

'If there were justice in Papua, there would be no need for a people's tribunal in London' – What is the Permanent Peoples' Tribunal and five important things to know



Papuan student Obi Kogoya is arrested by Indonesian police during a human rights protest at a Papuan student dormitory in Yogyakarta on July 15, 2016.

BBC News Indonesia

29th June 2024

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The Indonesian government has been accused of violence and environmental destruction in Papua, which harms Indigenous Papuans for the sake of foreign and national investment interests, according to allegations in the Permanent Peoples' Tribunal (PPT) currently taking place in London, England.

However, the Indonesian government, through the Presidential Staff Office (KSP), stated that these are not legal charges but opinions that do not necessarily reflect the actual situation in Papua.

Separately, the Indonesian Embassy (KBRI) in London claimed the event was held close to the 'West Papua' commemoration day on July 1, 2024, and thus accused the PPT of being conducted to "build public perception."

Conversely, a human rights activist stated that the PPT event in London, which highlights issues of human rights violations and environmental destruction in Papua, proves that there is still "injustice for Indigenous Papuans."

Moreover, Amnesty International Indonesia urged the Indonesian government to view the PPT allegations as evidence of the need to change its security policies concerning Papua.



Hundreds of Papuan students protested in front of the Presidential Palace in Jakarta on August 22, 2019, following racist incidents targeting their peers in Surabaya a few days earlier.

The PPT is organized by the Center for Climate Crime and Climate Justice at Queen Mary University of London. The event began on Thursday (06/27) and ended on Saturday (06/29).

Eight tribunal judges are leading the proceedings, listening to testimonies from several victims and NGO activists regarding the two charges.

The PPT organizers acknowledged that their proceedings have no legal consequences. However, the event aims to voice the issues in Papua to the international community.

Here are a few things you need to know about the Permanent Peoples' Tribunal (PPT) and the Indonesian government's reaction to the event.

What is the Permanent Peoples' Tribunal (PPT)?

As acknowledged by its organizers, the PPT is an international 'opinion court.'

Within it, there are panels of judges who will determine the nature of serious crimes occurring in a country and the extent of the harm to communities and minority groups.

This is based on various witness testimonies and evidence.



More than 2,000 residents of Bibida District, Paniai Regency, have been displaced due to armed conflict between security forces and pro-independence militias. This photo was taken on Friday (14/06).

According to its official website, the PPT's existence stems from the formation of the Russell Tribunal on Vietnam (1966-1967) and the Russell Tribunal on the dictatorship in Latin America (1973-1976).

The PPT was established as a permanent body aimed at exposing serious crimes "that have not been adequately addressed by the international community," said David Whyte, Director of the Center for Climate Crime and Climate Justice at Queen Mary University of London, England.

According to Papang Hidayat, a human rights activist from Indonesia, the initiative for this event comes from civil society at the international level, led by an academic institution. "They have developed models of people's courts or non-formal courts, although their methodology is identical to formal courts," said Papang, who was once active in the NGOs Kontras and Amnesty International Indonesia. The panel of judges can include active judges, former judges, or legal practitioners, he said.



Representatives of the Awyu indigenous community staged a demonstration in front of the Supreme Court office in Jakarta on May 27, 2024.

There are also public prosecutors, who, according to him, can come from civil society, lawyers, or legal practitioners.

"They are the ones who provide data related to Papua, which has been extensively reported alternately by civil society, for example by NGOs like Tapol. This information is what the prosecutors rely on," explained Papang.

The people's court does not only address issues in Papua, but has also questioned issues in Palestine, Chile, and the civil war in Sri Lanka.

"They use legal instruments at the international level," clarified Papang.

Why is a London university hosting the PPT on Papua?

The Center for Climate Crime and Climate Justice at Queen Mary University of London, England, stated that it is hosting the PPT on Papua because Papua is significant to London and the world.

For the Center, Papua is important to the UK because there are investments from London-based oil companies in Papua.



Three illegal gold miners from the Kamoro community are seen panning for gold, sifting through sand and stones, on February 4, 2017 in Timika, Papua.

Additionally, according to Whyte, a significant portion of Papua's vast gold, copper, and other metal reserves is traded in London.

Another London-based company is also a reason behind the PPT on Papua. They are one of the world's largest palm oil buyers, with much of it supplied from Indonesia, including the rapidly expanding palm oil industry in Papua.

"And most of it is supplied from Indonesia," he explained, noting that Papua is experiencing rapid palm oil expansion.

The second reason, according to Whyte, is to expose the political and economic actors whose actions exacerbate the climate crisis. Papua is home to the third largest rainforest in the world.

"And due to the acceleration of industrial development, like the Amazon, Papua is also threatened," said Whyte. "And we need to explain the political and economic dynamics that result in the destruction of forests."

How has the Indonesian government reacted to the PPT on Papua?

The PPT organizers claimed they had informed the Indonesian government of the charges. They also claimed they had given the Indonesian government the right to defend itself.



An armed Indonesian military member stands guard in front of a transport truck at the copper and gold mining complex of Freeport in Grasberg, Papua, on Wednesday, April 22, 2015.

Alessandro Bernama, Head of the Political Department at the Indonesian Embassy (KBRI) in London, said the notification letter was attempted to be sent to President Joko Widodo, with copies to several ambassadors.

"No one from KBRI was present there," Alessandro told BBC News Indonesia on Friday (06/28) night when asked if KBRI had sent a representative to the PPT event.

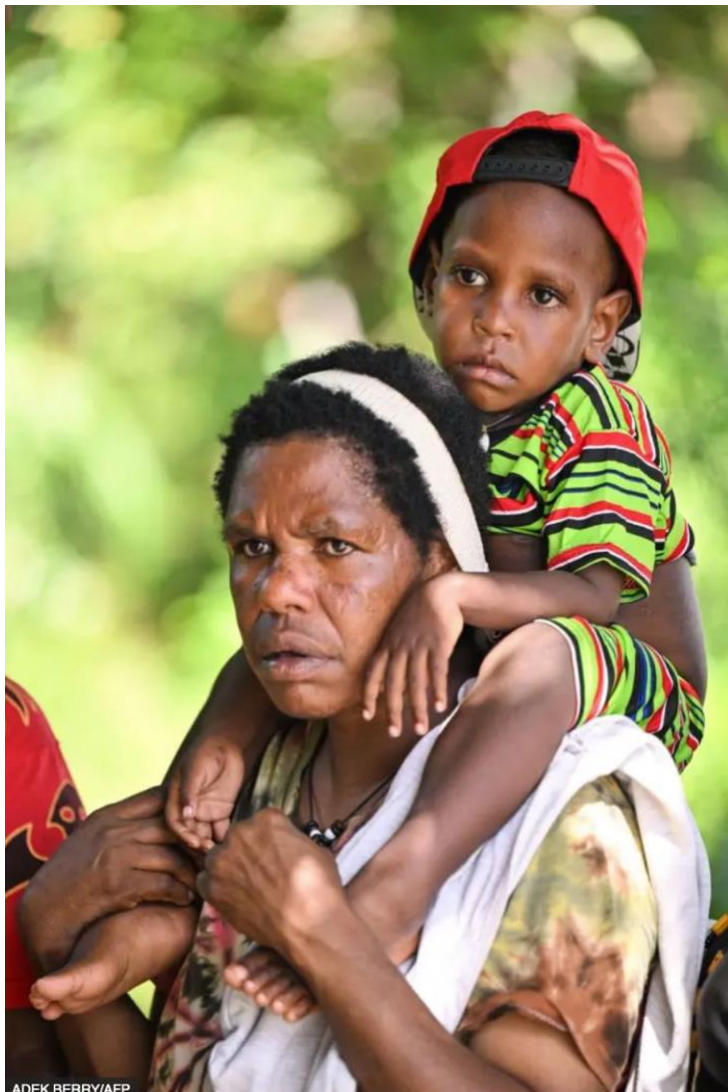
According to Alessandro, KBRI in London views the PPT on Papua as not a formal court but merely "listening to opinions and not competent to issue legal judgments."

Similar statements were made by the Presidential Staff Office (KSP) through one of its senior advisors, Theo Litaay. He stated that the charges were not legal but opinions that do not necessarily reflect the actual situation in Papua.

"If it is said to be the truth [about Papua], it certainly isn't," Theo Litaay told BBC News Indonesia on Thursday (06/27). He called it an accusation that is not necessarily valid.

David Whyte and Queen Mary University do not dispute the view that the PPT is a non-formal court. "This is not a court and will not offer any legal remedies to the people of West Papua," he said.

The event, according to Whyte, is more of a medium for Papuans to voice their claims of "brutal violence" perpetrated against them.



A woman waits in line at a polling station before casting her vote in the presidential and legislative elections in Timika, Central Papua, on February 14, 2024.

"And it is only fitting that we do this in a city that benefits greatly from environmental destruction in Papua," said Whyte.

The accusations of brutal violence by the Indonesian Military and Police (TNI-Polri) in several alleged human rights violation cases in the past in Indonesia have been acknowledged by the Indonesian government.

In early January 2023, President Joko Widodo stated that as head of state, he acknowledged and regretted the occurrence of serious human rights violations in 12 incidents.

Among them were the incidents in Wasior, Papua (2001-2002) and Wamena (2003).

"So the government is not ignoring or turning a blind eye," said Theo Litaay.



Members of the Indonesian military carry the coffins of personnel who were killed in Papua, on September 3, 2021. At least four military personnel died and two others were injured in an ambush by OPM forces at a military post.

President Joko Widodo then issued a special presidential instruction to resolve the recommendations of the non-judicial settlement team for serious human rights violations in the past. "All of this is currently in progress," he said. He further claimed that these efforts would not preclude legal resolutions.

Theo Litaay does not deny the existence of several cases of serious human rights violations in Papua that have been brought to the fore, with final decisions often disappointing the victims. Here, the government cannot interfere in legal matters.

"There are cases that are in court and are being resolved through the judicial process, so the government doesn't always have to intervene in the process," he stated.

For instance, suspects in the violence case in Paniai, Papua (December 7, 2014), were acquitted by the Human Rights Court in Makassar. The same outcome occurred in the case of the Abepura violence in Papua (December 7, 2000), where the defendants were also acquitted by the same court.

Nevertheless, the PPT host on its official website mentions that the ongoing sources of conflict in Papua can be traced back to what they refer to as the forced transfer of the region from former Dutch colonial rule to Indonesia in the late 1960s. In Indonesia's official history, this transfer was conducted through a UN-supervised referendum in 1969, which resulted in Papua becoming part of Indonesia. However, the PPT Papua documents state that the legitimacy of the democratic process underlying this transfer was never accepted by the Papuan people. Such assessments have been consistently rejected by the Indonesian government.



Several Indonesian military members prepare to board a helicopter from Wamena on December 5, 2018, to retrieve the bodies of construction workers who were killed in Nduga.

The stance of the organizers of the Papua People's Tribunal (PPT) appears to be causing the Indonesian government to doubt their intentions. Alessandro Bernama, Head of the Political Division at the Embassy of the Republic of Indonesia in London, stated that the timing of this event coincides with the 'Proclamation Day of West Papua' on July 1, 2024.

"So we see a pattern as to why something suddenly happens on June 27-29? That also needs to be investigated, what does it mean?" said Alessandro. "For us, there is a need for them to mark the proclamation day of West Papua to shape public perception about this commemoration," he added.

BBC News Indonesia has not yet received clarification from the organizers of the Papua People's Tribunal regarding these allegations.

What are the charges of the PPT on Papua?

Briefly, according to its official website, the PPT organizers stated that the core of the charges "is rooted in unequal social and economic relations."

This situation is said to allow Indonesia's industrial policies to be imposed on the Papuan people.

Additionally, the accompanying techniques of social control and militarization are claimed to "ensure the continuation of these unequal social and economic relations."



The photo taken on July 24, 2009, shows several armed Indonesian military personnel (on the left) escorting a convoy of Freeport trucks along the Timika-Tembagapura road towards the Freeport mine.

In their explanation, they laid out various issues that have been reported in the media, research reports, or investigative findings from human rights and environmental organizations.

This includes increasing armed violence against Indigenous Papuans, the plight of political prisoners, accusations of treason and criminalization of activists, and environmental damage and human rights violations due to large-scale mining activities.

“There is land grabbing without the consent of the Indigenous people, as well as pollution or environmental damage due to mining practices, and the role of both international and national business factors in human rights issues,” explained Papang Hidayat.

“There are also more general accusations of state repression through violence such as torture and extrajudicial killings,” he added.

What were the testimonies during the tribunal?

Over the three days of the PPT on Papua, the tribunal judges heard testimonies from several individuals and organizations.

In addition to a few people who claimed to be victims of past serious human rights violations, there were also testimonies from Papuans concerning recent cases.

For example, a civilian witness testified about the displacement of civilians in Maybrat Regency, Southwest Papua, in 2021, due to armed conflict between the TNI-Polri and the Free Papua Movement Army.



Tineke Rumkabu, a victim of the Bloody Biak incident on July 6, 1998, gave testimony via Zoom at the Papua People's Tribunal (PPT).

There were also testimonies from the mutilation case of four civilians in Mimika, involving several members of the TNI.

On the last day, Saturday (06/29), witnesses were also presented from cases of environmental destruction and human rights violations due to mining activities.

Testimonies from Papuans were conducted via Zoom. Some witnesses did not reveal their identities, but others disclosed their identities and appeared openly on video.

One of them was Tineke Rumkabu, a victim of the so-called 'Biak Massacre' on July 6, 1998.

At that time, according to Tineke, several people on Biak Island raised the Morning Star flag on a water tower and sang hymns.

Tineke claimed that the authorities forcibly dispersed the crowd, but they resisted. Tineke also claimed to hear gunshots from TNI soldiers, causing the crowd to panic. She claimed the police made arrests.

Tineke Rumkabu was one of those arrested. She claimed that she and several others were transported in a truck with their eyes covered. They were taken to a location where she claimed they were tortured.



Papuan students display posters during a protest in front of the United States Embassy in Jakarta on August 15, 2020.

“TNI soldiers lit candles and inserted them into the vagina,” claimed Tineke, her voice breaking during her Zoom testimony on Thursday (06/27) night.

“At that moment, we thought we were going to be killed,” she said. Later, someone saved her and several others.

They then fled into the forest. For a month, Tineke and several others survived there. “We were terrified.”

BBC could not independently verify Tineke's testimony.

A year later, the NGO Elsham announced the results of its investigation into the violence in Biak, Papua. They revealed that eight people died, three went missing, four were seriously injured, and 150 were arrested and tortured. Subsequently, 32 bodies were found in the waters off Biak.

"Many victims have given testimonies, but there has been no government attention to resolve this case," said Tineke. She lamented the lack of legal efforts to prosecute those responsible for the violence in Biak in 1998.

"Therefore, we request that this tribunal become our hope so that judges and the global community can assist us, the people of Papua, in urging the Indonesian government to take responsibility and provide justice for us," she said.

Will the PPT on Papua’s outcome be heard and have an impact?

As explained earlier, any decisions by the Permanent Peoples’ Tribunal (PPT) on Papua will have no legal impact on Indonesia or the victims of violence among the Papuan civilians.

“This is not a court and will not offer any legal remedies to the people of West Papua,” said David Whyte, Director of the Center for Climate Crime and Climate Justice at Queen Mary University of London, England.



A Papuan student clenches his fist while participating in a protest in front of the Surabaya Police Headquarters on December 1, 2021.

The event, according to Whyte, is more of a medium for Papuans to voice their claims of “brutal violence” perpetrated against them.

Although it has no legal consequences, human rights activist Papang Hidayat said that the outcome of the PPT on Papua in London can serve as a critique for the Indonesian government to recognise there are still issues in Papua.

“This proves the Indonesian government has failed to bring justice to the Papuan people,” said Papang.

He reminded the government of several unresolved human rights abuses in Papua that have yet to be addressed.

However, he doubted whether the outcome of the PPT on Papua would be accepted as input or criticism by the Indonesian government.

“When Papua issues are discussed by others, the Indonesian government always accuses them of internationalization,” said Papang.

Meanwhile, Usman Hamid, Executive Director of Amnesty International Indonesia, said the Indonesian government should openly accept the criticism from the PPT on Papua.

“Of course, by taking concrete actions. For example, changing the militaristic approach policy in Papua,” Usman told BBC News Indonesia on Thursday (27/06).

In addition, the Indonesian government is urged to open dialogue with liberation groups in Papua.

"Then resolve human rights violations in Papua, and restore special autonomy for Papua," he emphasized.

Because if that is not done, the cost will be very high in the future. From environmental damage to the death of TNI-Polri members, said Usman.



Papuan students demonstrate against racial attacks on them in front of the Merdeka Palace in Jakarta, Indonesia, August 22, 2019.

In her testimony, Tineke Rumbaku, one of the victims of the violence in Biak, West Papua on July 6, 1998, expressed a hope. She conveyed this while giving testimony via Zoom on the first day of the PPT Papua in London.

"We hope this session will become our hope so that the judges and the global community can get involved to help us, the Papuan people, push the Indonesian government to be held accountable and provide justice for us," Tineke Rumbaku said.