

# THE SIGNIFICANCE OF PARTNERSHIP AND COLLABORATION DURING CRISIS: THE CASE OF HUMANITARIAN INTERVENTION IN PAPUA

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## Abstract

Various types of conflicts and violence that occur in Papua Land, Indonesia, have attracted a lot of attention from the international community to participate in providing assistance and creating stability in conflict areas. Unfortunately, intervention from outside is often considered to use military force and violate the concept of sovereignty of a country. This study uses qualitative descriptive methods to analyze the international community's strategy in conducting humanitarian interventions in Papua Land, Indonesia, since the region experienced an escalation in 2008. The results show that while in conflict areas, INGO such as the ICRC, as one of the organizations that is neutral and has no internal interest, collaborates with local security forces, such as POLRI and TNI, as well as local NGO, such as PMI to carry out humanitarian interventions in the form of (1) distributing water, food, clothing, medical equipment, and medicines. (2) Carry out COVID-19 vaccination programs and cataract surgery. (3) Conducting seminars related to law enforcement based on international standards and norms. (4) Joining the "Nilai Kemanusiaan" program (humanitarian value program), (5) holding a special meeting to sign the MoU regarding the implementation of the "Humanitarian Pause".

**Keywords:** Collaborating and Partnership, ICRC-PMI, POLRI-TNI, Humanitarian Intervention, Papua Indonesia

## Abstrak

Berbagai macam konflik dan kekerasan yang terjadi di Tanah Papua, Indonesia telah menarik banyak perhatian dari komunitas internasional untuk ikut serta dalam memberikan bantuan dan menciptakan stabilitas di wilayah konflik. Namun sayangnya, intervensi dari pihak luar seringkali dianggap menggunakan kekuatan militer dan melanggar konsep kedaulatan sebuah negara. Penelitian ini menggunakan metode deskriptif kualitatif untuk menganalisis strategi komunitas internasional dalam melakukan intervensi kemanusiaan di Tanah Papua, Indonesia sejak wilayah tersebut mengalami eskalasi pada tahun 2008. Hasil dari penelitian menunjukkan bahwa selama berada di wilayah konflik, INGO seperti ICRC sebagai salah satu organisasi yang bersikap netral dan tidak memiliki kepentingan internal melakukan kolaborasi dengan aparat keamanan setempat, seperti POLRI dan TNI serta NGO local, seperti PMI untuk melakukan intervensi kemanusiaan berupa: (1) mendistribusikan air bersih, makanan, pakaian, perlengkapan medis dan obat-obatan. (2) Melaksanakan program vaksinasi COVID-19 dan operasi katarak. (3) Mengadakan seminar terkait penegakan hukum berdasarkan standar dan norma internasional. (4) Bergabung dalam program "Nilai Kemanusiaan", (5) bahkan komunitas internasional mengupayakan penandatanganan MoU untuk melaksanakan "Humanitarian Pause".

**Kata Kunci:** Kolaborasi dan Kemitraan, ICRC-PMI, POLRI-TNI, Intervensi Kemanusiaan, Papua Indonesia

## Background

Various conflicts and violence in the Papua Land have not stopped since escalating in 2018. Through Nemangkawi Operation,<sup>1</sup> from January 1 to June 30, 2020, 1,128 security forces were deployed with a total of 235 Indonesian National

Armed Forces (Tentara Nasional Indonesia-TNI) and 893 members of Indonesian National Police (Kepolisian Negara Republik Indonesia-POLRI). Since early 2020, the government has deployed security forces 39 times intending to confront the West Papua National Liberation Army group (Tentara Pembebasan Nasional Papua Barat-TPNPB) and recorded 49 violent resulting in 29 deaths, 62 injuries, and 256 arrests. The many

<sup>1</sup> Rantau Isnur Eka, Rizerius Eko Hadisancoko, and Lukman Yudho Prakoso, 'Optimization of the Synergy of the TNI, Polri and Ministry/Institutions in Managing Papua Terrorist Groups to Realize Indonesia's Integrity', *International Journal of Social Science And Human Research*, 5.1 (2022), 179–82 <<https://doi.org/10.47191/ijsshr/v5-i1-26>>.



security forces deployed are feared to create an increasingly unstable situation in conflict areas<sup>2</sup>.

*Commission for Missing Persons and Victims of Violence* (Komisi untuk Orang Hilang dan Korban Tindak Kekerasan-KontraS) seeing that the government's efforts in resolving the conflict in Papua Land are still not optimal because violence and military are still often carried out as an effort to end the conflict. Unsurprisingly, conflict and violence continued so that many casualties did not decrease. The evidence of this violence action is 12 violence cases that occurred from January to April 2021, where three cases of torture, three cases of shooting, two inhuman acts, three forced dispersals, and four arbitrary arrests have left seven people dead and 14 others injured. There were 20 cases of tension between TPNPB groups and security forces from early 2020 to February 2021, where most conflicts often occurred in the Nduga and Intan Jaya regions.<sup>3</sup>

A shooting incident carried out by the TPNPB group in the Intan Jaya region has left some TNI members dead. After the shooting, TNI retaliated by shooting one of the civilians named Janius Bagau, leaving three people dead in February 2021. In addition, a shooting contact with the TPNPB group on April 25, 2021, also killed a Head of Indonesian Intelligence in Papua (Kepala Badan Intelijen Negara Daerah Papua), Mayjen Anumerta TNI I Gusti Putu Danny Karya Nugraha.<sup>4</sup> A member of Brigadier Mobil POLRI (Brimob POLRI) named Bharada Komang also passed away after being shot on April 27, 2021.<sup>5</sup>

<sup>2</sup> KontraS, *Menyoal Redefinisi Kelompok Kriminal Bersenjata Sebagai Organisasi Teroris*, 2021 <[https://kontras.org/wp-content/uploads/2021/06/FINAL\\_Catatan-Kritis-Redefinisi-KKB-di-Papua.pdf](https://kontras.org/wp-content/uploads/2021/06/FINAL_Catatan-Kritis-Redefinisi-KKB-di-Papua.pdf)>.

<sup>3</sup> KontraS.

<sup>4</sup> Jim Elmslie, Camellia Webb-Gannon, and Ronny Kareni, 'West Papua Is on the Verge of Another Bloody Crackdown', *The Conversation*, 2021, pp. 1-7 <[https://d1wqtxts1xzle7.cloudfront.net/90479101/West\\_Papua\\_is\\_on\\_the\\_verge\\_of\\_another\\_bloody\\_crackdown-libre.pdf?1661914828=&response-content-disposition=inline%3B+filename%3DWest\\_Papua\\_Is\\_on\\_the\\_Verge\\_of\\_Another\\_Bl.pdf&Expires=1688410845&Signature=IdIUevn](https://d1wqtxts1xzle7.cloudfront.net/90479101/West_Papua_is_on_the_verge_of_another_bloody_crackdown-libre.pdf?1661914828=&response-content-disposition=inline%3B+filename%3DWest_Papua_Is_on_the_Verge_of_Another_Bl.pdf&Expires=1688410845&Signature=IdIUevn)> [accessed 4 July 2023].

<sup>5</sup> Muhammad Zaenuddin Firmansyah, Supto Priyanto, and Megan Bilney, 'Collaboration Strategy in The

Another shooting took place with the victim of a teacher in the Beoga region on suspicion of spying from the government. An attack at the Oksamol Subsector Police station, Pegunungan Bintang Regency, also killed a Police Chief on May 28, 2021. The killing of three civilians by security forces also occurred in June 2021 in Yahukimo Regency and left a six-year-old child injured and a two-year-old baby killed by a bullet. Shooting contact between security forces and TPNPB groups resumed in September 2021, and the leader of the West Papua National Committee (Komite Nasional Papua Barat) attacked local health workers. Seven young children were also victims of tension between security forces and the TPNPB group. The children were tortured to severe injuries after being accused of stealing rifles belonging to soldiers in the Sinak area, Puncak Regency, on February 28, 2022. As a result, a child named Makilon Tabuni died as a result of the torture<sup>6</sup>.

In addition to gunfire, bomb blasts carried out in public places, acts of murder of innocent people and children, acts of disappearance, torture, and mass displacement have been considered human rights violations, and the United Nations (UN) pays more attention to events that occur in the conflict area. A human rights expert from the UN said, "*Between April and November 2021, we have received allegations indicating several instances of extrajudicial killings, including of young children, enforced disappearance, torture, and inhuman treatment and the forced displacement of at least 5,000 indigenous Papuans by security forces. The majority of IDPs in West Papua have not returned to their homes due to the heavy security force presence and ongoing armed clashes in the conflict areas. Some IDPs live in temporary shelters or stay with relatives. Thousands of displaced*

Penta-Helix Concept: Deradicalization Program for Terrorist Separatism Groups in Papua', *Journal of Terrorism Studies*, 4.1 (2022), 1-27 <<https://doi.org/10.7454/jts.v4i1.1045>>.

<sup>6</sup> Tapol, 'Perdagangan Senjata Ilegal, Pengungsian Internal, Dan "Pendekatan Baru" Di West Papua' (Tapol, 2022), pp. 1-6 <<https://www.tapol.org/id/news/briefing-perdagangan-senjata-ilegal-pengungsian-internal-dan-pendekatan-baru-di-west-papua>>.



villagers have fled to the forests where they are exposed to the harsh climate in the highlands without access to food, healthcare and education facilities”<sup>7</sup>.

The large number of casualties due to conflict and acts of violence in Papua Land has attracted much attention from the international community and organizations. The Indonesian government also makes various efforts to create stability in the region. Unfortunately, the intervention of the international community contradicts the concept of sovereignty, which gives freedom to any political entity to regulate its affairs without interference from outside parties. This principle is contained in the UN Charter Article 2 Paragraph 7, which prohibits states from interfering in the internal affairs of other countries, “Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII.”<sup>8</sup>

Article 2, paragraph 4 of the UN Charter also explicitly mentions the prohibition of the use of military force (non-use of force) except for *self-defense* or with the permission of the UN Security Council, “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”<sup>9</sup>

By reviewing several research articles indexed by Scopus, Elco van Burg, in his research entitled “Faith and development: The role of local religious organization in community change in Papua,” discusses how religious organizations in rural Papua can

contribute to development.<sup>10</sup> In addition, the article written by Gabriel Lele, “Asymmetric decentralization, accommodation, and separatist conflict: Lessons from Aceh and Papua, Indonesia,” describes a comparison of the concept of decentralization that was effectively used in dealing with the separatist conflict in Aceh but failed to be applied in Papua, Indonesia.<sup>11</sup>

According to Derek McDougall’s article entitled “Concerns for the neighbours (and some others): International involvement in the conflicts in the Southern Philippines and West Papua,” he focused on observations on the involvement of foreign intervention in conflicts in the South Philippines and West Papua.<sup>12</sup> Cahyo Pamungkas and Devi Tri Indriasari, in an article entitled “Preventing Religious Conflict in Papua Land: Adopting Cultural Traditions of Peacebuilding,” explain tensions between religious groups in Papua Land that did not develop into ethnoreligious conflicts as occurred in Ambon and Poso, Indonesia.<sup>13</sup>

The four authors above focus on the contribution of religious organizations to development in the Papua Land, the comparison of the concept of decentralization in handling separatist conflicts in Aceh and Papua, the involvement of foreign intervention in conflicts that occurred in the Southern Philippines and West Papua, and tensions between religious groups in Papua which did not develop into

<sup>7</sup> UN Human Rights, ‘Indonesia: UN Experts Sound Alarm on Serious Papua Abuses, Call for Urgent Aid’, OHCHR, 2022 <<https://www.ohchr.org/en/press-releases/2022/03/indonesia-un-experts-sound-alarm-serious-papua-abuses-call-urgent-aid>> [accessed 4 July 2023].

<sup>8</sup> United Nations, *United Nations Charter*, 1973 <<https://www.un.org/en/about-us/un-charter/chapter-1>>.

<sup>9</sup> United Nations.

<sup>10</sup> Elco van Burg, ‘Faith and Development: The Role of Local Religious Organization in Community Change in Papua’, *E3S Web of Conferences*, 202 (2020) <<https://doi.org/10.1051/e3sconf/202020201001>>.

<sup>11</sup> Gabriel Lele, ‘Asymmetric Decentralization, Accommodation and Separatist Conflict: Lessons from Aceh and Papua, Indonesia’, *Territory, Politics, Governance*, 0.0 (2021), 1–19 <<https://doi.org/10.1080/21622671.2021.1875036>>.

<sup>12</sup> Derek McDougall, ‘Concerns for the Neighbours (and Some Others): International Involvement in the Conflicts in the Southern Philippines and West Papua’, *Small Wars & Insurgencies*, 32.6 (2021), 977–1011 <<https://doi.org/10.1080/09592318.2021.1956107>>.

<sup>13</sup> Cahyo Pamungkas and Devi Tri Indriasari, ‘Preventing Religious Conflict in Papua Land: Adopting Cultural Traditions of Peacebuilding’, *Asian Journal of Peacebuilding*, 9.2 (2021), 331–56 <<https://doi.org/10.18588/202108.00a119>>.

ethnoreligious conflicts as occurred in Ambon and Poso, Indonesian.

Based on the comparison of several literature reviews, the four studies analyze the crisis that occurred in the conflict area of Papua, Indonesia. Social crisis could inevitably destabilize the conflict area. The number of casualties, loss of residential areas, destruction of public facilities and worship, and cessation of food distribution are consequences that residents in conflict areas must feel. Therefore, the author will focus on discussing how to carry out humanitarian interventions during a crisis in the conflict area without violating the principles stated in the UN Charter. This research will be analyzed and described using qualitative descriptive methods by collecting several sources of information from documents such as books, journal articles, official reports from the UN website, and other online media.

### Concept of Humanitarian Intervention

Intervention can be divided into two parts: military intervention, according to realist groups, and humanitarian intervention, according to constructivist groups. After the end of the Cold War, the intervention was dominated by the concept of humanitarian interests. Constructivist groups focusing on norm, moral, and political issues challenge the realist point of view. For constructivists, norms serve as behavioral guides as well as form identities. Norms are also social structures that are not solely for material gain but emphasize non-material aspects, and actors do not care about the issues of interest that drive state policy.

Intervening is a norm enshrined in the UN Charter on Human Rights principles, which essentially contains the right to life, free from loss of life and punishment without trial and free from persecution and arbitrary arrest. Constructivist observers view humanitarian intervention as closely related to complying with international rules and norms. They also consider the actors in it to have concern for other citizens. Humanitarian intervention is usually preceded by

military intervention, followed by humanitarian action until finally achieving humanitarian intervention<sup>14</sup>.



Figure 1. The flow of Humanitarian Intervention

Nevertheless, some things must be considered when humanitarian interventions are undertaken. These provisions include: **a. There have been serious human rights violations.** Humanitarian interventions can be implemented when serious human rights violations occur. **b. Crimes against humanity are widespread and systematic.** Humanitarian interventions can be carried out when serious crimes against human rights occur sustainably and systematically. **c. Authorization of the Security Council.** It means that the UN Security Council must first ensure that the country to be intervened in is a threat to the peace of a region. **d. Carried out without another purpose or interest,** humanitarian interventions must be carried out without any purpose other than humanitarian. **e. Humanitarian interventions must be implemented proportionately and within a certain period.**<sup>15</sup>

Meanwhile, according to Aidan Hehir, humanitarian action is a term that is often used by humanitarian workers and non-governmental organizations such as INGOs (such as the United Nations High Commissioner for Refugees-UNHCR, International Committee of the Red Cross-ICRC and others). In this humanitarian action, INGOs collaborate with related countries to carry out humanitarian activities such as distributing foodstuffs, health, education, and

<sup>14</sup> Mohamad Rosyidin, 'Intervensi Kemanusiaan Dalam Studi Hubungan Internasional: Perdebatan Realis versus Konstruktivis', *Global & Strategis*, 10.1 (2016), 55–73 <<https://doi.org/10.20473/jgs.10.1.2016.55-73>>.

<sup>15</sup> Hilmi Ardani Nasution, 'Intervensi Kemanusiaan (Humanitarian Intervention) Sebagai Fenomena Hukum Internasional Kontemporer Dalam Perspektif Islam', *Jurnal Magister Ilmu Hukum (Hukum Dan Kesejahteraan)*, 4.2 (2019), 41–49 <<https://doi.org/10.36722/jmih.v4i2.765>>.



infrastructure reconstruction.<sup>16</sup> This humanitarian aid is part of a civil emergency response system driven by the urgency of the environment or the organization's position because organizations with more connections tend to understand the situation better.<sup>17</sup> Although humanitarian intervention has yet to be stipulated with certainty in international law, the UN Charter through the UN Security Council has the right to carry out its obligations to the fullest extent possible without having to use force of arms.<sup>18</sup>

In addition to collaboration, establishing the Principles of Partnership (PoP) is important in addressing the gap. From the Inter-Agency Working Group (IWG) and Emergency Capacity Building Project (ECB), lessons can be learned if building a PoP must: a. prioritizing trust, b. shared vision, c. accepting time and transaction costs, d. shared risks and costs, e. deciding when to form partnerships, f. ground rules for engagement, g. prioritizing best leadership, h. fertile ground for growth, i. equality of members and balance of power, j. benefits for all, k. results-oriented action approach, l. perpetuating a learning culture. It explains that humanitarian agencies need time, hard work, and a shared commitment to improve response quality, speed, and effectiveness for building successful collaborative partnerships.<sup>19</sup>

## TPNPB's Conflict with the Indonesian Government

*Free Papua Movement* (Organisasi Papua Merdeka-OPM) is known as one of the Papuan armed and separatist groups that have existed since the 1960s.<sup>20</sup> During the leadership of Tito Karnavian as chief of Papuan Regional Police (Kepala Polisi Daerah-Kapolda) from 2015 to 2016, OPM was considered an *Armed Criminal Group* (Kelompok Kriminal Bersenjata-KKB).<sup>21-22</sup> However, when Wiranto took office as a *Coordinating Minister for Political, Legal, and Security Affairs of the Republic of Indonesia* (Menteri Koordinator Bidang Politik, Hukum dan Keamanan Republik Indonesia-Menko Polhukam RI) in 2017, the term of KKB was changed to *Armed Criminal Separatist Group* (Kelompok Kriminal Separatis Bersenjata-KKSB). Nevertheless, Wiranto asked the Indonesian people not to dispute the KKB or KKSB regarding the Papua Land crisis.<sup>23-24</sup>

Various kinds of violence carried out using firearms and separatist accusations were motivated by the efforts of the OPM group in fighting for full independence of the Papua Land. On March 29, 2021, the OPM group was announced as part of a terrorist organization

<sup>16</sup> Aidan Hehir, *Humanitarian Intervention: An Introduction* (UK: Palgrave Macmillan, 2010).

<sup>17</sup> Chih-Hui Lai, Bing She, and Xinyue Ye, 'Unpacking the Network Processes and Outcomes of Online and Offline Humanitarian Collaboration', *Communication Research*, 46.1 (2019), 88-116 <<https://doi.org/10.1177/0093650215616862>>.

<sup>18</sup> Emi Eliza, Heryandi, and Ahmad Syofyan, 'Intervensi Kemanusiaan (Humanitarian Intervention) Menurut Hukum Internasional Dan Implementasinya Dalam Konflik Bersenjata', *Fiat Justitia: Jurnal Ilmu Hukum*, 8.4 (2014), 629-41 <<https://doi.org/10.25041/fiatjustisia.v8no4.316>>.

<sup>19</sup> Mark R. Janz, Noelle Soi, and Rebecca Russell, 'Collaboration and Partnership in Humanitarian Action', *Humanitarian Practice Network*, December 2009 <<https://odihpn.org/publication/collaboration-and-partnership-in-humanitarian-action/>>.

<sup>20</sup> Timothy Casey, 'Too Little Progress: Reflections on Poverty in the U.S. on the Fiftieth Anniversary of President Johnson's Declaration of a War on Poverty' (New York: Legal Momentum, 2014), pp. 1-5 <<https://www.legalmomentum.org/library/too-little-progress-reflections-poverty-50th-anniversary-declaration-war-poverty>>.

<sup>21</sup> Komisi I DPR RI, *Perubahan OPM Ke KKB Menyuburkan Kekerasan*, 2021 <<https://www.dpr.go.id/berita/detail/id/32803>>.

<sup>22</sup> Antonius Made Tony Supriatna, 'TNI/Polri in West Papua: How Security Reforms Work in the Conflict Regions', *Indonesia*, April.95 (2013), 93-124 <<https://doi.org/10.5728/indonesia.95.0093>>.

<sup>23</sup> Sekar Wulan Febrianti and others, 'Internal Conflict Resolution between Government of Indonesia and Separatist Movement in Papua Using Horse-Trading Mechanism', *Society*, 7.2 (2019), 83-100 <<https://doi.org/10.33019/society.v7i2.86>>.

<sup>24</sup> Hukum dan Keamanan Biro Hukum, Persidangan dan Hubungan Kelembagaan Kementerian Koordinator Bidang Politik, *Menko Polhukam: Tidak Usah Ributkan Istilah Kriminal Atau Separatisme*, 2018 <<https://polkam.go.id/menko-polhukam-tidak-usah-ributkan-istilah-kriminal-atau-separatisme/>>.



through a Press Release No. 72/SP/HM.01.02/POLHUKAM/4/2021 by Menko Polhukam who was in office at the time, Mahfud MD.<sup>25-26</sup> Meanwhile, the OPM group named itself TPNPB. But in essence, the OPM group has carried out the riots and conflicts in Papua.<sup>27</sup>

So far, the TPNPB has targeted members of the police, military, and state apparatus as targets of casualties in armed group warfare. The possession of firearms by this group cannot be separated from the illegal smuggling carried out by the Anshorut Khilafah terrorist group in the Philippines. Papua police suspect the arms smuggling was aimed at an armed group in Paniani led by Leo Yogi. Smuggling is carried out through the Tobelo sea route, North Maluku, which penetrates the Southern region of the Philippines, where the funds used to buy smuggled weapons result from counterfeiting from local mining companies with a capital of 120 million rupiahs.<sup>28</sup>

In addition to smuggling from foreign countries, the possession of firearms and ammunition by several groups in Papua also stems from the illegal trafficking of security forces and government employees. In 2020, TNI was found guilty of selling weapons, and a government employee was accused of smuggling four machine guns from Biak Regency to Intan

Jaya. Two police officers and four Ambonese civilians were also charged with attempting to smuggle weapons and ammunition in March 2021. Government employees were again accused of possessing ammunition in Yahukimo Regency in September 2021. Security forces had to be arrested in Nabire Regency and Yapen Island for allegedly selling their weapons to the TPNPB group by the end of 2021. The act of selling weapons and ammunition without a valid letter or license is a criminal offense against state security<sup>29</sup>. In addition to illegal trade, the TPNPB group also obtained firearms and ammunition by stealing.

When viewed from the *Indigenous Perspective* by Jeff Corntassel and Marc Woons, being indigenous means describing a community that seeks to defend its territory and declare itself as a distinct society, regardless of its existence in a country. It is also established through violence, colonization, treaty violations, and unfair assertions of power over indigenous peoples and their lands.<sup>30</sup> In Papua Land when Undius Kogeya, the Commander of Kodap VIII Intan Jaya, said their struggle was not to ask for half independence or peace between the government and Papua. But there is a struggle for independence over the Papua Land and saving natural resources for the people and generations of West Papuans.<sup>31</sup>

<sup>25</sup> I Putu Hadi Pradnyana, 'The Path of Securitization Transformation of Free Papua Movement (OPM) Terminology from Armed Criminal Groups to Separatist and Terrorist Groups', *Journal of Terrorism Studies*, 5.1 (2023), 1–18 <<https://doi.org/10.7454/jts.v5i1.1062>>.

<sup>26</sup> Menko Polhukam, Berita, Deputi I Bidkor Poldagri, Deputi V Bidkor Kamnas, *Menko Polhukam: Organisasi Dan Orang-Orang Di Papua Yang Lakukan Kekerasan Masif Dikategorikan Teroris*, 2021 <<https://polkam.go.id/menko-polhukam-organisasi-orang-orang-papua-lakukan-kekerasan-masif/>>.

<sup>27</sup> Marthsian Yeksi Anakotta, 'The Criminal Acts by Armed Criminal Group in Papua, "Treason" or "Terrorism"?'', *Jurnal Komunikasi Hukum*, 7.2 (2021), 641–62 <<https://doi.org/10.23887/jkh.v7i2.37994>>.

<sup>28</sup> Jasmin Michael Gultom, 'Efektivitas Police to Police Cooperation Kepolisian Republik Indonesia Dengan Kepolisian Filipina Dalam Memberantas Tindak Kejahatan Penyelundupan Senjata Api Ilegal', *Journal of International Relations*, 4.3 (2018), 472–78 <<https://doi.org/10.14710/jirud.v4i3.21071>>.

<sup>29</sup> Guntur Afrizal Rizky, Ach Fauzi Taufik Farid, and Taupan Riza P, 'Pertanggungjawaban Pidana Atas Penjualan Amunisi Oleh Tentara Kepada Teroris Organisasi Papua Merdeka Ditinjau Dari Kitab Undang-Undang Hukum Pidana', *Jurnal Hukum Magnum Opus*, 4.2 (2021), 213–24 <<https://doi.org/10.30996/jhmo.v4i2.5290>>.

<sup>30</sup> Takdir Ali Mukti, *Dasar-Dasar Kajian Teori Hubungan Internasional*, ed. by Stephen McGlinchey, Rosie Walters, and Cristian Scheinpluf, *Laboratorium Hubungan Internasional Universitas Muhammadiyah Yogyakarta*, Trans (Bristol, England: E-International Relations, 2017).

<sup>31</sup> BBC Indonesia, 'Nota Kesepahaman Jeda Kemanusiaan Bersama Papua: Tak Dilibatkan, TPNPB Ancam Lakukan "Operasi Besar-Besaran"', *BBC News Indonesia*, 2022 <<https://www.bbc.com/indonesia/articles/crgzv71nn4go>> [accessed 4 July 2023].



### Collaboration-Partnership Between NGOs and Security Forces

The status of prolonged conflict that occurred in recent decades has resulted in many victims suffering injuries and even death. From 2018 to 2021, conflicts occurred in almost half of the districts in Papua and West Papua Provinces. Intan Jaya, Hitadipa, Titigi, Sugapa, Mamba, Puncak Jaya Regency districts, and the Central Mountains of Wamena have high conflict intensity.<sup>32</sup> Rising levels of conflict and violence have caused civilians to flee their homes to seek refuge in temporary shelters.

When the spread of *Corona Virus Diseases-19* (COVID-19) several years ago became a threat and challenge to all Indonesians, the ICRC quickly expanded the distribution of hygiene kits and protective equipment to five prisons (Lembaga Pemasyarakatan) and four hospitals in Papua Province on October 19-21, 2020. Alexandre Faite, Head of the ICRC Regional Delegation to Indonesia and Timor-Leste, directly led the distribution process in collaboration with the Directorate General of Correction (Direktorat Jenderal Pemasyarakatan) Ministry of Law and Human Rights in three Lapas in Jayapura, one in Wamena Regency and one in Timika City. The assistance that has been prepared consists of soap, water containers, hand sanitizers, disinfectants, gloves, masks, spraying machines, safety glasses, Personal Protective Equipment (Alat Pelindung Diri-APD), thermometers, and health promotion posters. The ICRC's visit to Jayapura was also an opportunity to hold meetings and discussions on the latest situation with the *Indonesian Red Cross* (Palang Merang Indonesia-PMI), the Provincial Secretary (Sekretaris Daerah Provinsi), the Head of COVID-19 Officer Unit (Satuan Petugas COVID-19) and representatives from the POLRI-TNI.<sup>33</sup>

<sup>32</sup> Youna Chatrine Bachtiar, Linda Purnamasari, and Silvia Ratna Juwita, 'Crisis Communication Strategy as a Solution to Bridge the Peace Agreement between Kopassus and OPM in West Papua', *Journal of Social Science*, 3.5 (2022), 1101-13 <<https://doi.org/10.46799/jss.v3i5.418>>.

<sup>33</sup> ICRC, 'COVID-19: ICRC Perluas Bantuan Ke Papua', *ICRC Blog Indonesia*, 2020

The increasingly chaotic situation with various kinds of violence made several organizations, such as PMI), collaborate with the ICRC in distributing humanitarian aid on 17 March 2021. The assistance was in the form of medicine, necessities, and other basic needs, which reached almost 1.3 tons as a form of response to the development of the situation in the Intan Jaya Regency. PMI Papua distributed the various aids through two stages: the first aid delivery was around 809 kilograms, and the second was around 545 kilograms. Health protocol equipment was also distributed to several clinics in Intan Jaya, and food, clothing, and masks were directly distributed to residents.<sup>34</sup>

The ICRC began in Indonesia in 1942 and was made permanent by the Indonesian government in 1979. The opening of the ICRC's first office in Jayapura Regency, Papua, has occurred since 1989, and its presence is to provide humanitarian assistance, including medicines through PMI. During the office's opening, the ICRC delivered access to clean water, established a sustainable environment program, and visited detainees to ensure they received humane treatment. Concrete action was proven on November 13, 2011, when ICRC collaborated with PMI to socialize water and sanitation to support clean and healthy living in Guryad Village, Jayapura Regency. The ICRC supported PMI in sending rainwater storage equipment (gutters, 150-litre water barrels, and other equipment) to around 110 households in Guryad I and II villages.<sup>35</sup>

<<https://blogs.icrc.org/indonesia/covid-19-icrc-perluas-bantuan-ke-papua/>> [accessed 2 July 2023].

<sup>34</sup> Ika Yapika, 'PMI Distribusikan Bantuan Ke Intan Jaya', *Palang Merah Indonesia Provinsi Papua*, 2021 <<https://pmiprovpapua.org/18/03/2021/kesehatan-sosial/pmi-distribusikan-bantuan-ke-intan-jaya/>> [accessed 5 July 2023].

<sup>35</sup> ICRC, 'Papua: Sosialisasi Air Dan Sanitasi Sebagai Penunjang Perilaku Hidup Bersih Dan Sehat', *ICRC Blog Indonesia*, 2011 <<https://blogs.icrc.org/indonesia/papua-sosialisasi-air-dan-sanitasi-sebagai-penunjang-perilaku-hidup-bersih-dan-sehat/>> [accessed 5 July 2023].





The ICRC Committee and Central PMI, accompanied by PMI Papua, visited the Papuan Provincial Government (Pemerintah Provinsi Papua), Polda Papua, Commander of the Regional Military Command (Panglima Komando Daerah Militer) XVII Cendrawasih and the Health Office (Dinas Kesehatan-Dinkes) Papua on November 5, 2021. The ICRC, Central PMI, and PMI Papua teams consist of Lieutenant General TNI (Ret.) H. Sumarsono, S.H. (Vice Chairman of Central Disaster Management), Arifin M. Hadi (Head of Education and Training Agency-Kepala Badan Pendidikan dan Pelatihan), Kartika Juwita (Head of Regional Delegation for Indonesia and Timor-Leste), Dharmawan Ronodipuro (Senior Diplomatic Advisor), Zakius Degei (Chairman of PMI Papua), Gerard Harry Dimpudus (Secretary of PMI Papua) dan Karel Wamea (Management of PMI Papua Organization). The visit was carried out to evaluate cooperation activities between PMI and ICRC related to the COVID-19 vaccination program in the Papua region. In Dinkes Papua, there was a lot of discussion about public health and the possibility of reinstating cataract surgery and other health services. The group also visited the Mimika and Merauke districts to hear firsthand reports on vaccination programs carried out by PMI and ICRC.<sup>36</sup>

After visiting several places in Papua, a seminar was jointly organized by the Indonesian Armed Forces Legal Development Agency (Badan Pembinaan Hukum Tentara Nasional Indonesia-Babinkum TNI), PMI dan ICRC in Jayapura, Papua on 24-25 November 2021. This seminar discusses issues related to international norms and standards for the implementation of law enforcement. Maj. Gen. TNI W. Indrajit, SH, MH, as the Head of the Babinkum TNI, conveyed the importance of the issues discussed so that all members and units within the TNI obey and respect the International Humanitarian

<sup>36</sup> Ika Yapika, 'ICRC Bersama PMI Pusat Kunjungan Ke Provinsi Papua', *Palang Merah Indonesia Provinsi Papua*, 2021 <<https://pmiprovpapua.org/05/11/2021/organisasi/icrc-bersama-pmi-pusat-kunjungan-ke-provinsi-papua/>> [accessed 6 July 2023].

Law (IHL) and International Human Rights. Alexandre Faite also explained that the ICRC has discussed with many armed forces worldwide and hopes to continue cooperation with the TNI in Papua Land. In the seminar, the Central PMI Management Lt. Gen. (Ret) Sumarsono introduced PMI's activities in Papua in collaboration with the ICRC to develop first aid and ambulance services. In addition, a joint program between PMI and ICRC called "*Nilai Kemanusiaan*" was also presented, emphasizing the convergence between local wisdom and international humanitarian principles.<sup>37</sup>

In addition to responding quickly to the spread of COVID-19 in Papua, the ICRC, through the Central PMI, also provides full support to PMI Papua to distribute humanitarian assistance to communities affected by drought due to extreme weather in Kuyawage District, Lanny Jaya Regency on August 25, 2022. Head of PMI Papua, Zakius Degei, said the aid was handed over directly to the community by involving PMI Jayawijaya Regency. The assistance provided by the ICRC and PMI was in the form of 200 bags (four tons) of rice, 200 boxes of instant noodles, 40 boxes of canned fish, 40 boxes of biscuits, 40 boxes of coffee, 20 boxes of sugar, ten boxes of salt, 40 boxes of cooking oil, 100 buckets, 100 dippers, 100 blankets, and 100 towels. The humanitarian assistance the ICRC and PMI have distributed can complement various parties' other assistance.<sup>38</sup>

Furthermore, the international community also seeks to sign a Memorandum of Understanding (MoU) to implement *Humanitarian Pause* to create stability, security, and peace in the Papua Land. The agreement was signed between

<sup>37</sup> ICRC, 'PMI Dan ICRC Selenggarakan Pelatihan Bersama TNI Di Jayapura, Papua', *ICRC Blog Indonesia*, 2021 <<https://blogs.icrc.org/indonesia/pmi-dan-icrc-selenggarakan-pelatihan-bersama-tni-di-jayapura-papua/>> [accessed 6 July 2023].

<sup>38</sup> Ika Yapika, 'ICRC Dan PMI Bantu Warga Terdampak Bencana Kekeringan Di Kuyawage Papua', *Palang Merah Indonesia Provinsi Papua*, 2022 <<https://pmiprovpapua.org/26/08/2022/penanggulangan-bencana/icrc-dan-pmi-bantu-warga-terdampak-bencana-kekeringan-di-kuyawage-papua/>> [accessed 6 July 2023].





United Liberation Movement for West Papua (ULMWP) with the Indonesian government on November 11, 2022, by involving the National Commission on Human Rights of Indonesia (Komisi Nasional Hak Asasi Manusia), West Papua Council of Churches (Dewan Gereja Papua) dan the Papuan People's Assembly (Majelis Rakyat Papua) to sign the MoU at the Hendry Dunant Centre office in Geneva, Switzerland. It is expected that in the next six months after the MoU is agreed, no parties will be attacking each other, moving weapons, or controlling an area. It is also hoped that hostilities and acts of violence can cease temporarily to achieve lasting peace without armed conflict and create opportunities to build mutual trust between the parties to the war and realize humanitarian missions based on international humanitarian law.<sup>39</sup>

Agreement over a joint Humanitarian Pause is an effort toward peace negotiations that regulate principles, procedures, and implementation mechanisms to target the provision of humanitarian assistance to victims and civilians displaced by the ongoing armed conflict. During the implementation of the Humanitarian Pause, parties often involved in armed conflict can provide a "Humanitarian Corridor" as a safe passage for the distribution of aid and access to the Humanitarian Pause Team. They must also uphold the non-aggression principle and not provoke new conflicts.<sup>40</sup>

All of the humanitarian assistance sought by NGOs and the international community shows that humanitarian interventions carried out in the Papua Land during the crisis through collaboration and partnership focus on norm,

moral, and political issues. However, if we look at the UN Charter article 2, paragraphs 4 and 7, actually the intervention carried out by outsiders to enter the conflict area in the Papua Land has violated Indonesia's sovereignty. However, suppose we re-understand the provisions that must be considered when carrying out humanitarian interventions. In that case, the ICRC's presence in collaboration with PMI does not violate the principles stated in the UN Charter. All humanitarian assistance and efforts to create stability in conflict areas are basically to fight for the rights of civilians in the Papua Land to live, free from loss of life and punishment without trial and free from persecution and arbitrary arrest as stated in the principles of the UN Charter on Human Rights. The ICRC also seems to make the most of this moment to prove that all efforts undertaken by its organization are carried out without any purpose or alignment other than humanitarian activities.

## Conclusion

Various types of conflicts in the Papua Land involving the TPNPB group and the security forces often result many victims being injured or even dead. When the conflict escalates, civilians experience housing, health, and food crises because they have to flee their homes to find temporary shelter. This condition has always been a concern of the international community, where humanitarian workers and non-governmental organizations (ICRC & PMI) swiftly collaborate and partner with security forces (TNI & POLRI) to carry out humanitarian action. This humanitarian action is in the form of socializing water and sanitation to support clean and healthy living. During the COVID-19 pandemic, humanitarian action was carried out by distributing humanitarian aid through medical equipment, medicine, food, clothing, masks, necessities, and other basic needs. Security forces and ICRC-PMI also coordinate regarding the COVID-19 vaccination program, public health, possibly reinstating cataract surgery, and other health services. The TNI and PMI-ICRC even

<sup>39</sup> Human Rights News, 'West Papua: Agreement of Conflict Parties over Humanitarian Pause', *Human Right.Monitor*, 2022 <<https://humanrightsmonitor.org/news/west-papua-agreement-of-conflict-parties-over-humanitarian-pause/>> [accessed 4 July 2023].

<sup>40</sup> Agus Kosek, 'KontraS' Tweets Regarding the Papua Humanitarian Pause Are Baseless Facts', *West Papua Daily*, 2023 <<https://westpapuadaily.com/kontras-tweets-regarding-the-papua-humanitarian-pause-are-not-based-on-facts.html>> [accessed 4 July 2023].



held seminars discussing issues related to international norms and standards for implementing law enforcement. PMI-ICRC also joined the “Nilai Kemanusiaan” program, where the program emphasized the convergence between local wisdom and international humanitarian principles.

Furthermore, the international community also seeks to sign a MoU to implement “Humanitarian Pause” to create stability, security, and peace in the Papua Land. In this way, humanitarian intervention carried out in Papua Land without any purpose or partiality towards either party and non-use of force does not violate the principles written in the UN Charter. This study proposes to conduct further research on the effectiveness of the number of security forces deployed in the Papua Land, whether this positively impacts maintaining security stability or instead creates fear and worry, creating an even more unstable situation in the conflict area.

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