

## A. Introduction

1. The report is submitted by *Papua Itu Kita* (We are Papua), a network of individuals and civil society organisations<sup>i</sup> concerned with human rights of Papua based in Jakarta. The network works closely with the Human Rights Working Group in Jakarta and Franciscans International in Geneva. The report specifically deals with the situation of human rights in the provinces of Papua and West Papua in Indonesia within the period of 2012-2016, particularly on the following issues.

## B. Extrajudicial killings

2. During the 2<sup>nd</sup> Cycle of the Universal Periodic Review, the Government of Indonesia accepted the recommendation to “hold accountable officials of all ranks responsible for human rights violations in the Papua provinces”. During the period of the review, however, the Indonesian security apparatus allegedly committed a number of unlawful killings.

### Update:

3. During the dispersal of the National Committee for West Papua (*KNPB/ Komite Nasional Papua Barat*)<sup>ii</sup> demonstration on 4 June 2012 to investigate the killings of German tourists in Base G beach (29 May 2012), two university students, Panuel Taplo and Yesa Mirin, were killed. Panuel was shot dead whereas Yesa was seriously injured and fractured.
4. On 14 Juni 2012, Mako Tabuni, the leader of KNPB, was rounded up and shot dead by the police in Waena, near the capital province of Jayapura.
5. On 27 November 2013, Matias Tengket (26) was found dead in Kamp Walker river one day after the police dispersed KNPB demonstration led by the Jayapura Police Chief Alfred Papare, and Deputy of the Jayapura Police Chief, Kiki Kurnia. Eyewitnesses testified “They pushed the boat into the lake [Sentani]. They threw the body and they went back to their Avanza [car] and were off towards Mega Mall Waena”.
6. On January 24 2014, National Liberation Army of the Free West-Papua Movement (TPN-OPM) under command of Goliat Tabuni stole 8 firearms from a Police post at Kulirik Village, Puncak Jaya Regency, Papua. Thereupon joint Indonesian Military and Police Forces in Puncak Jaya conducted various sweeping operations in 7 villages between 26 January to 2 February 2014. The targeted villages were, Dondowaga, Kulirik, Dolugowa, Yambindugun, Kalome, Yalinggua and Talilome. During their sweeping operation in Kulirik village, two men were executed, namely Yukiler Enumbi and Tigabur Tabuni.
7. On 8 December 2014, joint forces of TNI (the Indonesian National Army) and the Indonesian Police shot dead four high school students namely Alpius Youw (17), Yulian Yeimo (17), Simon Degei (18) and Alpius Gobai (17) whereas 2 people severely injured and 17 others wounded at Karel Gobay soccer field, Paniai. Previously the Indonesian security personnel attacked 11 children (2 girls and 9 boys) on 7 December 2014 when they were playing and gathering at a Christmas Hut, located in Ipakiye Village, Madi District.
8. The incident drew public attention that prompted the relevant Indonesian authorities to respond. Eight different Indonesian authorities established separate investigation teams, including the Indonesian Army, the Papua Police Headquarters, the Headquarters of the Indonesian National Police, the Indonesian Air force, the Papua Provincial Council, The Indonesian Witness and Victim Protection Agency (LPSK), The Coordinating Ministry for Security, Political and Legal Affairs, The Indonesian National Commission on Human Rights (KOMNAS HAM).
9. On 27 December 2014, during the Christmas celebration in Jayapura, Papua, President Joko Widodo promised to thousands of Papuans to solve the incident.

10. Papua Itu Kita organised a series of public demonstrations in Jakarta to put pressure on Komnas HAM to investigate the case by using its authority and mandate as stipulated by Law No. 26 of 2000 on Human Rights Court. The law authorises Komnas HAM to use its sub-poena power during its investigation and bring the suspects to the Indonesian permanent human rights court. The investigation team was established on 1 March 2016, which was supposed to complete its work by 31 August 2016. However, the team never managed to convene its meeting that involved all team members and thus never fulfilled its mandate to bring the case to justice.
11. During May 2016, a representative of *Papua Itu Kita* visited the victims in Paniai and found that some victims remain suffering from the because of the shooting. Since February 2015 until now, The Indonesian Witness and Victim Protection Agency (LPSK) has never done any follow-up actions to address the needs of witnesses and victims.

### ***Recommendations***

12. ***The Government of Indonesia (GOI) should bring the dossiers of the gross human rights violations in Papua to the Indonesian Permanent Human Rights Court, especially the dossiers of Wasior (2001), Wamena (2003) and Paniai (2014).***
13. ***GOI should take all necessary measures to provide reparation of victims and their families of extra-judicial killings.***

### **C. Torture and other CID treatment**

14. While Indonesia adopted the recommendations to ratify the Rome Statute of the International Criminal Court which criminalises and punishes torture as well as to enhance human rights training for Indonesian law enforcers and security personnel, the following facts illustrates the persistent pattern of torture with impunity committed the Indonesian security apparatus in both urban and rural areas of Papua.

### **Update**

15. During the forced dispersal of KNPB demonstration as above mentioned, six KNPB activists were subjected to torture and other degrading treatment by the police of Jayapura:
  - (1) Ericson Suhuniap (24) was beaten on his head and stabbed with a bayonet. The police also forcefully shaved his moustache with a bayonet.
  - (2) Enos Yoal (23) was beaten in his face until bleeding, strangled and stomped in his back.
  - (3) Efesus Payage (30) was beaten in his head and was stomped by the police so that he got ten stiches.
  - (4) Yobet Bahabol (31) was beaten in his stomach and head, stomped in his back, stabbed in his thighs so that he got ten stiches.
  - (5) Jursen Suhuniap (27) was beaten in his head until he was bleeding badly and was stomped on his waist and thighs. He got ten stiches.
  - (6) Jekson Wenda (22) was shot on his back, beaten on his ribs and head and stabbed on his right leg.
16. On January 24 2014, National Liberation Army of the Free West-Papua Movement (TPN-OPM) under command of Goliat Tabuni stole 8 fire arms from a Police post at Kulirik Village, Puncak Jaya Regency, Papua. Thereupon joint Indonesian Military and Police Forces in Puncak Jaya conducted various sweeping operations in 7 villages between 26 January to 2 February 2014. The targeted villages were, Dondowaga, Kulirik, Dolugowa, Yambindugun, Kalome, Yalinggua and Talilome.
17. During the sweeping operation in Kulirik Village, six people were tortured:

- (1) Pamit Wonda was stabbed with a bayonet and had to be admitted to the Public Hospital Mulia
- (2) Reverend Kendinggen Jigwa: threatened at gun-point and beaten by security personnel
- (3) Les Murib was stabbed with a bayonet and had to be admitted to the Public Hospital Mulia
- (4) Yulina Wonda was beaten and suffered bruises at entire body and had to be admitted to the Public Hospital Mulia
- (5) Oktovianus Tabuni was shot to the left knee and stomach after police interrogation
- (6) Caban Tabuni was shot to both knees and body

### ***Recommendations***

- 18. GOI should take any necessary measures to bring perpetrators of torture to the Indonesian Permanent Human Rights Court.***
- 19. GOI should take any necessary measures to repair the victims and their families of torture.***
- 20. GOI should implement all adopted recommendations during the 2<sup>nd</sup> Cycle of the UPR in regard to torture prevention.***
- 21. GOI should formulate a specific law that not only criminalises and punishes torture but more importantly, prevent torture.***

### **G. Human rights defenders**

22. While GOI adopted recommendations to protect human rights defenders during the 2<sup>nd</sup> Cycle of UPR, it failed to implement it in Papua. Robert Jitmau,<sup>iii</sup> a well-known defender, who worked with the Papuan women traders in Jayapura to advocate for their demand to have a traditional market in the city of Jayapura, was killed on 20 May 2016 under suspicious circumstances.

### ***Recommendations:***

- 23. GOI should investigate the circumstances and bring the mastermind of killings of Papua human rights defenders to justice.***
- 24. GOI should implement fully its commitment to protect human rights defenders as expressed before the 2<sup>nd</sup> Cycle of UPR by developing effective protection mechanisms between the desk for human rights at KOMNAS HAM, LPSK, the Police and other relevant state institutions.***

### **H. Freedom of opinion and expression**

25. The 1945 Indonesian Constitution and relevant national laws guarantee the right to freedom of expression for all Indonesian citizens, such as, but not limited to, Law No. 9 of 1998 on the freedom to express opinions in public space, Law No. 11 of 2008 on Information and Electronic Transaction, and Law No. 14 of 2008 on Public Information Disclosure. These legal protections, however, are not implemented in Papua as the following facts demonstrate.

### **Update**

26. Late of December 2015, police came to Papuan students' dormitory in Jakarta to warn the students that they had to have permission from the police for any of their internal and external meetings.

27. On 25-26 April 2016, dozens of Yogyakarta police and BRIMOB intervened a student gathering at the Kamasan I, the Papuan Student Dormitory in Yogyakarta, equipped with heavy arms and armour vehicle. The students were organising a commemoration of the killing of Arnolp Ap, a curator of Universitas Cenderawasih Museum of Jayapura. The Yogyakarta Police Chief argued that they were ordered from their superior to guard the gathering whereas the students insisted that they did not invite them to the gathering and asked them to leave the premise.
28. On 30-31 May 2016 the Yogyakarta anti-riot police and BRIMOB rounded up the Kamasan I dormitory even though there was no special event in the dormitory. The Yogyakarta Police Chief, AKBP Pri Hartono Eling Lelakon, argued that they were ordered by their superior to guard the dormitory. As a response, the students insisted that the police were not invited and asked them to leave, which they did following a heavy negotiation.
29. On 14-15 July 2016, the police of Yogyakarta together with pro-government organisations rounded up the Kamasan I dormitory as they accused the students who would have raised the Morning Star flag in the compound. They blocked all access to the dormitory and even denied access to logistical supply provided by the Indonesian Red Cross.
30. On 15 August 2016, police in Bali province notified West Papuan students that they need to apply for permission to the police at least seven days prior to any demonstration. Police also require them to fulfill requirements more than the law regulates. Under Law on Freedom of Expression, Indonesian citizens are only required to notify the police three days prior to demonstration.
31. On 1 December 2015, 336 Papuan students were arrested during a demonstration at Bundaran Hotel Indonesia, the heart of Jakarta. The peaceful demonstrators were celebrating their identity as Papuans during the Papuan historical day. The Jakarta police, who initially did not intervene the demonstration, tear-gassed and beat them. Eleven students were injured including one man named Niko Suhun had his skull fractured and were treated in *Pusat Otak Nasional* (National Brain Centre) hospital. Two women were sexually assaulted by the police. Enos Suhun and Eliakim Itlay<sup>iv</sup> were charged of assaulting police and resisting arrest.
32. West Papuans have been facing unprecedented violation of freedom of expression since April 2016, which is evident by 4,587 unlawful arrests in just six months. It was triggered by the massive demonstrations involving thousands of West Papuans mainly on supporting the United Liberation Movement of West Papua (ULMWP), mobilized mostly by the KNPB and Papua Students Alliance (*AMP/ Aliansi Mahasiswa Papua*).
33. The Indonesian police in various jurisdictions conducted massive unlawful arrests against Papuans in 2016 across 13 cities in Indonesia including, Jakarta, Yogyakarta, Malang, Makassar, Manado, Jayapura, Manokwari, Fak-fak, Kaimana, Dekai, Sentani, Merauke, Wamena: 107 arrests in April, 2,843 arrests in May (2,109 arrests on 2 May), 1,241 arrests in June, 221 arrests in July, 72 arrests in August, 103 arrests in September 2016.
34. Most of the arrestees were released on the same day. The arrests happened prior to and during the demonstrations. Thus, the unlawful arrests can be seen as a pattern used by police to suppress West Papuans' right to freedom of expression. Police was reportedly prohibited access for journalists and beating them. Children were also reportedly arrested in on the demonstrations. Arrestees in Kaimana, Dekai, Merauke and Wamena, however, were denied any access to legal aid.
35. On 15 July 2016, police arrived en masse to the dormitory of Papuan students in Papuan Student Dormitory, Kemasan I, Jalan Kusumanegara, Jogjakarta, early morning in order

to prevent them from demonstrating on that day. Police detained the students in their own dormitory for more than 24 hours which caused national outrage.

36. On 1 July 2016, the Papua Police Chief Irjen Pol. Paulus Waterpauw issued a public statement (*Maklumat*) to restrict freedom of expression and speech, specifically for KNPB, *Organisasi Papua Merdeka* (OPM/ Free West Papua Organisation) and United Liberation Movement for West Papua (ULMWP). While the Statement does not have a legal basis within Indonesian legal system, it contradicts Law No. 9 of 1998 on the Freedom to express opinions in public space and Indonesian Chief of Police Regulation No. 8 on 2009 regarding Implementation of Human Rights Principles and Standards in the organisation of the Police Duties.
37. In regards to the restriction and oppression of freedom of opinion and expression in Papua, minors were also reportedly arrested and shot by the Indonesian police and military personnel:
  - 15 August 2016: during a demonstration that commemorate 54 years of the 1969 New York Agreement: Daud Sroer (17), Kristin Yenu (8), Adam Yenu (11), Salmond Mariadu (16);
  - 28 August 2016, Timika: Martinus Imapuka (senior high school student, 18 Years old) was shot on his left chest, as well as Tomas Apoka. Without any reason, they were shot by 3 military personels in front of Catholic Church in Koperapoka (the Freeport mining town of Timika) while they were preparing their ritual. The military did the shooting blindly.

***Recommendations:***

38. ***The Indonesian police should comply fully with all domestic laws that guarantee the right to freedom of expression of every Indonesian citizen including Papuans, without any self-interpretation of the laws.***
39. ***GOI should rehabilitate all victims including psychology rehabilitation for themselves and their families, and prosecute all perpetrators of arbitrary arrest and shootings.***

**I. Land grabbing and the rights of indigenous peoples**

40. During the 2<sup>nd</sup> Cycle of UPR in 2012, the Government of Indonesia rejected the recommendation to fulfill the rights of indigenous people over forest, land and natural resources. The following facts are key examples of the ways that the Government continues to violate the rights of indigenous Papuans as enshrined in the Papua Provincial Bylaw (Peraturan Daerah Khusus/ Perdasus)<sup>v</sup> No. 23 of 2008 on the Customary Rights of the indigenous People and indigenous persons over land and the Decision of the Indonesian Constitutional Court. 35/PUU-X/2012 regarding the customary forest. The latter was also highlighted by CERD committee in its concluding observations (CER/C/IDN/CO/3) of 15 August 2007.

**Update**

41. Since the launch of MIFEE (Merauke Integrated Food and Energy Estate) policy in 2010 to date, GOI has issued licence of plantation (*usaha perkebunan*) and industrial forest (*hutan tanaman*) to 41 companies that grabbed the area of 1,598,823 hectares in Merauke Regency, Southern Papua. The decision was taken without any consultation with the indigenous communities in Merauke Regency as stipulated by the above mentioned regulations.

42. In a similar vein, in September 2013, GOI released Minister of Agriculture Regulation No. 98 of 2013 concerning the Guidelines of Licence of Gardening. The Regulation will allow each oil palm company to acquire 200,000 hectares for its production and 300,000 hectares for each sugar cane company. To date, GOI granted 94 oil palm companies<sup>vi</sup> with licences to operate in the Provinces of Papua and Papua Barat with the total land as large as 2,398,396 hectares. GOI also granted 15 sugar cane companies with licences to operate within the Province of Papua with the total land as large as 487,912 hectares.
43. The government policy has been the legal basis for companies to manipulate and intimidate the indigenous Papuans that own their land. Companies paid unfair price to the people and even involved the security personnel to force people to accept companies' terms and conditions so that people have been criminalised as they refused to accept the unfair companies' compensation of their land<sup>vii</sup>. This persistent pattern was found in the case of Palm Oil Company of Korindo Group<sup>viii</sup> that grabbed the land of the Marind in Merauke Regency during the period of 2009 - 2014, as well as the Mandobo and the Auwyu in Boven Digoel Regency during the period of 1998 until now. The total land is 149,633 hectare.
44. The indigenous communities of Iwaro in South Sorong, Southwest Papua, have similar experience. Their representatives have been criminalised and even jailed when they argue with the branch office of Palm Oil Company Austindo Nusantara Jaya in South Sorong.<sup>ix</sup> The Indonesian military personnel mistreated two members of the Mairasi in Sararti Village, Teluk Wondama Regency in West Papua Province when they complained the excessive presence of Kurniatama Sejahtera logging company operating in their forest areas.<sup>x</sup>
45. In May 2015, President Joko Widodo launched mechanisation program of food agriculture<sup>xi</sup> that grabbed the indigenous people forest and land of 1,2 million hectares in Merauke Regency, Southern Papua. GOI deployed the Indonesian military to clear the ground. As many Papuans have not recovered from their trauma with the Indonesian military abuses in the past and present, they were not in the position to resist.

### ***Recommendations***

46. ***GOI should fully implement Law No. 21/2001 on Special Autonomy for Papua especially Articles 40 and 43 by reviewing all relevant licences of corporations in order to comply with the Papua Provincial Bylaw (Peraturan Daerah Khusus/ Perdasus) No. 23 of 2008 on the Customary Rights of the indigenous People and indigenous persons over land the Decision of the Indonesian Constitutional Court. 35/PUU-X/2012 regarding the customary forest.***
47. ***GOI should take all necessary and immediate measures to investigate and prosecute any corporations that violate the laws and the rights of indigenous Papuans.***
48. ***GOI should take any necessary measures to rehabilitate and compensate the victims of land grabbing and its impacts on their daily lives.***
49. ***GOI should recognise the term of indigenous peoples (masyarakat hukum adat) as a legal entity in regards to land acquisition and natural resource management.***
50. ***GOI should harmonise laws on land, forest and natural resource management in order to comply with international human rights as adopted by Law No. 11 of 2005 on the International Covenant on Economic, Social and Cultural Rights.***
51. ***GOI should extend an invitation to the UN Special Procedure on Indigenous Peoples to visit Papua.***

## **J. Environmental destruction and deforestation**

52. Law No. 41 of 1999 on Forestry and Law no. 32 of 2009 on the Protection and Management of the Environment stipulate GOI to protect the indigenous Papuans and to provide them with healthy environment. These laws also authorise GOI to prosecute those who commit crimes of the environment. However, even in the GOI report to the UN Committee on Economic, Social and Cultural Rights in 2014, the term ‘deforestation’ is missing<sup>xii</sup>.

### **Update**

53. GOI’s development policy that heavily relies on natural resources has led to the conversion of tropical forest (deforestation) to extractive industry, plantation (particularly palm oil) and logging in a massive scale especially in Southern and Southwest Papua. The emphasis of building infrastructure has exacerbated the ongoing pattern of deforestation which has caused more natural disaster including flood, land slide such as Wasior (2010), Tembagapura (2011 and 2016).
54. In 2012, there are two palm oil plantation companies, namely: PT. Berkas Cipta Abadi and PT. Bio Inti Agrindo to cleared a large area of forest and introduced fertilizer in growing palm oil in Muting area of Merauke. Their activities have resulted in the contamination of rivers and swamps in the area that killed many animals.<sup>xiii</sup>
55. In Timika, the Chair of Association of Toxic Waste Management of Papua, Andreas Anggaibak, stated that the operation of the world’s largest copper mine Freeport Indonesia<sup>xiv</sup> since 1967 have caused contamination of the Ajkwa and large area around the city of Timika.
49. A similar pattern is also found in Zanegi Village, Merauke, who suffered from MIFEE project in Merauke as their access to clean water and nutrition has been violated by Selaras Inti Semesta logging company, a member of Medco Group, that has operated since 2009.<sup>xv</sup>
50. During 2013 until 2016, a number of heavy flood were identified in the operation areas of palm oil plantation in (1) the area of PT. Tandan Sawit Papua and PTPN II plantation in Arso, Keerom (2013), (2) around the area of PT. Pusaka Agro Lestari palm oil company in Iwaka and Iyaro villages, Mimika in 2014 (3) around the area of PT. Medco Papua Hijau Selaras palm oil plantation in Masni District of Manokwari in 2014, and (4) the area of PT. Nabire Baru and PT. Sariwarna Adi Perkasa palm oil plantation.

### **Recommendation**

51. ***GOI should implement Law No. 32 of 2009 regarding the Protection and Management of the Environment particularly Articles 48, 49, 50 and 51 that authorises the government to audit large extractive industry, particularly mining companies such PT Freeport Indonesia, and palm oil companies, logging companies as well as fishing companies operating in Papua.***
52. ***GOI should take any necessary measures to rehabilitate the conditions of the environment, particularly forest in Papua, and stop the furtherance of deforestation.***
53. ***GOI should take long-term and sustainable measures in rehabilitating victims of natural disasters caused by ongoing deforestation and of the extractive industry.***
54. ***GOI should develop a comprehensive mitigation policy that addresses the impacts of the environment degradation, deforestation and the operation of extractive industry by involving the affected communities at all stages of decision-making processes.***

## **K. West Papuan refugees in Papua New Guinea**

55. While both the Governments of Indonesia and Papua New Guinea created the term ‘permissive resident’ or ‘border crossers’ to refer to Papuan refugees, which are unknown in the international human rights law, the term does not hide the reality that approximately 13,000 Papuan refugees took refuge in Papua New Guinea.<sup>xvi</sup> In December 2015, the PNG government announced that they were going to start processing citizenship applications from 3,000 Papuan refugees in East Awin, Western Province of Papua New Guinea.
56. On 8 August 2016, the national PNG High Court ordered to stop the eviction of Papuan refugees’ shelter in Port Moresby. However, police insisted to evict the refugees on 31 August 2016. As a result more than 50 Papuan refugees lives are at risk. The battle is still on going.

### ***Recommendations:***

57. *GOI should officially acknowledge the existence of Papuan refugees in Papua New Guinea and use the term ‘refugee’ to describe them.*
58. *GOI should collaborate with the UNHCR and the Government of Papua New Guinea to address the needs of the refugees according to international standards.*
59. *GOI should ensure the refugees’ safety if they decided to return to Papua on their free will.*
60. *Government of PNG should grant citizenship status application to other West Papuan refugees who live across Papua New Guinea.*

## **Appendix A. List of Submitting Organisations:**

### **1. Perkumpulan Belantara Papua.**

Perkumpulan Belantara Papua was founded in 2005, the aim Perkumpulan Belantara Papua to advocating and empowering the rights of Papuan indigenous, and to increase capacity and critical awareness of the public to be independent. Address: Jl. Puyuh no. 3 Kampung Pisang, Remu Utara, Kota Sorong, West Papua (98416) Indonesia. Web: [www.belantarapapua.org](http://www.belantarapapua.org); Email: [papua.belantara@gmail.com](mailto:papua.belantara@gmail.com); Contact person: Max Binur, Phone: +62-852 5470 0116; Email: [macx.binur@gmail.com](mailto:macx.binur@gmail.com)

### **2. Jakarta Legal Aid Institute (LBH Jakarta)**

LBH Jakarta was established on 1969, and officially work on 1970 with the support of PERADIN (Indonesia Bar Association) and Provincial Government of Jakarta At the beginning, the legal aid provided by LBH Jakarta is the traditional legal aid which provided for those who economically poor and cant approach the private professional legal assistant. This approach was applied at least from 1970-1980. In early 1980s, LBH Jakarta starts to apply the structural legal aid in handling cases. This approach taken as the presence of mind on the economical, social and political structural lag is rising. Legal aid shall able to change the lag of order to become fairer. The approach of structural legal aid is not only through the legal assistance –in the sense of litigation and non-litigation works, but also through advocacy or strategic suit to change the order of law, whether it’s structurally, culturally or legal substance, become more justice. Structural legal aid is also require community empowerment.

Address : Jalan Diponegoro No. 74, Jakarta Pusat, 10320, Indonesia

Phone +62 21 3145518; Fax : +62 21 3912377; Email: [lbhjakarta@bantuanhukum.or.id](mailto:lbhjakarta@bantuanhukum.or.id);

Website: [www.bantuanhukum.or.id](http://www.bantuanhukum.or.id)

Contact Person: Alghiffari Aqsa ([alghif@bantuanhukum.or.id](mailto:alghif@bantuanhukum.or.id))



### 3. Yayasan Satu Keadilan

Yayasan Satu Keadilan was formed to fight for democracy and human rights, and to struggling people justice.

Address: Cibinong City Centre Blok D/10, Jl. Tegar Beriman No. 1, Cibinong, Bogor 6915, Jawa Barat, Indonesia. Telp/Fax [+62 21 29577443](tel:+622129577443), [+62 21 29577444](tel:+622129577444)

Email: [office@satukeadilan.org](mailto:office@satukeadilan.org); [satu.keadilan@gmail.com](mailto:satu.keadilan@gmail.com); Website: [www.satukeadilan.org](http://www.satukeadilan.org)

Contact Person: Syamsul Alam Agus, Email: [duael.saja@gmail.com](mailto:duael.saja@gmail.com)

### 4. Yayasan Pusaka

PUSAKA is an NGO in Indonesian, mission is to advocate the rights and empowerment of the people. Address: Kompleks Rawa Bambu 1, Jalan H No. 4, RT 001 RW 006, Pasar Minggu, Jakarta Selatan 12520, Indonesia. Phone and Fax: +62 -21 -7800844.

Email: [yay.pusaka@gmail.com](mailto:yay.pusaka@gmail.com); Website: [www.pusaka.or.id](http://www.pusaka.or.id)

Contact Person: Y.L. Franky ([angkytm@gmail.com](mailto:angkytm@gmail.com)).

---

i See Appendix A.

ii KNPB is the Papua youth organisation that promotes the right to self-determination for Papuans and calls for referendum for Papua.

iii See: <http://www.rappler.com/world/regions/asia-pacific/indonesia/bahasa/englishedition/133991-rob-ert-jitmau-papua-death>

iv See: <http://tabloidjubi.com/16/2015/12/04/dua-mahasiswa-papua-yang-ditahan-di-polda-metro-sudah-dibebaskan/>

v Provincial Bylaws (Perdasus) is the derivative of Law No. 21/2001 on the Special Autonomy for Papua that authorises the local governments of Papua and West Papua Provinces to govern themselves in all authorities but four, namely security defence, foreign politics, monetary and fiscal, religion and judiciary.

vi For further information see Franky & Morgan, 2015, Atlas Sawit Papua: Di bawah Kendali Penguasa Modal.

vii See: <http://www.redd-monitor.org/2013/09/03/mifees-massive-seizure-of-indigenous-lands-is-causing-starvation-and-poverty-in-papua/>

viii For further information See: <http://www.mightyearth.org/BurningParadise/>

ix See: <http://pusaka.or.id/korban-kriminalisasi-obet-korie-dan-odi-aitago-dituntut-hukuman-pidana-pen-jara/>

x See: <http://pusaka.or.id/kronologis-tindakan-kekerasan-tni-ad-terhadap-masyarakat-adat-mairasi-dan-miere-yang-berada-diareal-perusahaan-pembalakan-kayu-pt-kts-wondama/>

xi See: <https://awasmifee.potager.org/?p=1210>

xii See document E/C.12/IDN/1

xiii See: <http://www.mongabay.co.id/2012/12/25/6-perusahaan-sawit-cemari-sungai-di-merauke/>

xiv See: <http://pengairan.ub.ac.id/wp-content/uploads/2016/01/Jurnal-ANTON-NAWIPA-TINGKAT-PENCEMARAN-AIR-SUNGAIAJKWA-AKIBAT-BUANGAN-LIMBAH-INDUSTRI-PT.-FKAB.MIMIKA-0910643013.pdf>, and also see: [http://www.republika.co.id/amp\\_version/lpqqw](http://www.republika.co.id/amp_version/lpqqw)

xv See: Dying from Hunger in the World's Rice Barn as PT. Medco depletes Kampung Zane's Forest. <https://awasmifee.potager.org/?p=358>

xvi See: <http://devpolicy.org/west-papuan-refugees-papua-new-guinea-way-citizenship-20160719/>