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Conflict Transformation in Papua: Challenges and Opportunities for Top-down Special Autonomy Policy

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ABSTRACT

Challenges to bring perpetual peace in Papua remain prevalent. These challenges include overcoming social and economic inequality and incompatibility, reducing the level and intensity of destructive behaviors and actions, and strengthening shared institutions to manage potential and actual violent conflicts. The Special Autonomy Law for Papua in 2001 and 2021 are of great opportunities for having the challenges non-violently managed. These legal instruments are both theoretically and normatively perceived to be effective and fruitful mechanisms in order to transform the conflict and bring peace and development to Papua. With that in mind, the article aims to present the benefits and challenges of special autonomy law implementation in Papua. By mainly relying on secondary data, this research argues that the Special Autonomy Law for Papua and the formation of New Autonomous Regions have positive impacts on social and economic development and offer more opportunities for Papuans to be involved in policy-making processes. However, at the same time, these efforts have produced insignificant results in ending violent conflict in Papua.

KEYWORDS

Conflict Transformation; New Autonomous Regions; Special Autonomy

INTRODUCTION

The problems in Papua show no difference to those in other provinces of Indonesia. Poverty, backwardness, and social-economic inequality are found not only in Papua but also in the rest of the country. Practices of discriminatory policies and behaviors take place in various administrative levels and society. At the same token, violence and violation of human rights happen in numerous forms and occasions. It is fair to say then that almost all kinds of those problems and difficulties are not the monopoly of Papua.

What makes the problems and difficulties in Papua different from others, the so-called the Papuan *problematicues* or problematics of Papua, are several conditions and identities attributed. Papua not only socially and economically lags behind (see [Rumkabu et al., 2023a](#), [Rumkabu et al., 2023b](#), [Rumkabu et al., 2023c](#)), its remote location in the most eastern part of Indonesia's territory has little attention of Jakarta central government. Known as Melanesian people, the people are likely identified similar to entities of Papua New Guinea (PNG) and other countries and societies in the Pacific. This racial identity makes a difference to the rest of Indonesian as Asian people ([Heidbuchel, 2007](#)). In addition, the integration history of Papua, initially called West Papua, as an integral part of Indonesian territory in 1969 is also to show difference in the emergence process of Indonesian as an independent and sovereign state 1945. Although the process of integration was conducted democratically through the so-called Act of Free Choice (*Penentuan Pendapat Rakyat* or Pepera in 1969) under the supervision of the UN Temporary Executive Authority (UNTEA), many parts of the Papuan people saw the process illegal and against the internationally recognized principle of "one man one vote" ([Widjojo, 2009](#)). The Act was said to be marked by political repression and intimidation imposed by Indonesian military forces ([Widjojo, 2009](#); [Imparsial, 2011](#); [Imparsial & FAPD, 2017](#)).

Resistance against Papuan integration into Indonesian unitary state (NKRI) has been the very central characteristic of the Papuan problematics. Represented by Papuan Liberation Organization (OPM), political resistance and armed rebellion constantly accompany Indonesian national administration and economic development programs in the region. On the other hand, in response to such actions and in order to execute national political and legal sovereignty and to ensure development projects run in the region, Indonesian government and policies heavily relied on military forces (TNI) and the police (Polri) ([Sinaga, 2024](#); [Koten, et al., 2024](#); [Imparsial, 2011](#)). In this context, violent and armed conflicts between OPM and especially its armed wings (or popularly known national liberation army of West Papua, TPNPB) and TNI/Polri continuously undermine Indonesian authority and development programs ([Widjojo, 2009](#)).

Social-economic problems, racial and cultural differences, integration processes, political and deprivation and discrimination, and violent behaviors and acts all together characterize the Papuan problematics ([Karoba, 2005](#); [Koten, et al., 2022](#); [Kartasmita & Ferry, 2024](#))

Changes in dealing with the multidimensional problems were made possible with the arrival of political reform or *Reformasi* in Indonesia in 1998. One of such crucial changes was the introduction of decentralization of national political power. This was soon followed by the issuance of regional autonomy regulations ([Karoba, 2005](#)). In this context, the Province of Papua was offered special autonomy in 2001 called the Law of Special Autonomy in Papua (*UU Otsus Papua*). In 2021, the Law was revised with several significant changes. In the following year, four new provinces and a number of new autonomous regencies or *Kabupaten* (DOB) were established which were normatively intended to provide more spaces for indigenous Papuan (*Orang Asli Papua*, OAP) to substantially involve in political processes in accordance with their own culture, identity and interests and their problems are democratically and effectively resolved.

UU Otsus Papua and the expansion of new autonomous regions (DOB) are arguably seen as a breakthrough in order to handle the Papuan problems. It is not merely intended to help social-economic problems be solved but also to provide opportunities for political participation of Papuan people in policy making and development ([LIPI, 2021](#); [IPAC, 2024](#)). Furthermore, as [IPAC \(2024\)](#), [Cahyo Pamungkas \(2024\)](#) insists, the policies are expected to effectively transform the separatist or liberation resistance by OPM into peaceful and democratic political processes and to minimize the conflict to its lowest level. But, after more than two decades, to what extent UU Otsus Papua and the foundation of new autonomous regions (DOB) are able to transform the conflict in Papua. With this in mind, the article aims to present the benefits and challenges of special autonomy law implementation DOB formation in Papua.

THEORETICAL FRAMEWORK

The ongoing conflict in Papua, according to Stockholm International Peace Research Institute ([SIPRI, 2021](#)) can be classified as a low intensity conflict where less than 999 people killed in one calendar year. The conflict is related to or resulted from various causes which can be categorized as "possible causes" (underlying factors) or "proximate causes" (triggering factors) ([Brown, 1997](#)). The factors are deeply rooted in socio-economic life. The work of [Miall et al. \(2016\)](#) and [Wallensteen \(2002\)](#) propose other categorical factors that could be identified as structural, political, economic, social and cultural. The structural factors refer to, among other, the history of the emergence of a country. Like many countries in Asia and Africa that emerged from colonization or control by other countries, these post-colonial countries consist of or originate from a number of social groups with different languages, cultures and levels of welfare or different religious affiliations, all of which influenced the shape of the states and their respective political and governmental systems. Without authoritative power and strong unifying nationalist ideology and government which are able to bind, unite, maintain, and harmonize various respective political

orientations and interests, these countries tend to fall into being fragmented, instability and internal conflict. This situation shows the rise of intrastate conflicts after independence was achieved. Such wars also tend to increase and continue due to competition for influence and intervention by superpower countries during the Cold War era, which are called proxy wars ([Nye & David, 2011](#)).

Besides structural factors, exclusionary ideology and discriminatory politics such as apartheid in South Africa, contributes to the continuation of the conflict. Economic policies that benefit only certain groups and ignore the interests of others can also be the permissive factors to conflict. Showing privilege to certain cultures but lack of respect to other cultures and traditions can also be fueling the problems which in long term create social relations colored by jealousy, suspicion and fear between various groups of society ([Miall et al., 2016](#)). The structural, political, economic and socio-cultural causes or factors above create a fragile state condition. Harmony and cohesion in society is not developed. Development and shared welfare programs cannot sustain. This condition then becomes the context or environment that allows the country to always be in protracted conflict (Azar in [Miall et al., 2016](#)).

The context for overt and armed conflicts can be found at local (regional), national and international levels. The local context includes such as primordial (race, tradition, language, traditions and religion), socio-demographic (diversity or plurality), and socio-economic aspects (level of welfare). One thing that makes this local context very important in conflict analysis is the strategic significance of the area where the conflict occurs, historically, culturally, politically and economically. Simply to say a region which has high economic value, for example because it has large natural resources and is much needed, then that area often becomes a place for conflict. This gave birth to the concept of natural resources-based conflicts. In this context, national and international forces and interests (as well as parties) are involved and influence the complexity of the conflict ([Miall et al., 2016](#)).

Identification and the mapping of causes, contents or issues of the conflict, the parties involved and the context in which the conflict occurs indicate that changes in one of these aspects or elements will influence the dynamics of the conflict. The three possibilities are escalation, de-escalation, and stagnation ([Wallensteen, 2004](#); [Leatherman et al., 1999](#)). De-escalation which leads to ending the conflict is a main concern in conflict resolution studies. One popular concept in this field is conflict transformations from [Lederach \(2015\)](#). The main assumptions of conflict transformation include that conflict is omnipresent and conflict cannot always be resolved and ended permanently. The most reasonable and doable thing is to transform the conflict towards social and political relations or interactions that are non-violent or non-destructive behaviors and acts.

With this thinking, [Miall \(2024\)](#) underlines that conflict transformation is a multi-dimensional task. It is said that the essence of conflict transformation is, *first*, changing

positions, relationships and interests that are conflicting (incompatible) into relationships and interests that are more compatible; *second*, changing or transforming the processes, events or activities that lead to the formation of conflict (conflict formation) into processes that bring the parties closer together to form and build common understanding, interests and institutions (formation of shared institutions); and *third*, changing thoughts, perceptions and actions that are confrontational and destructive actions into thoughts, perceptions and actions that are positive and constructive actions ([Miall et al., 2016](#)).

METHODS

This research applies a qualitative research method which prioritizes giving meaning to every event and thing as well as information and data. Quantitative data provided are analyzed by giving certain meanings which are used to support explanations of certain actions, events, policies or changes. Meanwhile, qualitative and secondary data, including policy and regulatory documents, academic works and publications as well as in the form of reports and news, are very central in this research. Opinions or views from various parties that are considered very relevant to the research topic will also be sought and used appropriately.

RESULTS AND DISCUSSION

Challenges and Opportunities

Papua problematics (problems and conflicts) are basically centered at the Papuan identity which leads to two broad spectrums of relationship, horizontal and vertical. Horizontally, Papua is to show firstly not limited to the geographical location within Indonesian administrative territory but more primordial identity which distinguish the indigenous Papuans (*Orang Asli Papua*, OAP) from non-Papuans. In this context, apart from racial, cultural, and other traditional aspects, the OAP are generally perceived as socially and economically left behind immigrants and the rest of the country. This obviously presents horizontal inequality and incompatibility which when not managed cautiously will leads to horizontal or communal conflicts. Vertically, OAP at large regularly are not only voicing for the Jakarta central government to pay more attention to the region for their social, economic and security needs but some parts within OAP represented by OPM and its armed wings (TPNPB) struggling for a free and independent Papua for more than half a century.

In that context and in line with the framework of conflict transformation, this research presents three central challenges, which are (1) how to strengthen and expand the compatibility or harmony of the interests of the conflicting parties; (2) how to reduce destructive behavior and actions; and (3) what have to be done in order to develop mechanisms and institutions that are able to maintain and realize the common interests of the parties involved in the conflict so that peace and development in Papua can be realized.

Theoretically or normatively the issuance and implementation of the regulation of Otsus Papua indicate some opportunities for the conflict to transform. It provides not merely legal references, but also good political intentions and financial support needed to make a significant change in bringing order, peace and justice in Papua.

Special Autonomy of Papua (UU Otsus Papua)

In order to deal with those challenges, there are three central focuses put forward by UU Otsus Papua, which are to show recognition and respect for the Papuan cultural and societal identities, to accelerate economic development, and provide opportunities of broader political participation of OAP.

In terms of cultural and societal recognition and respect, several things are stated as the very foundational consideration of the issuance of the UU Otsus Papua No.21/2001. Among them are recognition of the dignity of the Papuan people, recognition of the unique culture, history, customs and language and race of Melanesian as part of Indonesia's diversity, recognition of the existence of social disparities, awareness of the rights and obligations of the government, the importance of maintaining regional integration within the Republic of Indonesia as well as the importance of constitutional and democratic efforts to overcome various problems in Papua. The messages are clearly stipulated in the consideration of the Law points "i" and "j".

In political terms, UU Otsus Papua affirms several points which emphasize political privileges of OAP. Article 12 of the Law enshrines that the governor of Province of Papua must be a native Papuan (OAP). The appointment process is carried out by the provincial legislative body (DPRP). In Article 7, it says "The DPRP has the duties and authorities: a) to elect the governor and deputy governor; b) to propose the appointment of the elected governor and deputy governor to the President of the Republic of Indonesia; c) to propose the dismissal of the governor and/or deputy governor to the President of the Republic of Indonesia." This provision is definitely different to the election of governors in other provinces which, based on the Regional Autonomy Law, are elected through direct regional head elections (*Pilkada*).

Apart from recognizing the existence and role of Papua provincial legislatures (DPRP), the Special Autonomy law rules the establishment of Papuan People's Assembly (*Majelis Rakyat Papua*, MRP). MRP is declared as a cultural representation of indigenous Papuans which "has certain authority in the context of protecting the rights of indigenous Papuans based on respect for customs and culture, empowering women, and strengthening religious harmony as regulated in this Law." Composed of indigenous Papuans, their members compose of traditional, religious and women elements of 30 percent each (Article 19). They also hold some political roles such as "to give recommendation and approval to the prospective candidates for governor and deputy governor proposed by the DPRP" and "give

consideration and approval to the making of Papua Regional Regulations." Functionally, the MRP "pays attention to and channels the aspirations, complaints of indigenous peoples, religious communities, women and society in general regarding the rights of indigenous Papuans, as well as facilitating follow-up actions to resolve them", and "provides recommendations to the DPRP, Governor, Regents/Mayors regarding matters related to the protection of the rights of indigenous Papuans" (Article 20).

In order to make the cultural recognition and political power deliberation materialized, UU Otsus Papua sets about fundings and expenses needed (Articles 33-37). It was stated that the sources of finance are from national (APBN) and regional (APBD) budgets which consist of: "a) original or local income of the province and regency/city; b) balancing fund; c) acceptance of the province within the framework of Otsus; d) regional loans, and e) other legitimate revenues". Apart from Special Allocation Funds (DAK) determined in accordance with statutory regulations by giving priority to Papua Province, one central point is the provision of special revenues for the implementation of Otsus, the amount of which is equivalent to 2% of national DAU, which is mainly intended for financing education and health. It is also stated that additional funds are also provided which are primarily intended to finance infrastructure development. All these expenses and revenues are to last for 25 years within the framework of Otsus started in 2001.

The good political will of respecting and protecting indigenous peoples is also shown to their communal land. UU Otsus Papua advises that the use of customary land for other purposes must be carried out through deliberation to reach an agreement. In cases of dispute, it should be handled through mediation to obtain a fair and wise resolution (Article 43). In regards to human rights issues, UU Otsus (Article 45) stresses the importance of upholding, promoting, protecting and respecting human rights in Papua and the establishment of "representatives of the National Human Rights Commission (*Komnas HAM*), the Human Rights Court, and the Truth and Reconciliation Commission in Papua is in accordance with statutory regulations."

After 20 years since its promulgation, the implementation of UU Otsus Papua 2001 is considered to require revision. This is made clear that in the context of accelerating welfare development and improving the quality of public services as well as sustainability and continuity of development in the Papua region, efforts need to be made to continue and optimize revenue management in the framework of implementing Otsus Papua in an accountable, efficient, effective, transparent and right on target, as well as to strengthen provincial regional planning in the Papua region in accordance with the needs, developments and aspirations of the Papuan people. Acceleration and sustainability of development by optimizing revenue management is carried out in order to protect and uphold dignity, provide affirmation and protect the basic rights of indigenous Papuans,

both in the economic, political and socio-cultural fields, need to be given legal certainty and is based on recognition and respect for special or privileged regional government units.

Acceleration, sustainability, optimization and affirmation of development in Papua become the key words that indicate the basis and the objectives of the revision of Law No.21/2001. The Jakarta government realized that after 20 years, UU Otsus Papua 2001 failed to fill the gaps and made insignificant social and economic development in Papua and in the meantime armed conflicts continued to happen. For these reasons the second edition of UU Otsus Papua No.2/2021 was issued.

The new Law covered significant changes especially in political and regional government affairs. One of them is that the appointment of governor and deputy governor should be carried out by regional general elections and not elected by DPRP with recommendation by MRP. Article 17 of UU Otsus Papua 2021 stated, "The DPRP has the duties and authority to propose the appointment of an elected Governor and/or Deputy Governor to the President of the Republic of Indonesia." Article 20 also states about the authority of MRP which is to give consideration and approval to the prospective candidates for governor and deputy governor proposed by regional head election organizers (*Pilkada*).

Another critical political change is the removal of "local political party" as stipulated in Article 28(1). According to the Constitutional Court, the establishment or creation of a political party is not a special right for OAP but the right of all Indonesian citizens.

In terms of special fundings for financing Otsus Papua, there was change with a slight increase of DAU. Article 34 of UU Otsus 2001 stipulated that "Special revenues for the implementation of Otsus, the amount of which is equivalent to 2% of the DAU, now changed to amount equivalent to 2.25%. The amount would be allocated 1% for: a) development, maintenance and implementation of public services; b) increasing the welfare of indigenous Papuans and strengthening traditional institutions; and c) other matters based on regional needs and priorities in accordance with statutory provisions; and 1.25% is earmarked for funding education, health and community economic empowerment, with a minimum amount of: a) 30% for education spending; and b) 20% for health spending. It was also stated the period for the implementation of "revenues within the framework of Otsus was extended by 15 years from what was supposed to end in 2026 (that is, 25 years from the enactment of the Special Autonomy Law No. 21/2001) to end in 2041 (Article 34 point 5).

UU Otsus Papua 2001 and 2021 are both to provide space for Papuans to participate in managing the region by involving elements of society or traditional, religious and women leaders. In this context, a set of policies are introduced and applied by the expanding the provinces from two to six provinces. The two existing provinces of Papua and West Papua are expanded by establishing four new provinces, namely Provinces of *Papua Selatan* (South Papua, UU No.14/2022), *Papua Tengah* (Central Papua, UU No.15/2022), *Papua Pegunungan* (Mountainous Papua, UU No.16/2022) and *Papua Barat Daya* (Southwest Papua, UU

No.29/2022). Following the new provinces, a number of new autonomous regions (DOB) in the form of *Kabupaten* or regencies and *Kota* or Cities spread across each province were established. To date, there are 41 districts and cities, as autonomous regions, spread throughout Papua.

Transforming Incompatibility to Compatibility

As stated above, inequality and incompatibility refer to situations where there are social gaps or disparities and a number of differences that lead to conflict. There are primordial differences based on race, ethnicity, religion, gender or age whose existence is beyond individual control or choice; there are also socio-economic ones, namely the level of welfare. Often these socio-economic disparities are greatly influenced by these primordial factors. This marks the existence of horizontal inequality which itself can be said to be cross-dimensional or intersectional.

At first place, the issuance and implementation of UU Otsus Papua was widely accepted to show recognition and respect for the Papuan culture and society with all identities and privileges they have. This is an importantly symbolic and positive signal the central government had continued with formal and legal regulations. Questioning where the initiative came from might be less important than just saying that the initiatives, policies and the special autonomy law are in line with political aspirations and demands of many parts of OAP. Institute for Policy Analysis and Conflict ([IPAC](#)) ([2024](#)) argues that conveying recognition and respect to Papuan different cultural identities and all privileges are fundamentally strategic and positive.

Although with various kinds of disagreement and resistance, UU Otsus Papua and the expansion of DOB are normative to bring more rooms to OAP elements to get benefits. It is fair to say that the policies give OAP more power, opportunities and role to manage their own regions and societies in accordance to their localities of values, culture and resources. In the sense of legal and political perspective, the more spaces provided for OAP in regional political and administrative affairs was able to reduce the feeling of discrimination and alienation and in contrast was positively to lift up their political status and cultural confidence. But, there is also another concern that the presence of new autonomous Regencies and provinces are like a double edged sword. On the one side it opens opportunities for regional development; but, on the other side it makes it easy for forest exploitation and worsening climate change ([Koten et al., 2024](#)).

For more than two decades the feeling of being equal to other cultures and society across the country has been growing. Affirmation and acceleration of social and economic development brought by UU Otsus Papua, especially by its second edition (2021), appear to bring about positive results among Papuans. The Statistic Central Agency (BPS) of Papua Province provides a report showing an increase of the Human Development Index (HDI) of

Papua and West Papua Provinces (BPS, 2023). HDI includes three important components, namely life expectancy, average school age and income for a decent life. This shows an increase of HDI from 61.22 in 2020 to 63.01 in 2023 for Papua Province, while West Papua Province from 65.94 to 67.47 in the same period. The progress is to show a closer gap to other two bottom provinces of Indonesia, NTT Province (68.40) and West Sulawesi (69.80), although all are provinces with HDI below the national HDI average with a score of 70.00 by 2023 (BPS, 2023).

Transforming Destructive to Constructive Actions

The implementation of UU Otsus Papua and the expansion of new DOB are initially and normatively intended to ensure public services effectively reach out the public, especially OAP. Apart from devoting resources to fill the incompatibility in cultural and social-economic fields, the policies are also intended to manage conflicts. It is obvious the establishment of government institutions in its broadest form which include the executive, judicial and legislative agencies at provincial and regency/city (DOB) levels are expected to be effective institutions to prevent the occurrence of violent conflict and acts of destruction. Instead of relying on the security forces (TNI/Polri), the political, government, and legal organizations would play significant roles in handling disagreements, disputes, and conflicts through political or judicial mechanisms.

Another positive development led by UU Otsus Papua and the expansion of DOB is the emergence of different kinds of civil society organizations (CSOs). Papua NGOs forum (Foker LSM Papua) is a network of collaboration with more than fifty members ([Foker, 2024](#)). Professional and business associations are also founded in many regencies. One source reveals 286 professional, social, religious, and youth organizations across Papua in 2012 ([Pemerintah Provinsi Papua, 2012](#)). The number is expected to grow in the following years. This societal organizational development is apparently to provide more forums, instruments, or agencies in managing and solving potential and actual conflicts both in its horizontal or communal and vertical forms.

Good coordination among government institutions and collaboration with CSOs could function to carry out observation, monitoring and early warning mechanisms regarding the possibility of acts of violence and destruction. Preventing violent conflict is therefore very important. This is not limited to the deployment of security forces, but what is also very important is the existence of mechanisms and instruments for peaceful resolution of differences, disputes and conflicts (peaceful mechanisms). Forums for meetings, dialogue and deliberation at the community level need to continue to be held and developed.

The extension of DOBs with all their administrative institutions and the development of social harmony are still far from reality. The situations are even worsened as Yoman puts it forward, "DOB are political instruments for occupation for the interests of people

movement, military interests, and economic interests. There is nothing for the interests of OAP” (Yoman, 2024, p.386). The regional civil administrations are not effective enough to manage local conflicts. For the interest of keeping their own regions and society in security and order, they remain relying on the role of the military and police apparatus (TNI/Polri). In the meantime, CSOs and other communal associations remain weak and fail to be effective alternatives in handling and solving conflicts. On this issue, IPAC (2024) makes a suggestion that “local initiatives need to identify constructive *influencers*, particularly in church and adat organisations, who can talk to all sides and find pragmatic solutions that will keep violence to a minimum.”

Shown in the table below, [Human Rights Monitor \(HRM\) \(2024\)](#) recorded an increasing number of violence and violent conflicts from 2018 to 2023. This is in line with the view of [Koten et al. \(2022\)](#) saying that still in the era of Otsus, violence acts escalate and armed conflicts tend to increase.

Table 1. Number of Violence and Violent Conflicts in 2018-2023

Armed violence in West Papua	2018	2019	2020	2021	2022	2023
Number of armed attacks	44	33	64	85	72	110
Number of casualties among security forces	8	18	11	18	19	57
Number of injured security forces	15	12	10	34	29	41
Number of casualties among TPNPB fighters	12	14	14	24	8	18
Number of injured TPNPB fighters	4	0	1	8	1	7
Total number of fatalities among civilians during armed clashes or raids	42	20	27	28	43	63
Number of civilians killed security force members	17	13	20	12	5	23
Number of civilians killed by TPNPB fights	26	7	7	14	38	40
Total number of injured civilians	15	9	27	20	21	57
Number of civilians injured by security force members	7	9	10	7	2	23
Number of civilians injured by TPNPB fights	8	0	16	13	19	34

Source: Drawn from [HRW Annual Report \(2023\)](#)

Similar to the failure in reducing the number of violent conflicts, the implementation of UU Otsus Papua and the extension of DOB seem to be unable to prevent human rights violation. The table below shows that violation of human rights in Papua continues to happen even though it is decreasing in number.

Table 2. Number of Violation of Human Rights

Data on civil and political rights in West Papua	2019	2020	2021	2022	2023
Reported torture/ill-treatment cases	22	34	N/A	46	39
Reported torture/ill-treatment victims	126	89	69	223	160+
Reported cases of extra-judicial killings	16	16	N/A	14	17
Reported victims of extra-judicial killings	33	25	17	18	42
Reported cases of enforced disappearances	2	2	N/A	3	2
Reported victims of enforced disappearances	6	4	4	6	3
Sanctions against perpetrators of police and military	2	2	N/A	13	7
Political arrests	619	384	585	492	311
Peaceful demonstrations/assemblies on West Papua issues forcefully intervened by security forces	38	37	N/A	29	13
Persons sentenced for treason & criminal conspiracy (Article 106 and/or 110 KUHP)	86	18	N/A	15	10

Source: Drawn from [HRW Annual Report \(2023\)](#)

Data of violent conflict and violation of human rights provided in two tables above are just to indicate that acts of violence in Papua are still high. The existence of various institutions (governmental and non-governmental) did not succeed in reducing, let alone eliminating, acts of violence and violation of human rights. On this issue, Elvira Rumkabu, cited in [BBC Indonesia \(2021\)](#) says that, "For 20 years there have been changes, but the reality is that in those 20 years there has been violence, human rights violations, racism. So these various cases of violence have nullified what is called the 'goodness of special autonomy'. Similarly, Markus Haluk, cited in [BBC Indonesia \(2021\)](#) contends that "Special Autonomy would not kill the ideology of the struggle for Free Papua and would not resolve the Papuan conflict or stop the Morning Star flag from flying and instead the guns would continue to sound".

Transforming Conflict to Shared Institutions

UU Otsus Papua and the DOB expansion have practically created government and political institutions that accommodate significant OAP participation, both in number and substance. Although there are a number of views which assess the presence of these institutions as a divide and rule strategy in the sense of compartmentalizing regions and controlling conflict, the presence of more OAP in decision-making processes is expected to be able to articulate and realize the aspirations, interests and needs of the OAP community as a whole and at higher speed.

The increase of OAP in executive positions and equally those sitting in the DPRP and DPRK bodies, either by appointment or contesting in general elections, pave the way for the presence and development of locally funded institutions which are expected to bring Papua development and stability. Specifically for women, there is an increasing percentage of their representation in the DPRK and DPRP. It shows that for the DPRP, women members increased from 7.14% in 2010 to 12.73% in 2023 from a total of 52 DPRP members. This is in line with the provision in special autonomy law stating “a quarter of the members of DPRP and DPRK are directly appointed and must be OAP.” “At least 76 seats out of the 254 DPRP seats are the women's quota” ([VOA Indonesia, 2021](#)).

Majelis Rakyat Papua (MRP) is another important progress in the interest to have shared institutions in bringing social, economic and political development in Papua. MRP accommodates participation of traditional leaders, churches and women in the policy making processes. Based on the Special Regional Regulation of Papua Province Number 4/2010 concerning the Election of Members of the Papuan People's Assembly, the number of MRP members is 75 and equally divided between traditional, religious and women elements. This number was then reduced to only 51 members based on the Papua Province Special Regional Regulation Number 14/2016 concerning Procedures for Selection of Members of the Papua People's Assembly.

The existence of formal institutions as conflict management instruments, in addition to development affirmation and acceleration, tends to be followed by the formation of various social institutions. These social institutions are based on religion, socio-culture or custom, or associations that are like/pleasures/hobbies (arts and sports for example) as well as various professional associations and various types of Non-Governmental Organizations (NGOs) or NGOs.

It is assumed that the existence and constructive relationships among various governmental and non-governmental institutions take place in such a way that they can function to channel various interests (development function) as well as negotiate and resolve various differences of opinion and interests. This is in line with [Koten et al., \(2021\)](#) saying, “Papua and its problems have been the topics discussed and managed to be solved. There are many parties and groups who truly try to understand the problems without any vested

interests or hidden agenda, and wisely seek solutions.” The increasing role of civil associations is clearly to show how transformation of conflict runs. In this way, it is expected that Otsus will not actually cause divisions within the society or make demands for secession stronger. On this issue, the Dean of the Faculty of Social and Political Sciences, Cenderawasih University, Dr Marlina Flassy, cited in [VOA Indonesia \(2021\)](#) says her view of not always blaming Jakarta central government. She further says that more than hundred trillion have been given to Papua, but “why is it that to this day, 20 years later, Papuans are still sleeping in huts. There are children who cannot pay tuition fees”. Considering the Papuan governors and heads of regencies are all already native Papuans, she argues that the Special Autonomy would bring opportunities to Papua development.

CONCLUSIONS

Special Autonomy or UU Otsus Papua and the expansion of DOB do not in itself bring much change and development in facing challenges of horizontal inequality and incompatibility, continuing destructive actions and ineffectiveness of political and administrative institutions to handle either potential or factual conflicts. The very general but fundamental meanings about the regulations and policies are that UU Otsus Papua and DOB have laid down a normative and legal platform to manage social and economic incompatibilities, to provide broader spaces and opportunities for OAP in public and political decision-making processes, and to propose non-violent mechanisms in finding solutions to disputes, resistances, and conflicts. This set of efforts, even though the Jakarta central government remained to play dominant roles in formulating, implementing and supervising them, is fairly perceived as a comprehensively initial approach in transforming Papua conflict. There are two points as final notes to highlight the challenges and opportunities of UU Otsus Papua and the expansion of DOB as the mechanism of Papua conflict transformation.

First, UU Otsus Papua and the extension of DOB have outlined fundamental philosophical, constitutional and legal bases and references to inspire distinct but democratic approaches to resolving social and economic inequality in Papua and handling non-violently conflicting political aspirations and interests. These normative and political initiatives are strategically important for local community participation in development and political processes and for Indonesian government to bring social and economic development in the region legally, non-violently and responsibly. Although the policies are likely seen as top-down and structural, their implementation cannot be separated from the whole context of national democratization processes that lead to the development of stronger commitment from all levels of administration to accelerating development programs and managing the conflict in peaceful ways.

Second, the establishment of DOB provides more spaces and more substantial participation for the OAP to not only prevent deprivation of their basic rights but also to

protect and promote privileges of Papuan identity. Even though it is still accompanied by criticisms and protests or the likely voicing of resistance and rejection, it is fair to say that support from different parts of Papuan society to UU Otsus Papua and DOB continues to grow and spread across the region. The number of people who benefited from the policies are increasing and tend to be growing when evidence of success in overcoming incompatibilities and improving the welfare of the OAP are meaningfully materialized. Failure in bringing prosperity for OAP is just the simple condition for continuing Papuan problems.

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