

Pax Christi Aotearoa-New Zealand

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Hon Murray McCully MP
Minister of Foreign Affairs and Trade
Parliament Buildings
Private Bag
Wellington

Dear Minister

Submission on New Zealand Government Policy relating to West Papua

I Who we are

Pax Christi Aotearoa-New Zealand is an independent section of Pax Christi International, the Catholic peace movement set up 70 years ago in France. Since its inception, Pax Christi has spread to more than 50 countries and now has members and associates across all faiths. In furthering the international mission, seeking “peace for all everywhere”, we have focused on a range of issues relating to: Te Tiriti o Waitangi, disarmament and demilitarisation, protection of human rights, and the development of peaceful relationships among nations in the Asia-Pacific region. Since its inception, Pax Christi has been opposed to the violent resolution of conflict and the violation of international human rights, which is the basis of our concern regarding West Papua. Over the 25 years of our existence in New Zealand, our members have also become increasingly concerned with the tendency to put perceived economic gain ahead of the common good and the sustainability of our already taxed land, air, and waterways.

II Introduction to West Papua

West Papua is a small island Indonesian province with an approximate population of 877,437. West Papua was historically under Dutch colonial rule, and by 1961 was at the point of being granted independence. Before this could be enacted, however, Indonesia mounted a series of military incursions which led, in time, to Indonesia being given a UN mandate to manage West Papua towards a decision on their independence. This led in 1969 to an UN-observed referendum, known as the Act of Free Choice, which allowed the West Papuan people to choose whether they wished to govern independently, or to relinquish their sovereignty and be governed by Indonesia. Although the referendum was required to be independent under the UN’s guidelines and resolutions, the Indonesian military controlled the referendum process by selecting, coercing, threatening and monitoring the 1025 individuals who were responsible for making the choice on behalf of the Papuan people.

III Human Rights Violations

Under Indonesian rule, West Papua has a long history of violence and genocide. Over the last 50 years, it has been estimated that 500,000 Papuans have been killed by Indonesian military and

police forces. Human Rights Watch has also reported that the use of torture is prevalent, and the rape of women is not unusual. There is little or no accountability of the military and police, with most crimes committed by these forces going unpunished.

Any dissenting opinion contrary to the interests of the Indonesian government is strictly censored. The media is tightly controlled, and journalists' safety and security are constantly threatened. This censorship of speech has resulted in a large number of political prisoners. Under the new Indonesian government, a number of these prisoners have been released, but there are still many who remain imprisoned. The Indonesian Government however denies holding any political prisoners. Foreign journalists are allowed into the region under strict circumstances, and are heavily controlled.

Political association and expression is also heavily censored. For example, raising the Morning Star flag, a symbol of the native Papuan people, is still considered a crime against the state, and will likely result in an arrest. There is strict control over their freedom of expression, which is affective in silencing the voice of dissent. One such example occurred on 30 April 2014, where police killed 3 and detained 22 others under charges of treason, where they had gathered in prayer to protest the handover of Papua to Indonesia. Papuan children are often forced to leave West Papua and attend Islamic schools in Java for religious "re-education".

Our submissions

Pax Christi has a number of recommendations which we believe are of critical importance for the immediate resolution of the above expressed issues. These recommendations will crucially help protect the West Papuan people from violence and genocide:

1. New Zealand must support immediate and meaningful consultation between Indonesia and West Papua to minimise and avert violent conflict in the region. Reducing the military presence in the region, and opening up peaceful resolution dialogue, is critical to ensuring a reduction in violence. We believe that New Zealand should, through an international forum such as the United Nations or the Pacific Islands Forum, help mediate these consultations and peaceful resolution discussions.
2. Pax Christi also recognises the need for long term solutions to this conflict and to address its root causes. We therefore believe that New Zealand should support the development of local government and growth of autonomy in West Papua. We consider that, as long as Indonesia maintains control over West Papua and subjects the people to their military will, there will never be a true peaceful resolution in the region.
3. New Zealand should also encourage Indonesia to accept responsibility and to be held accountable for the wrongs they have committed. This would entail the release of the remaining political prisoners, and to apologies for wrongs which have been committed, such as the genocide of the Papuan people, and exploitation of their natural resources. As evidenced by New Zealand's own history with the Treaty of Waitangi, it is difficult for two parties to build a trusting relationship and to move forward together where responsibility for serious wrongs committed in the past has not be acknowledged or accepted.

4. New Zealand must also support exploratory fact-finding missions to West Papua. These visits will be used to assess the standard of living of which the West Papuan people face, and to assess the extent of the violence and human rights abuses which have occurred. Given the history of Indonesia's human rights violations, these fact-finding missions need to be both immediate and continued into the future. These fact finding missions would be an effective tool in discovering the realities faced by the Papuan people, and will intensify the international scrutiny upon Indonesia. New Zealand should also support the free and unrestricted access of journalists, human rights workers, and aid workers to the region.
5. Should Indonesia fail to meet any of the above recommendations, New Zealand should, through an international body such as the United Nations or the World Trade Organisation, support the use of economic sanctions.

IV New Zealand's role in the Asia-Pacific Region

New Zealand's current position is that the human rights abuses in West Papua are for Indonesia to address. We believe that this position is unacceptable. There is a stark imbalance of negotiating power between Indonesia and West Papua, and West Papua needs the international community to support them in order to be taken seriously by Indonesia. New Zealand has a leadership role in the Asia-Pacific region, and in order to exemplify the behaviours which our liberal society endorses, we must support fact-finding missions and independence discussions. As a developed country, we must act, where appropriate, as a mentor and guide to other countries who do not meet our standards for human rights.

We must take responsibility for these human rights violations which are happening in our backyard, and must strongly condemn acts of violence and genocide. It is interesting to note that where human rights abuses are committed by unofficial states and war criminals such as ISIL, the Government has been quick to condemn them, but where such acts are committed by sovereign states, such as Indonesia or Saudi Arabia, the government is unwilling to condemn their actions, as they have been done by an 'official' nation. We believe that human rights are absolute, and thus any human rights violations, whether committed by an official or unofficial state, are an abuse of overall human rights and must be condemned accordingly.

V Parallels to East Timor

East Timor is a country in Southeast Asia located on the eastern half of the island of Timor. In late 1975, East Timor declared its independence, and was subsequently invaded by Indonesia. The Indonesian occupation of East Timor was characterised by a highly violent conflict between East Timor groups and the Indonesian military. It is estimated that over 102,800 people were killed as a result of the conflict during the occupation. In 1999, following a supervised independence referendum and under pressure from the UN and neighbouring regional states, Indonesia relinquished control of the territory.

During the occupation of East Timor, both Australia and New Zealand had strong relations with Indonesia. Despite this, both countries had a crucial role in facilitating the independence referendum, and in providing security forces when violence broke out. New Zealand supported fact-finding missions to East Timor to investigate human rights abuses by Indonesia. Whilst diplomatic relationships were strained at the time, resolutions were reached in the following years, and there was no long term damage to the countries' relations.

We consider that the situation in West Papua closely aligns with what occurred in East Timor. Without the fact-finding missions in East Timor, the international community may have never known the true extent of the behaviour of the Indonesian forces, and may have not felt compelled to intervene.

The situation in West Papua is no different. We consider that the New Zealand Government should support fact-finding missions in West Papua as they did with East Timor. The positions adopted by Australia and New Zealand were widely praised by both domestic residents and the international community. Crucial to this success was that the intervention imposed was one of peaceful resolution, rather than one of force.

VI Economic and Trade Sensitivities with Indonesia

New Zealand has a strong and growing trade relationship with Indonesia. In 2008, Indonesia was New Zealand's seventh largest export market for the year ending June 2008, and the largest NZ export market in Southeast Asia. New Zealand primarily exports dairy, meat and animal products, whilst importing mineral fuels and animal feed.

Of concern is Indonesia's production of palm oil. In 2011, Indonesia produced 23.5 million metric tonnes of palm oil. New Zealand imports 19,000 metric tonnes of palm oil in approximately equal proportions from Indonesia and Malaysia. Palm kernel expeller (PKE) is a product also made from the palm tree, and New Zealand is responsible for close to a quarter of all world imports of PKE. High levels of importation of PKE feed for dairy farms have been brought about by the intensification of our dairy sector.

There are serious concerns as to the sustainability of palm oil and PKE harvesting practices in Indonesia. The growth of these practices has led to the conversion of rainforests to palm tree plantations, and has contributed to the social conflict between the native Papuans and Indonesian farmers. There is virtually no oversight as to their management and sustainability practices. It is common for illegal logging and for the occupation of community land to occur whilst the land is prepared for farming. Internationally-promoted development projects, like the MIFEE (Merauke Integrated Food and Energy Estate) project have little to do with the wishes of Papuans for their own future.

There is also distinct racial and economic segregation between the native Papuans and Indonesian migrants. Indonesian immigrants largely control the economic generating activities in the region, with native Papuans generally left to subsistence farming or urban poverty. The conversion of forests to palm tree plantations has diminished their ability to derive income from the land, and to harvest food sustainably.

Palm oil practises are also one of the biggest contributors to climate change, as the destruction of rainforests releases numerous stores of gases into the atmosphere. As a result of these plantations, Indonesia is ranked as the world's third largest emitter of greenhouse gases. Globally, about 20% of greenhouse emissions are caused by deforestation. Agriculture makes up 50% of New Zealand's greenhouse gas emissions, but our emissions would dramatically increase if emissions from the destruction of rainforests in Indonesia were taken into account.

Our submissions

We believe that our recommendations will promote the sustainable use of economic resources in the West Papuan region, and will further New Zealand's long term economic interests. The protection of the environment must be a primary consideration of both New Zealand and the global community:

1. Given the use of such palm products is not sustainable, and is having a damaging effect on our land and waterways, the use of Indonesian palm within the New Zealand dairy industry should be gradually reduced and eventually phased out, to be replaced by sustainably produced palm oil or an alternative product. If we are to maintain New Zealand's image as

“clean and green”, we consider that the New Zealand Dairy sector must adopt more sustainable practises.

2. If the use of palm oil is reduced, this will also help the native Papuan rural community, whose agricultural practises have been decimated by the palm oil plantations. This will, in turn, help reduce the tensions and conflict between native Papuans and the Indonesian farmers, whilst allowing native Papuans to generate income from the land.

V Conclusion

Pax Christi believes that the New Zealand Government missed an opportunity at the September 2015 Pacific Islands Forum to support stronger action on both human rights and climate change issues. Smaller nations, such as the Solomon Islands and Vanuatu, have lacked support from both New Zealand and Australia in their concern for the human right of their Melanesian neighbours in Western Papua to be in control of their own development. It seems to us that our own selfish trade interests have superseded our often proclaimed concern for human rights and the environment.

We hope to see our submissions adopted, and for a stronger position to be taken by our Government on both issues in the future.

Kevin McBride
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