall and van Klinken 2011). If we were to take a closer look at these organizations, however, we would be surprised to see that they do not naturally come together as one front. Rather, they compete and even oppose

each other based on their conflicting interests and affiliations. For instance, the Front Pembela Islam is well-known for campaigning on an Islamist agenda, such as implementing sharia law, raiding the places of worship of religious minorities, and leading protests against former Jakarta Governor Basuki Tjahaja Purnama for blasphemy. So it was unusual that this militant group was protesting against Papuans and advocating for a nationalist agenda.

Similarly, the Pancasila Youth, a legacy of Suharto's New Order regime that he deployed to silence opposition, took to the streets to oppose Papuan students gathering in Surabaya in August and December 2018 (see Wismabrata 2018; Firman 2018b). FKPP's Yogyakarta branch had been involved in rounding up the Papuan students in a dormitory in Yogyakarta in 2016 (Maharani 2016), and its Surabaya branch was now taking part in the protests against Papuan students in Surabaya. During the Surabaya incident of 1 December 2018, the police did not allow the proxies to act above the law after they attacked the Papuan student dormitories. Instead they arrested dozens of attackers for vandalizing properties. However, the police also arrested and detained overnight more than three hundred Papuan students for holding a gathering to commemorate what they refer to as Papuan independence day (Firman 2018a).

If we juxtapose police treatment of Papuan students in Jayapura against that in Surabaya, we can see little difference. In both cases, the police did not hesitate to use excessive force against unarmed students who had

organized peaceful demonstrations.

In contrast, the police take no action when ormas take to the streets under the banner of an Islamist agenda.

This discrepancy resonates with what Robert Cribb conceptualized as a system of exemption (2011). That is, the law is unevenly implemented because policy makers accept bribes, inducements, favors, commissions, and so on in exchange for making decisions that favor one party over the other. As will be discussed, this system of exemptions is also found in other dimensions of Papua's political sphere.

In sum, unlike in previous years, during which the Papuans' international campaign absorbed most of their energy, the 2018 Papua political chapter was largely colored by domestic politics. This shift might be attributable to a decrease in the intensity of the work of Papuan leaders in the international lobby arena.

While political events remain the focus of media attention, another big news item from Papua is the aftermath of the prolonged negotiation over Freeport Indonesia's divestment. Having secured an initial agreement with Freeport Indonesia's parent company, Freeport-McMoRan, to divest in 2017, the Jokowi government managed to take the agreement one step further by signing a major deal with the company consisting of three issues: divestment of Freeport Indonesia, becoming a shareholder of Freeport Indonesia, and buying shares of Rio Tinto Indonesia. This landmark decision has given power to Indonesia to have full control over the subsidiary's future following Freeport-McMoRan's free reign since 1967. It is therefore understandable that the deal did not

come easily, having gone through tough negotiations between the Indonesian government and Freeport-McMoRan (Sulistiyowati 2018, 28).

The deal, however, did not receive much appreciation from the public (Lingga 2018). The opposition simply dismissed the deal by labeling it as window dressing by the government to win the coming election. They even accused the government of misinforming the public because the acquisition did not actually happen. An observer labelled this accusation as “distorted” and “insulting people’s intelligence” because the opposition’s accusation did not work according to law. Other observers, however, insisted that the deal does not necessarily benefit Papuans and even called it “idiotic” because the government simply purchased its own property (Nathaniel 2018).

Papuans hold various views. Some argue that Papuans should have been consulted, as they were not present during any negotiations between Freeport-McMoRan and the government. A member of the Papuan Provincial Council argued that Papua should be given 40 percent instead of the 10 percent shares of Freeport Indonesia as agreed (Mawel 2018). Papuan activists and Papuan students seem to be paying less attention to this issue compared to the previous generation.

While Freeport Indonesia is the most important mining project for Papua and even Indonesia, it is not the only extractive industry that has deeply affected Papua livelihoods. Another equally concerning issue that reflects the system of exemption is the politics of permits for oil palm plantations. Though this is an ongo-

ing issue, a report in the investigative magazine *TEMPO* reveals the devastating impact of this industry in South Papua, especially Boven Digoel district (Silalahi, Hermawan, and Ferdianto 2018). The report exposes the problems with Malaysia’s Menara Group having obtained control over 2,800 square kilometers of land—more than twice the surface area of New York City (1,213 square kilometers)—in this district during the last decade. It should be noted, however, that this encroaching company’s activity is inseparable from the ongoing operations of other permit holders in the area, such as Korindo, which is much more established.

The report identifies seven problematic behaviors of Menara Group and its subsidiary companies (Silalahi, Hermawan, and Ferdianto 2018). First, they acquire general business permits instead of activity-specific permits, meaning they are not entitled to extract natural resources. Second, they use fictitious names for company directors and commissioners, often borrowing the names of former cleaning staff or drivers without their consent. Tacitly, Menara Group’s CEO acknowledged this practice, arguing that “not all members have money” (Silalahi, Hermawan, and Ferdianto 2018, 23). The CEO “used fictitious names in order to secure general permits as soon as possible to start his company. Once the permits are obtained, the company will change all names to those who have money to invest,” explained Frank Samperante, director of the Jakarta-based nongovernmental organization Pusaka (pers comm, 25 Feb 2019). Third, they extend general permits in order to

obtain forest concessions, acquiring land until they exceed the legal limits of land concession.

Fourth, the companies persuade local communities to accept their presence and promises. For example, in 2013 Menara Group sent a messenger carrying Rp1.74 billion (US\$124,000) in cash to be distributed to the communities as “solidarity money,” together with two pigs and various staples (Silalahi, Hermawan, and Ferdianto 2018, 17). The villagers were effectively bribed with the gifts, so they raised no concerns when Menara Group asked them to sign a blank paper. Later, the company used the signatures as proof of the lease of customary land.

Fifth, the companies sell their permits to other companies before they actually do any exploration. This tactic is a form of tax evasion. Sixth, they create special-purpose vehicle companies in tax-free zones in order to ease transfers and reduce sales and purchase taxes. Finally, they only clear the forest in order to get timber (Silalahi, Hermawan, and Ferdianto 2018, 15). All of these patterns have detrimental effects on both the inhabitants of and the habitats around the concession areas.

Unlike the previous regent, the current regent of Boven Digoel acted in a decisive manner by revoking the permits of subsidiary companies in July 2017 because they have yet to grow oil palms and also because of rejection by the community (Silalahi, Hermawan, and Ferdianto 2018, 20). The governor of Papua revoked other permits of the Menara Group in 2018. In responding to the regional governments’ decisions, Menara Group’s CEO

insisted that the authority remains in the hands of the Indonesian national government. Therefore, he threatened to file a lawsuit against the regional governments. On the contrary, Environment and Forestry Minister Siti Nurbaya clearly explained that “mining permits (IUP) are the authority of regional governments” (Silalahi, Hermawan, and Ferdianto 2018, 20).

The case of Menara Group encapsulates the persistent pattern of land grabbing in Papua. *TEMPO*’s report has also revealed that Zulkifli Hassan, the chair of the National Mandate Party, issued thirty-six permits for Papua out of one hundred and forty-five permits all over Indonesia during his time as the forestry minister under the administration of President Susilo Bambang Yudhoyono. This is the highest number of permits a minister has issued since Suharto’s period. The number of permits for Papua covers an area as large as 89,000 square kilometers, or slightly larger than Portugal’s territory (88,941 square kilometers).

This scandalous land grabbing affirms the nature of the system of exemption in the area of land acquisition in Papua. Just like in the political sphere, in the sphere of natural resources, the law only benefits the vested interests of politicians, businessmen, and bureaucrats but not those of indigenous Papuans. The convolution of these actors resembles a mafia network. The continuous opposition from the indigenous Papuan community against this mafia is easily defeated. Corporations employ enticing tactics to divide and rule the community despite the ongoing campaign of church leaders who

forbid their congregation members to sell their land. One of the strongest proponents against land sales has been Bishop John Saklil of Timika, who started the public campaign “Stop jual tanah” (Stop selling your land) (Mawel 2017). Similarly, the ongoing campaign of environmentalist nongovernmental organizations (NGOs) seems futile since their data and analyses have not led to significant policy changes that give more protection to indigenous people. None of these organizations have taken any legal action against corporations in 2018, said Samperante (pers comm, 25 Feb 2019), although a few lawsuits were submitted to the court in the previous years.

Apart from the typical problems that Papua has had to confront, it has experienced a new phenomenon that has been largely under the surface: religious tension between the Christian and Muslim communities. While the latter is the largest religious community in Indonesia, it is a minority in Papua, where few tensions have surfaced in recent years. However, a flame was sparked in March 2018 when the Christian churches around Jayapura issued a letter of protest demanding that the plan to erect four hundred-meter-tall minarets at Al-Aqsha mosque in Sentani be stopped. Together with the regent of Jayapura, the top leaders of both communities moved quickly to confine the flame. They agreed to establish a mediation team consisting of most of the senior Christian and Muslim figures in Jayapura to mend the tension. The team managed to organize separate meetings with both communities to clarify and ease the dispute. The Muslim

community refused to have any direct negotiations with the Christians, although they accepted any decisions taken by the mediation team and the local government. The Christian community was prepared to have dialogue with the Muslims.

Based on these separate negotiations, the mediation team compiled five key points of agreement between the two communities: (1) the minarets would not be erected; (2) the petition from the Churches would be submitted to the regent for further consideration; (3) places of worship that reflect the Regency of Jayapura’s principle role as a zone of integrity and harmony should be constructed; (4) the regency should promote interfaith activities; and (5) a local regulation that governs and promotes harmony among different faiths should be issued (TMKJ 2018). The statement was submitted to the regent of Jayapura for follow-up.

The minaret construction, however, was not the only incident that signaled the potential for interfaith conflict. Later in the month, a Papuan ustaz (Islamic religious scholar), Fadlan Garamatan, made a public statement that infuriated the whole indigenous Papuan community, including Muslim Papuans. He claimed that he successfully trained Asmat people to use soap for taking baths because “the missionaries taught them to rub pork fat over their bodies as ‘bathing’ instead of pouring water” (Wartaplus.com 2018). As a response, the Christian community around Jayapura organized a public demonstration. They not only demanded an apology from the ustaz but also called on the local authorities to arrest him for blas-

phemy (TMKJ 2018). The Wahhabi ustaz eventually offered an apology. Interestingly, he offered his remorse to the chair of the Papua chapter of the Indonesian Ulema Council, Ustaz Payage, not to the Christian community. Meanwhile, the police did not take any legal action against him.

Further, the statement of the Christian community also touched on the issue of Ja'far Umar Thalib, the former commander of the Islamic extremist militia Laskar Jihad in Ambon. This militia fought the Christian militia during one of the most violent conflicts in the post-Suharto era. The community explicitly asked the Papua police chief to expel him from Papua. The request was not entirely new. On the contrary, it reiterated the same demand that all Islamic organizations in Papua had expressed in 2016 (Tabloid Jubi 2016). During a meeting of the Forum of Interfaith Leaders for Harmony in Jayapura, all leaders expressed their concerns over Thalib's presence in Jayapura, as it reminded them of his dark past during the violent conflict in Ambon.

Unlike many Papuans who are not aware of his presence and background, Ridwan al-Makassary traced back the history that explained why Thalib moved to Papua (2017). He discovered that the Tolikara incident was the turning point. This was the clash between the Christian and Muslim communities in Tolikara as the Muslims celebrated the end of Ramadan in July 2015. Having been driven by his jihad to defend his Muslim brothers and sisters, Thalib arrived in Tolikara to assess the situation. Because Tolikara was handled properly by both communities' leaders, Thalib

did not camp in the Tolikara area but rather anchored his presence at the outskirts of Jayapura, where he has undertaken dakwah (proselytism) ever since. He seems to be untouchable.

If we put these incidents under the lens of the system of exemption, it becomes apparent that the religious tension in Papua also fits into this category. In contrast to the rapid response of the police and the government in other parts of Indonesia to accommodate pressure from the Muslim majority, Papuans do not enjoy such a privilege, despite being the majority in their own land. On the contrary, the indigenous Papuans are the ones forced to adjust and tolerate, not the ones who dictate and dominate.

The whole system of exemption is nothing but a time bomb. It has exacerbated the sense of injustice among the indigenous Papuans, as they feel the law does not protect them. Conversely, the law benefits those who control land permits, the state authorities, and Indonesia's religious majority. If these grievances are not addressed properly, the situation will likely explode sooner rather than later into social unrest and other forms of violence.

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### References

All websites accessed 17 April 2019.

Aspinall, Edward, and Gerry van Klinken, editors. 2011. *The State and Illegality in Indonesia*. Leiden, Netherlands: KITLV Press.

CNN Indonesia. 2018. Baku Tembak di Bandara Nduga-Papua, 3 Warga Tewas.

- 25 June. <https://www.cnnindonesia.com/nasional/20180625132203-20-308822/baku-tembak-di-bandara-nduga-papua-3-warga-tewas>
- Cribb, Robert. 2011. A System of Exemptions: Historizing State Illegality in Indonesia. In *The State and Illegality in Indonesia*, edited by Edward Aspinall and Gerry van Klinken, 31–44. Leiden, Netherlands: KITLV Press.
- Firman, Tony. 2018a. Nationalist Militia Attack Papuan Pro-Independence Rally in Surabaya. Asia Pacific Report, 2 December. <https://asiapacificreport.nz/2018/12/02/nationalist-thugs-attack-papuan-pro-independence-rally-in-surabaya/>
- . 2018b. Peringatan 1 Desember Papua, Demo AMP Surabaya Diadangi PP & FKPP. Tirto.id, 1 December. <https://tirto.id/peringatan-1-desember-papua-demo-amp-surabaya-diadangi-pp-amp-fkppi-daNJ>
- Gumilang, Prima. 2018. Pesawat Dimonim Ditembak Saat Mendarat di Bandara Keyam Papua. CNN Indonesia, 23 June. <https://www.cnnindonesia.com/nasional/20180623053606-20-308280/pesawat-dimonim-ditembak-saat-mendarat-di-bandara-keyam-papua>
- Hadi, Syafiul, and Maya Ayu. 2018. OPM Admits Deadly Attack, Demand Independence. Tempo.co, 6 December. <http://en.tempo.co/read/924057/opm-admits-deadly-attack-demand-independence>
- ICP, International Coalition for Papua. 2019. *Human Rights Update West Papua—January 2019*. Wuppertal: ICP. <http://www.humanrightspapua.org/images/docs/Human%20Rights%20Update%20West%20Papua%20January%202019.pdf>
- Lingga, Vincent. 2018. Looking at Freeport Deal through Distorted Lens of Politics. *Jakarta Post*, 27 December. <https://www.thejakartapost.com/academia/2018/12/27/looking-at-freeport-deal-through-distorted-lens-of-politics.html>
- Maharani, Shinta. 2016. Mahasiswa Papua Dikepung, Warga Kampung Yogya Kirim Makanan. Tempo.co, 16 July. <https://nasional.tempo.co/read/788008/mahasiswa-papua-dikepung-warga-kampung-yogya-kirim-makanan/full&view=ok>
- al-Makassary, Ridwan. 2017. *Insiden Tolikara and Ja'far Umar Thalib: Kontroversi Mushalla yang "dibakar" dan Drama Jihad di Tanah Papua*. Jakarta: Kementerian Agama Provinsi Papua.
- Mawel, Benny. 2017. Papuan Bishop Calls on People to Stop Selling Land. UCA News, 5 July. <https://www.ucanews.com/news/papuan-bishop-calls-on-people-to-stop-selling-land/79671>
- . 2018. Papua lebih pantas dapat 40 persen saham Freeport. Tabloid Jubi, 23 July. <https://www.jubi.co.id/papua-lebih-pantas-dapat-40-persen-saham-freeport/>
- Nathaniel, Felix. 2018. Akuisisi Saham Freeport Tak Serta Merta Untungkan Masyarakat Papua. Tirto.id, 23 December. <https://tirto.id/akuisisi-saham-freeport-tak-serta-merta-untungan-masyarakat-papua-dctu>
- Silalahi, M, Erwan Hermawan, and Ricky Ferdianto. 2018. Oil Palm Foul Play. *TEMPO*, 3 December.
- Sulistyowati, Retno. 2018. Scrutinizing the Agreement. *TEMPO*, 2 October.
- Tabloid Jubi. 2016. Umat Beragama Kota Jayapura Tolak Kehadiran Ja'far Umar Thalib. 29 January. <https://www.tabloidjubi.com/16/2016/01/29/umat-beragama-kota-jayapura-tolak-kehadiran-jafar-umar-thalib/>
- Tehusjarana, Karina M. 2018. Papua Mass Killing: What Happened. *Jakarta Post*, 7 December. <https://www>

.thejakartapost.com/news/2018/12/07/papua-mass-killing-what-happened.html

Tempo.co. 2018a. Komnas HAM: Worker Killings in Papua is a Severe Violation. 5 December. <http://en.tempoco.com/read/923997/komnas-ham-worker-killings-in-papua-is-a-severe-violation>

———. 2018b. Papuan Armed Group Terror Caused Nduga Residents Leave to Timika. 6 July. <https://en.tempoco.com/read/919760/papuan-armed-group-terror-caused-nduga-residents-leave-to-timika>

TMKJ, Tim Mediasi Kabupaten Jayapura. 2018. Kesepakatan Damai Umat Beragama Kabupaten Jayapura 2018.

Wartaplus.com. 2018. Kata-kata Uztaz Fadlan yang Bikin Orang Papua Kesal. 27 March. <https://www.wartaplus.com/read/635/Kata-kata-Ustaz-Fadlan-yang-Bikin-Orang-Papua-Kesal>

Wismabrata, Michael Hangga. 2018. 5 Fakta di Balik Bentrokan Ormas dan Mahasiswa Papua di Surabaya. Kompas, 16 August. <https://regional.kompas.com/read/2018/08/16/055320015-fakta-di-balik-bentrokan-ormas-dan-mahasiswa-papua-di-surabaya>

## PAPUA NEW GUINEA

After the 2017 general elections dominated the headlines, the major event to capture the spotlight in Papua New Guinea (PNG) in 2018 was the country's hosting of the quadrennial summit of the Asia Pacific Economic Cooperation (APEC). Indeed, the APEC meetings garnered large amounts of attention within Papua New Guinea while also attracting international scrutiny into the country's role as host as well as conditions across the country generally. The APEC meetings led to a fresh look into Papua New

Guinea by foreign media outlets and acted as a microcosm of international relationships between China and other powers. To a certain degree, Chinese relations with Pacific Island states were on display, but events showing tensions between China and the United States became the main talking points as they were scrutinized by analysts and journalists from across the globe. While the critically important APEC summit and related events raised many issues, many other significant happenings highlighted internal challenges to governance, including emergency responses to natural disasters in the form of earthquake relief and resettlement of victims of volcanic activity, continuing strife in the wake of the 2017 elections, accusations of corruption at various levels, upticks in various diseases, devolution of powers to provinces via an as-yet-undefined form of special autonomy, preparation for the referendum on Bougainville, land and development projects, and the long-standing saga of those seeking asylum in Australia but waylaid on Manus Island for the sixth year.

Among the many challenges to face the people and government of Papua New Guinea, perhaps none had a broader reach than the handful of natural disasters that affected citizens from almost all regions in one form or another. The largest and most destructive of these was the magnitude 7.5 earthquake that struck in February and wrought devastation across the interior. The Highlands region was especially hard hit, as subsequent landslides buried homes and villages, cut off access roads, and damaged airstrips in many communities already considered isolated. Equally dangerous