

Congress of the United States
House of Representatives
Washington, DC 20515

March 14, 2005

His Excellency Kofi Annan
Secretary General
United Nations
42nd and 1st Avenue
New York, NY 10017

Dear Mr. Secretary General:

We are writing to ask for a review of the United Nation's conduct in West Papua. In 1962, the United States mediated an agreement between Indonesia and the Netherlands in which the Dutch were to leave West Papua, transfer sovereignty to the United Nations Temporary Executive Authority (UNTEA) for a period of six years, after which time a national election was to be held to determine West Papua's political status.

However, after this agreement was reached, Indonesia violated the terms of transfer and took over the administration of West Papua from the UNTEA. In 1969, Indonesia orchestrated an election that many regarded as a brutal military operation. Known as the "Act of Choice," 1,022 elders under heavy military surveillance were selected to vote for 809,327 Papuans on the territory's political status.

United Nations (UN) Ambassador Ortiz-Sanz, who was sent to West Papua to observe the process, issued the following statement:

"I regret to have to express my reservation regarding the implementation of Article XXII of the (New York) Agreement relating to 'the rights, including the rights of free speech, freedom of movement and of assembly of the inhabitants of the area.' In spite of my constant efforts, this important provision was not fully implemented and the (Indonesian) Administration exercised at all times a tight political control over the population."

Despite Ambassador's Ortiz-Sanz's report, testimonials from the press, the opposition of fifteen countries and the cries for help from the Papuans themselves, the UN sanctioned Indonesia's act and, on September 10, 1969, West Papua became a province of Indonesian rule. Since the Indonesian government seized control of West Papua, the Papuans have suffered blatant human rights abuses, including extrajudicial

executions, imprisonment, torture and, according to Afrim Djonbalic's 1998 statement to the UN, "environmental degradation, natural resource exploitation, and commercial dominance of immigrant communities."

The Lowenstein Human Rights Clinic at Yale University recently found, in the available evidence, "a strong indication that the Indonesian government has committed genocide against the Papuans." West Papua New Guineans differ racially from the majority of Indonesians. West Papuans are Melanesian and believed to be of African descent. In 1990, Nelson Mandela reminded the UN that when "it first discussed the South African question in 1946, it was discussing the issue of racism." We believe as the UN discusses the West Papua question, it will also be discussing the issue of racism.

Furthermore, we believe the UN will be discussing the issue of commercial exploitation. West Papua New Guinea is renowned for its mineral wealth including vast reserves of gold, copper, nickel, oil and gas. In 1995, for example, the Grasberg ore-mountain in West Papua was estimated to be worth more than \$54 billion. Yet little or no compensation has been made to local communities and new provisions in the law fall well short of West Papuan demands for independence.

In a statement dated February 24, 2004 (attached), Archbishop Bishop Desmond Tutu called on the UN to act on West Papua and 174 parliamentarians and 80 nongovernmental agencies from around the world have also written to you asking that a review be initiated. In the interim, Indonesian military operations in the highlands of West Papua have been ongoing since August 2004 forcing thousands of villagers into the forests where they lack adequate food, shelter and medicine. Indications are that this operation is spreading to other regions of West Papua and intensifying.

Given these circumstances, we are reminded of Nelson Mandela's statement before the UN Special Committee against Apartheid in which he said:

"It will forever remain an indelible blight on human history that the apartheid crime ever occurred. Future generations will surely ask -- what error was made that this system established itself in the wake of the adoption of a Universal Declaration on Human Rights.

It will forever remain an accusation and a challenge to all men and women of conscience that it took as long as it has before all of us stood up to say enough is enough."

On the question of West Papua, we feel similarly and we write to say, enough is Enough. It is time to bring an end to violence, racism and commercial exploitation in West Papua. In his State of the Union address before the U.S. Congress this year, President Bush said, "America will stand with the allies of freedom to support democratic movements in the Middle East and beyond, with the ultimate goal of ending tyranny in our world." In our opinion, the President's mantra must and should include West Papua and we are hopeful that this means the Administration will support West Papua's right to

self-determination through a referendum or plebiscite sanctioned by the UN. As an organization which promotes and protects basic human rights, including the right to self-determination, we are also hopeful that the UN will review the question of West Papua and act immediately.

Sincerely,

Donald Payne

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