

PRESENTATION

BY

THE INDIGENOUS TRIBAL PEOPLE OF INDIA

TO

THE UNITED NATIONS WORKING GROUP

ON INDIGENOUS POPULATIONS

GENEVA, 3-7 AUGUST 1987

Agenda item 4

INDIAN COUNCIL OF THE INDIGENOUS TRIBAL PEOPLE (ICITIP)

Madam Chairperson,

I rise to present our team of Adivasi -Indigenous Tribal People- Representatives from India chosen from different regions of our country and representing the major communities of the Indigenous Tribal People who are nearly 60 million.

But before we submit anything about the Adivasis -i.e. Indigenous Tribal People of India- and their present situation, I would seek your indulgence, Madam Chairperson, to make an observation on the statement of the Government of India Representatives who had made a remark previously that there are no Indigenous Peoples in India as India is "like a melting pot".

By an accident of history, this opinion of the Government of India expressed at the floor of the United Nations Working Group on Indigenous Populations in 1984 and again in 1985, has come to our ears and therefore our People thought it fit to depute a team of five representatives of Adivasis i.e. Indigenous Tribal Peoples to appear in person and get the correction done on the floor of the United Nations Working Group on Indigenous Populations itself at this session. Our team consists of:

1. Mr. Samar Brahmachoudhury M.P. (Lok Sabha), a representative of the Bodo Tribes in the plains of Assam in Eastern India.
2. Bishop Dr Nirmal Minz, a representative of the Oraon Tribes, from Chhotanagpur, in South Biha.
3. Sharad Kulkarni, from Centre for Tribal Conscientization, Poone, Western India.
4. Dr. Ram Dayal Munda, Vice-Chancellor, University of Ranchi, Bihar, representing Munda Tribe.
5. Prof. A.K.Kisku, from West Bengal, representing Santal Tribes.

We have come here after drawing due attention of the Minister for Home Affairs, Government of India by a letter dated May 4, 1987, and this letter has been acknowledged.

From historical, anthropological and sociological points of view we know that we are the Indigenous Tribal People of India from pre-historic times with distinct social, economic, political and territorial identities. The Aryan invaders, the

Moslem Dynasties and finally the British had established their colonisations in India. But as Adivasis i.e. Indigenous Tribal Peoples, we still maintain our distinct identity with different languages, customs, traditions, cultures, and life-styles inspite of thousands of years of adverse circumstances caused by the colonisers. We are Adivasis i.e. the Indigenous Tribal People in India - a term commonly used in the Parliament and common usage and for which the term Scheduled Tribes is used in the Constitution of India.

The Adivasis i.e. Indigenous Tribal People are scattered all over India. Their major concentrations are as follows: - Khasis, Nagas, Mizos, Garos, Karbis, Dimasas, Bodos, Misings, Rabhas, Lalungs, Deuris, Mismis, Daflas, Akas, Serekdukpens, etc. are the major Indigenous Tribal Peoples in north Eastern India; Santals, Mundas, Hos, Kharias, Paharias. Oraons, Konds, etc. are major Adivasis communities inhabiting in a most concentrated way in central India; Gonds, Bhils, Kurkus, Kols, etc. are major Adivasis inhabiting the Western Region of our country, and the Koyas, Todas, Banjaras and othe major Indigenous Tribal Groups are found in South India, including Onge and other in Andaman and Nicobar Islands. The Government of India has listed 400 major and minor Indigenous Tribal communities as Scheduled Tribes.

In general, we are known under different names: - Adivasis (original settlers) Aborigines, Adim Jati (Original Community), Janjati (scheduled tribes), and Banabasi (Forest dwellers). Others may call us by different names but we call ourselves Adivasis i.e. Indigenous Tribal People as it defines our identity as Indigenous People of India. Whether the Government of India would recognize us as the Indigenous Tribal People or not, we know we still survive and exist as Adivasis as distinct people and at this United Nations Working Group on Indigenous Populations, we have come to express our unity and solidarity with all the Indigenous Peoples all over the world, in our movement for the liberation of the Indigenous Peoples.

II - Please permit us, Madam Chairperson, to substantiate our points by describing the Adivasis situation today. We affirm that the definition given by Mr Jose R. Martinez Cobo is clearly applicable to the Adivasis of India.

During the British regime specific provisions were made to safeguard the rights and interests of Indigenous Tribal People and the territories predominantly inhabited by them as Tribal areas, partially excluded areas and Excluded Areas under Government of India Act 1935. These provisions of special safeguards were enshrined in the Constitution of India in various forms after Independence. The Indigenous Tribal predominance in the North-Eastern Hill Areas were given the right to be autonomous districts under 6th schedule of the Indian Constitution and the remaining Indigenous Tribal areas were given Consultative status to safeguard the Tribal rights and interests through Tribal Advisory Councils in all States throughout the country under Fifth Schedule. But certain other areas including Plains Tribal Areas of Assam were not included under the purview of 5th and 6th Schedule. The autonomous districts under 6th Schedule created namely, Meghalaya, Nagaland, Mizoram and Arunachal area elevated to the status of Statehood. But the right of self-determination is denied to Indigenous Tribal Peoples in all the rest of India. The Tribal Advisory Council is practically ineffective. Thus the Indigenous Tribal People in other parts than those in North Eastern Hill States are under the Welfare and Development Programmes of the State and Central Government top bottom, depriving their participation. This process has made the Adivasis "the objects of welfare" and "victims of progress", though the late Prime Minister Jawahar Lal Nehru laid down five basic principles as PANCHSHEEL for the development of Adivasis. These Panchsheels are (1) People should develop along the lines of their own genius and we should avoid imposing anything on them. We should try to encourage in every way their own traditional arts and culture.

(2) Tribal Rights in land and forests shall be respected.

(3) We should try to train and build up a team of their own people to do the work of administration and development. Some Technical personnel from outside, will no doubt, be needed, in the beginning but we should avoid introducing too many outsiders into Tribal territory.

(4) We should not over administer their areas or overwhelm them with a multiplicity of schemes. We should rather work through and not in rivalry to their own social and cultural institutions.

(5) We should judge the results not by statistics or the amount of money spent but by the quality of human character that is involved.

The spirit and content of the Panchsheel five basic principles are not at all observed and honoured. Rather the Panchsheel is violated by the Government of India bureaucrats and the allied vested interests at the central, regional and local levels. The consequence has been disastrous to economic, social, cultural and political life of the Adivasis threatening their very existence.

The land rights and ownership introduced by the British colonial power and adopted and implemented by the national Government after Independence, the forest laws, making land and forests as commodities for sale and purchase under the money economy and marketing system have enabled outsiders, money-lenders and the Government to grab Adivasi (original inhabitants) land by fair or foul means. Establishments of heavy industries like Steel factories at Jamshedpur, Rourkela, Bokaro and Hatia and mining operations at the very heart of Adivasi area in central India and rapid urbanisation have accentuated the process of land alienation. Heavy dam constructions for irrigation and hydro-electric projects have displaced million of Adivasis and many of them have become landless labourers. Debarred from access to forests and displaced from their land, masses of Adivasis have been driven to abject poverty and many of them have taken to begging which was completely unknown to our people 25-30 years ago. Even the inalienable lands - the Khutkatti and Bhuinhari lands of the Adivasis of Jharkhand and lands within tribal belts and blocks of the Plains of Assam and in other areas as well - are being grabbed and snatched away by the Government under the plea of overriding national interests. Such inalienable lands are also being grabbed by other vested interests.

The system of education has domesticated and alienated the Adivasi youth from their own culture and has destroyed the languages of the Indigenous Tribal Peoples of our country. Under the above conditions, territorial integrity,

social and cultural identity of the Adivasis are being shattered and thereby all their social and cultural values, equality among men and women, dignity of labour, community ownership of means of production and distribution for common good, consensus in decision making, education for life and facing life with songs and dance are being eroded very rapidly.

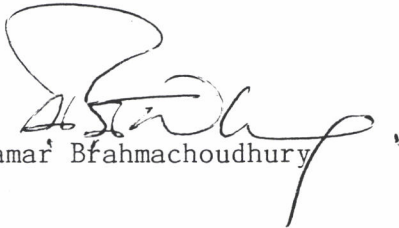
Resistance to the above destructive forces in socio-economic and cultural fields are not wanting. Adivasis have consistently and persistently rebelled against injustices of all kinds. Liberation movements have arisen in the past in almost all the major Adivasis regions of India. But they have all been put down by various kinds of ruthless and repressive measures. Atrocities by police, exploitation by vested interests and the Governments are too many to be mentioned here. Adivasi women have been raped and murdered without being noticed by the Government. Anyone trying to rise in an organised manner against measures and injustices are turned into law and order problem and branded separatist and put down at gunpoints.

Today the Adivasis i.e. Indigenous Tribal People of India are reduced to a colonial situation and are completely dominated by a system of values and institutions maintained by the dominant ruling group. Therefore it is a question of survival of the Adivasis under the present conditions described above. With our brothers and sisters all over the world, we demand protection, restoration of land and forest rights to our people. We also demand the collective rights of self-determination for economic, social, cultural and political identity of Indigenous Tribal People. These demands of right of self-determination by the Indigenous Tribal People of India have taken a concrete and positive shape in the form of demand for creation of Udayachal State to be carved out of Assam and Jharkhand State consisting of predominant Adivasi areas in South Bihar, Northern Orissa, Western West Bengal and Eastern Madhya Pradesh which are contiguous and compact geographical area but are distributed to these four States and weakened the Adivasi Indigenous Tribal solidarity.

In conclusion, Madam, we Indigenous Tribal People of India are determined to achieve our Fundamental Human Rights of freedom, justice and equality among

humankind and our Rights of Self-Determination in every facet of our collective life. We are prepared to pay any price to achieve our Identity. History of Mankind on this Sacred Earth and in our Mother India must find its new direction in order to reach its natural destination.

Thank you.



Samar Bhattachoudhury



Nirmal Minz



Sharad Kulkarni

Ram Dayal Munda



A.K. Kisku

STATEMENT CONCERNING THE RIGHT OF SELF-DETERMINATION OF THE  
WEST PAPUAN PEOPLE

To: THE WORKING GROUP ON INDIGENOUS POPULATIONS  
FIFTH SESSION, AUGUST 1987  
GENEVA

Agenda item: 4



Madame Chairperson,

We thank you for giving us the opportunity to talk about our case: the denial and withholding of the Right of Self-Determination to the People of West Papua.

We the West Papuan people belong, like the people in Papua New Guinea (PNG), to the Melanesian people. We are ethnically, culturally and geographically related to the peoples of PNG, Salomon Islands, Vanuatu, Kanaky and Fiji. At present we are, like the Kanaky, an occupied people and nation under Indonesian respectively French, colonial rule. We are determined to continue fighting for a Free and Independent West Papua.

We would sincerely hope that you would consider our demand for External Self-Determination by putting it forward into the Subcommission on Prevention of Discrimination and Protection of Minorities, into the Commission on Human Rights, and into the Trusteeship and the Committee of 24 concerning decolonisation.

Madame Chairperson and distinguished members of the Working Group,

In this paper we want to elucidate our statements that:

1. The people of West Papua are now engaged in a struggle for Self-Determination;
2. West Papua is an occupied nation.

Ad 1.:

The United Nations has, after having transferred control of West Papua from a colonial power (the Netherlands), handed over our country to another colonial power (Indonesia).

The people of West Papua who were already on their way to External Self-Determination, to be realized by the year 1970\*, were subjected to the Indonesian claim of becoming a part of the Republic of Indonesia, as proclaimed by the then-president Sukarno in 1963.

The instruments used for the conveyance of our country to Indonesia were the New York Agreement (1962, between the Netherlands and Indonesia) and the Act of Free Choice (1969).

The Act of Free Choice was a farce: what should have been an one-person one-vote consultation of the Papuans about the future status of their nation, became an Indonesian steered mockery of the United Nations policy on decolonisation and self-determination. On this place we limit ourselves to recalling the violations of the Articles XVI (presence of a UN-mission), XVIII (method of the Act of Free Choice) and XXII (rights of the inhabitants) of the New York Agreement.

In 1969 the present Indonesian president Suharto used the Act of Free Choice to legalize the incorporation of our country into Indonesia.

The incorporation was subsequently endorsed by the General Assembly of the United Nations as a valid exercise of self-determination consistent with the United Nations Declaration on Colonies.

Examining the procedure of the conveyance of our country to Indonesia and the procedure agreed upon in the New York Agreement, we can only but conclude that the United Nations has made a serious error in its endorsement of the incorporation. Especially when compared to the case of South Africa's claim on Namibia, which was rejected by the United Nations, we are convinced that we have been the victim of the use of double standards.

\*The West Papuan people as an ethnic unity has the right to determine its own destiny according to point 2 of the decolonisation-resolution 1514(XV).

The New Guinea Council, partly elected by the West Papuan people in 1961, had already visualized how the Right of Self-Determination should be executed.

Ad 2.:

The Indonesians have never been interested in the people of West Papua but only in the vast lands and natural resources. The minerals in our soil and the timber in our forests are exploited on a large scale by Indonesian and multinational companies. The amount which the Indonesian government spends on education, health and other services for the Papuans, is only a trifle compared to the capital exported from our country. The revenues of the exploitation of our national resources end up in Jakarta.

With respect to the Papuans, Indonesia is only concerned about "civilizing those primitives", so we will fit in the image of a modern Indonesian state.

Bearing in mind that the right of self-determination should be a continuous process, it is clear that not only in 1969 we were denied this right; since the beginning of the Indonesian domination in 1963, Papuan voices whether it concerns land rights, human rights, cultural rights or nationalistic feelings, are systematically suppressed in a brutal way.

Indonesian tactics to conquer the richness of West Papua and to subject the Papuans are 1)transmigration of Javanese into our country, 2)militarization, and 3)intimidation and brutal violation of human rights.

For many Papuans the only way to safeguard themselves from an oppressive regime they do not recognize as legitimate, is to abandon their homelands and seek refuge in Papua New Guinea.

## 1. TRANSMIGRATION

Transmigration is the name of Indonesia's ambitious project to resettle millions of people from the crowded Inner Islands of Java, Madura, Lombok and Bali, to the more sparsely populated Outer Islands.

Officially sponsored Transmigration into our country commenced in 1966, even before the "Act of Free Choice".

The Jakarta government no longer gives overpopulation as the principal reason behind Transmigration. The government lists 7 goals for its Transmigration program: to promote national unity, national security, an equal distribution of the population, national development, the preservation of nature, help to the farming classes, and improvement of the condition of local peoples (Survival International Bulletin, March 2,1985).

*"What Transmigration has actually accomplished is very different:*

*The spread of poverty; forced displacement of indigenous populations from their homes, communities and lands; deforestation and soil damage at the rate of some 200,000 hectares per year; destruction of local governments, economies, means of sustainable resource use; forced assimilation programs; widespread use of military force to "pacify" areas and to break local resistance by bombing and massacres of civilians."* (Bernard Nietschmann, Fourth World Journal Vol.1, No 2, 1985)

In our view Transmigration is an invasion program. The Papuans are forced to leave their ancestral homelands to make room for the transmigrants.

In alienating us from our traditional lands, it is not only undermining our economies, but jeopardising our entire cultural identity, which is built up on the relation between our society and our ancestral lands.

In many cases our people are threatened, and when they agree to hand over their land it is out of fear rather than desire. For instance, in Arso the people were told that those not releasing their lands would be considered as members of the Organisasi Papua Merdeka - OPM, the armed resistance force of West Papua

In Tembagapura a part of the Amungme tribe was forcibly relocated by the military into the malaria-infested lowlands. Those who fled back to their ancestral lands were arrested and again the military transported them to the lowlands. As a result of malaria and starvation women and children were the first to die.

When the Papuans finally give up their lands they are confronted with the Indonesian government's reluctance to pay compensation to the traditional landowners. Due to discriminatory laws and due to all-pervading corruption in the Indonesian administration, compensation for loss of ancestral lands turns out to be trifling. The Irian Jaya Community Development Foundation has carried out two detailed studies of transmigration sites which are incorporated into the Smallholder Nucleus Estate Program:

*"No provisions have been made for those local people who are not accepted for the program and yet whose lands have been expropriated by the projects; insufficient land remains in the hands of the local tribal people to allow them to practise their traditional system of shifting cultivation."* (G.J. Aditjondro, No.3 LLAP/YPMD/IV/1986)

Moreover job opportunities outside the traditional Papua communities are scarce for the Papuans. Employers, whether it be the government or private business, prefer Indonesians above Papuans. Thus where the Transmigration may bring new economic activities to our country, we the original inhabitants of West Papua, lose our land, lose our cultural identity, are about to become a minority in our own country, and on top of this all: we are being marginalized in a society we did not choose for.

But how can we expect the Indonesian government to bother about us, not to mention our involvement and say in the settling of foreigners in our country, when it is evident that the Transmigration Program has a military aspect. In his book the former eastern region territorial commander Lt.-Gen. Kaphi writes:

*"Thus the government must plan transmigration more carefully remembering the great importance that the program has in overall development in Irian Jaya. Especially in strategic areas such as the border regions, it is obvious that ex-soldiers or soldiers be settled as transmigrants as a 'buffer-zone'."* (Kahpi, The challenge and the struggle in the land of the bird of paradise, 1985)

## 2. THE WAR AGAINST WEST PAPUA

The oppression of the West Papuan people started immediately after the Dutch left, in 1962. The then-governor Eliezer Bonay, who is also with our delegation, recalls that the prisons everywhere were full. UN officials reported, discretely, that the local people were "treated badly".

After 1962 the conflict between the new rulers and the Papuans only increased. The Indonesian authorities, having failed to subject us within a short period of time, are increasing their military activities and in a more brutal way, in an effort to gain control by sheer military force.

As an example the latest Indonesian military offensive will be described.

In the last quarter of 1986, under the code-name "Operasi Saté" (Operation Skewered Meat), an offensive was launched to wipe out the Organisasi Papua Merdeka (OPM). During this offensive the Indonesian military executed aerial bombardments, raids and house-to-house searches, gunfire attacks from naval vessels... (TAPOL, Dec., 1986).

\*Because of aerial bombardments around the Wissel Lakes, in the well-populated central highlands in Wagate and Enarotali districts, many houses, churches and schools were destroyed; many people were killed and the survivors fled into the bush.

\*Raids and house-to-house searches along the north coastal strip, from Ormu through Sarmi to the Memberame River, have been accompanied by arrests, disappearances, beatings and rapes.

Because the Papuans have to make room for the transmigrants and logging and mining operations, the Indonesians use brutal force against Papuan civilians. The military actions against the people of West Papua are the last desperate efforts of a regime that in the eyes of the people has no legitimacy. Unable to get hold of the organized resistance, the Indonesians resort to attacking whole villages and

killing unarmed civilians.

Like in Operasi Saté, the targets of the military attacks are quite deliberate. People are scared because they do not know whether they will be the next victim. Being a Papuan seems to be a reason to be treated as a dangerous enemy.

### 3. HUMAN RIGHTS VIOLATIONS

The human rights situation in our country is a matter of grave concern. Amnesty International, the Anti-Slavery Society, TAPOL etc. continue to receive reports on violations of the human rights. The following examples, as reported by Amnesty International, reflect the alarming increase in extra-judicial executions, torture and ill-treatment and detention without charge or trial.

#### Extra-judicial killings

Arnold Ap, a distinguished anthropologist who was very popular among us because he promoted our culture, was arrested on 30 November 1983. He was held and tortured in the notorious Panorama Bar in Jayapura. Medio April 1984 the military staged an escape for Arnold Ap and his companion Eduard Mofu. Few days after, on the beach of Base-G both of them were subjected to severe tortures before they were murdered.

After having reported back to the headquarters as the only survivor of an attack on a military post by the OPM, Wilhelmus Inday, a Papuan sergeant with the 753-battalion of the Indonesian army, was killed by the military.

Because of the killing of 2 Indonesian soldiers in Waena by the OPM, the Indonesian military conducted a house-to-house search on 14 April 1986. Wantonly they chose Martin Sani and his wife Sarinah Zoani to blame; the couple was killed.

#### Torture and ill-treatment of prisoners

The 12 refugees who were forcibly deported from PNG to West Papua in October 1985, have been imprisoned and subjected to torture. One of them, Elias Kareni, had a nail driven through his toe during interrogation. Isak Waromi, who was suffering from gastric ailments and fluid in his lungs did not receive any medical attention.

#### Prisoners held incommunicado

17 Papuan prisoners who were held in the Abepura prison near Jayapura, are reported to be missing. Eyewitnesses declared that, in the night of 26-27 Januari 1986, 11 of them were whisked away in a Hercules airplane. It is believed that they are held incommunicado in the Kalisoso prison near Surabaya on Java. About the disappearance of the other 6 prisoners is no information at all.

### 4. REFUGEES\*

Because of the events mentioned above (transmigration, military occupation and violation of human rights) many Papuans are forced to flee to seek refuge in PNG. Since 1962, the escalation between nationalist Papuans and the Indonesian army has caused a steady stream of refugees to leave West Papua. By 1979 an estimated 10,000 West Papuans had crossed into PNG.

\*Initially our delegation should be accompanied by two countrymen who recently fled away from West Papua and who are now residing in a refugee camp in PNG. Unfortunately, it appeared impossible to get permission from the PNG authorities to let them have the necessary travel documents.

Since early 1984 the situation in our country has deteriorated markedly. Following an attempted uprising in Jayapura by Papuan nationalists in February 1984, and subsequent repressive actions by the Indonesian military, a flood of refugees has poured across the border. By mid '86 there were about 12,000 refugees in 16 camps along the border; they fled their homes because of Indonesian atrocities. In August 1986 some 750 new refugees arrived. They had come from the border village of Kivirok, 2 days walk from the PNG village of Yapsi. The refugees told that the Indonesian troops had beheaded Tuborius Uropdane a catholic catechist in their village. Others reported the rape of a number of women, arrests and beatings of men in their village (PNG Times, 5 Sept. '86).

Not all of those reaching PNG are just from the border region. Some refugees spent up to 5 weeks trekking to reach the frontier. Many of the refugees have suffered severely on the way and some even died while on trek.

The refugee population has at a time peaked at approximately 14,000 people. Over the past 12 months the figure declined because refugees returned to their country. As a result of the "discouragement policy" of the PNG government several groups of refugees returned "voluntarily" under the auspices of the United Nations High Commissioner on Refugees (UNHCR). For the refugees the situation in the camps is without any perspective: they are not allowed to participate in the PNG society, in the camps food provision and medical care are insufficient (more than 180 people have died of hunger and hunger related diseases), and the children cannot go to school (some already since 1984).

According to the UNHCR 2000 people have gone back to West Papua, mainly to Merauke and Mindiptanah regions in the south. They were transported in aeroplanes and put in so-called relocation camps. Reports have been coming to PNG of West Papuan refugees who repatriated and were subsequently tortured to death by the military. In September 1986, Ancelmus Katua, headmaster of Mindiptana highschool, and Clemens Andomenen, community school teacher of Inko village, were arrested by the military KODIM 1707 and subjected to electric shock torture until they died.

Once they are back in West Papua the refugees are no longer a case for the UNHCR. But since the UNHCR is worried about their fate, the churches are asked to monitor and help.

The situation of the refugees, whether they are repatriated or not, is serious. We are grateful to the UNHCR, the International Red Cross and others for bringing some relief. However, when nothing is changed in West Papua itself, people will continue to cross the border, risking an uncertain living in refugee camps.

## 5. CONCLUSION

In April 1961, the New Guinea Council, partly elected by the West Papuan people, was installed. The first deed of the council was to declare that they would work towards independence. The council came out with proposals how the process of self-determination should be executed in accordance with point 2 of the decolonisation resolution 1514(XV) and Article 73 of the Charter of the United Nations.

It was in this period that political consciousness develop among the West Papuans on a national level: the West Papuans should determine their own future as a free and independent nation.

The shift of colonial rule from the Netherlands to Indonesia, however, abruptly broke off the fulfilment of our inspirations.

By means of harsh measures the Indonesian government is still trying to subject the people of West Papua. Transmigration, military occupation, human right violations and the exodus of refugees: these are all signs of the lack of legitimacy of the Indonesians among the West Papuan people.

We are determined to continue our resistance against Indonesian domination.

The Indonesian imposed regime is becoming more and more brutal in order to impose colonial rule.

If this process is not stopped, a genocide may be completed:

THE OBLITERATION OF THE WEST PAPUANS AS A PEOPLE.

## 6. DEMANDS

On the above mentioned grounds, we the people of West Papua demand that it is acknowledged that our country is administered and occupied as a neo-colony. As with the people of Namibia and the people of Western Sahara, we do not consent to foreign occupation and foreign rule.

We, the people of West Papua, are fighting for our right to determine our own future, a future without foreign domination and oppression.

WE DEMAND OUR RIGHT TO EXERCISE SELF-DETERMINATION.