

# ESCAPE FROM WEST PAPUA

HOW AND WHY REFUGEES CAME TO AUSTRALIA

“I have maintained a strong affection for Melanesian people since living among them for a decade in Papua New Guinea. Many have embraced a natural and unselfconscious Christian faith from which we Westerners can learn. Alan Nichols has in this book applied his great skills to the plight of the Melanesians in the Indonesian province of Papua, as an encapsulator of complex issues, and as an empathetic listener to people confronted by life-and-death challenges, from Thailand to Rwanda. The people of Papua form the human fault-line between Pacific and Asian cultures, and they should command the full attention of all those – including Australians – whose futures are bound up with linking Asia and the Pacific.”

**Rowan Callick,**

Beijing correspondent for *The Australian* newspaper, and Pacific specialist.

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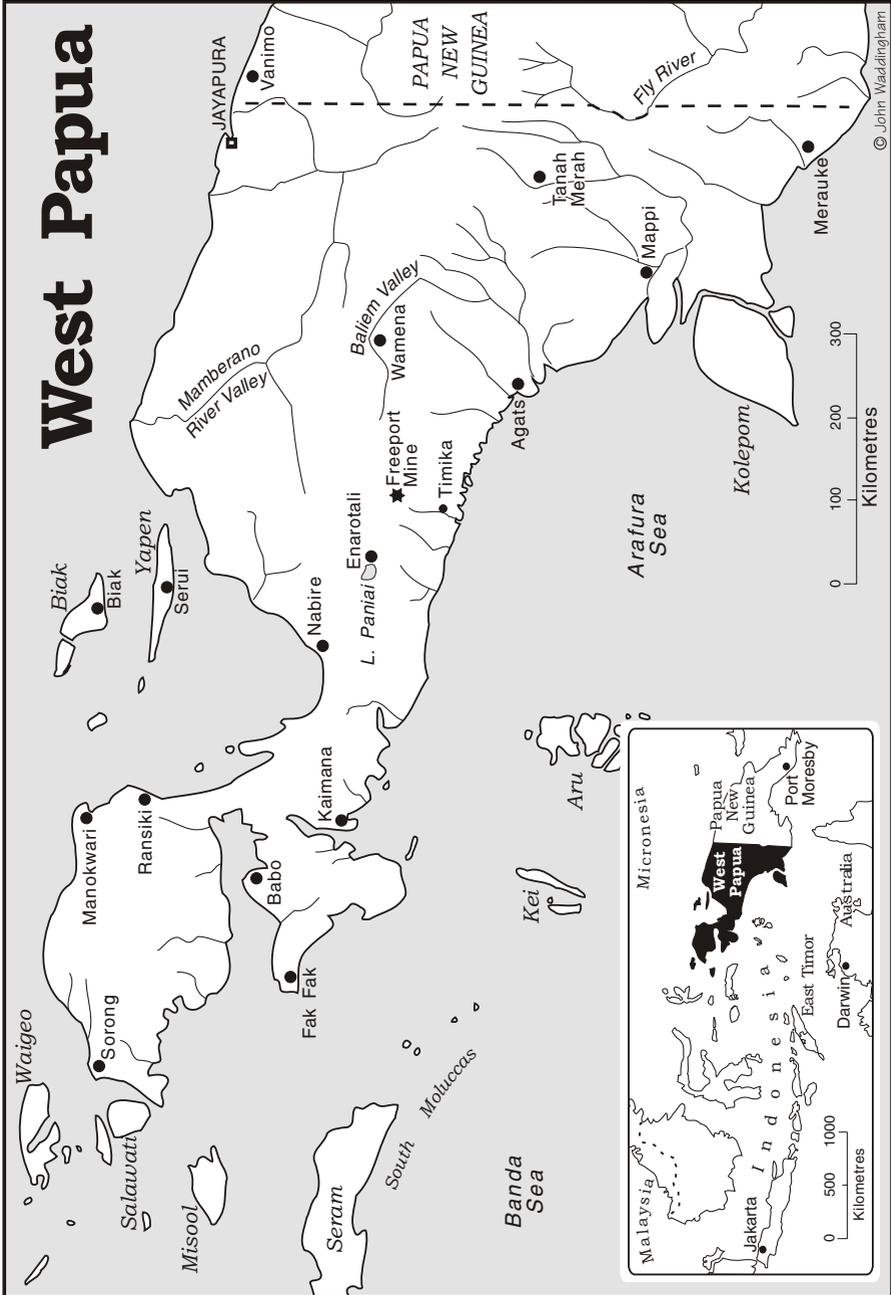
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# **INTRODUCTION**

Two boys, clinging together in terror as fierce storms sweep over their boat, cry out to God to rescue them. The whole boatload of refugees start praying for Jesus to still the storm.

They are half way between Papua New Guinea and the Australian mainland. Their captain is sick, lying on the bottom of the boat. The motor has seized.

What would drive 43 refugees, individuals and family groups, to set out from West Papua on an obviously dangerous mission to reach Australia and claim refugee status? Only a sense of desperation. They feel persecuted back home as indigenous people who yearn for Independence. Some of them, and some of their family members, have been jailed for raising a flag or attending a street protest. They see no hope for their homeland.

This book tells their story: the history of Dutch colonial rule; an artificial United Nations-supervised referendum; an Indonesian takeover; a transmigration program to change the makeup of the people; continuous poverty unrelieved by the wealth being extracted in minerals from their soil; and a disunited Independence movement, some of whose members want to take up arms, and others to engage in democracy.

It is a story with implications for Papua New Guinea, East Timor, Indonesia, and Australia. Their refugee status infuriated the Indonesian Government, which withdrew its ambassador to Australia. It led to a Treaty between Indonesia and Australia

in which Australia promised not to encourage any separatist movement for West Papua. There have been allegations in the media and in books from research centres that the amount of persecution has been an exaggeration, that Australia's foreign policy towards West Papua has been consistent, that the Independence movement has been disunited, and that the refugees who made it to Australia are unrepresentative. Each of these matters will be examined.

The author takes no position on West Papuan claims to self-determination, but supports the right of all individuals, including Independence supporters, to express their political views peacefully without fear of arrest or other forms of reprisal. The 43 West Papuans in Australia speak for themselves.

However, peaceful campaigning for self-determination is a right protected by human rights treaties, including two which have been acceded to by Indonesia as recently as February 2006 – the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights.<sup>1</sup> The testimonies and events related in this book make it clear that these rights have been abused in West Papua.

1 The various United Nations Covenants are based on the 1948 UN Declaration of Human Rights, which emerged after World War II. The International Covenant on Civil and Political Rights, for example, was created in 1966 and came into force in 1976. Each Covenant has to be ratified by individual nation states before coming into effect in each jurisdiction.

# 1

## GATHERING FOR THE JOURNEY...

**THE STORY STARTS** with Herman Wainggai, regarded by other university students as an elder brother. After two jail terms for peaceful protest for an independent West Papua, he decided to try to get to Australia. He gathered some friends, secretly arranged a ten-metre canoe, and set off for a 16-hour trip, which took four days.

**Herman Wainggai** tells the story in his own words:<sup>2</sup>

I knew that the trip was extremely dangerous – it was just full of risk to carry this off. For those friends who joined us, what it meant for me was that their lives had been surrendered into my hands. We were either going to live or die. It was a huge responsibility I felt on my shoulders. At the very beginning, I actually didn't have a plan with my friends to undertake this journey.

For me, why is it that I had to leave our land, and why should I leave the responsibilities I had among my friends back there? I was also leaving my parents that gave birth to me; also my younger brothers and sister who depend on me – I am the oldest in the family. For me, the most important

2 This interview, and the others which follow in this book, was in the Bahasa Indonesia language, interpreted by Peter Woods.

thing is that not everyone knows, including my father and my siblings. And the next thing, as a young person, my involvement in the struggle, the struggle characterised by peace and love and the inspiration for this made me think a lot about how could I do the thing that is right?

The sense of responsibility I had was how can I work for their salvation? I had, I guess, what was a closed and secret meeting with my friends, and we gave attention to the various actions which we had been engaged in, in Jayapura – the peaceful actions and protests. Looking at the various activities that we had conducted since the new Reformation<sup>3</sup> in Indonesia, and especially ... paying attention to the democratic aspirations of the people of Indonesia since 1998 to November 2005 ... one basic thing I saw from our peaceful actions in the Reformation era – Indonesia continued to use violence by the military in handling the problems of West Papua.’

In particular, Herman Wainggai observed the behaviours and concerns of the young people of West Papua, including the university students. The Indonesian Government had seen how effective the university students were in carrying out a peaceful struggle for the West Papuan people: ‘In this year of “Reformation” in Indonesia, the university students were always out the front, and that was occurring because we were continuing to have closed meetings – we named it the West Papuan Student Union.’ This student union undertook the teaching and training of the younger generation of West Papuans in how to continue a peaceful struggle.

3 *Reformasi* was the Presidential policy instituted by President Habibie after Suharto’s fall in 1998. See Rodd McGibbon, *Pitfalls of Papua: understanding the conflict and its place in Australia-Indonesia relations*, Lowy Institute, Sydney, 2006, p. 32.

Herman's motivation is essentially Christian. His faith shapes his deepest desires and his actions. He explains:

The basis of this struggle, characterised by peace and love, is within the New Testament and the teaching of Jesus concerning love. Our struggle had to be based in truth and justice, and that comes out of the spiritual teaching of the scriptures. From my personal experience, I am a young person who has been saved. Among the university students – where I was studying advocacy<sup>4</sup> – I am considered an elder brother, who gives inspiration to the others to continue to struggle by peaceful means.

The Indonesian Government has long seen this movement as extremely dangerous for its international reputation, because of its basis in peaceful protest. The Indonesian military began to target those who were the key new leaders in the struggle among the university students. Herman Wainggai was one of those targeted.

He tells his own history:

Because of the peaceful actions that we carried out in West Papua, twice I was arrested by the Indonesian military. I was then processed through the court systems of Indonesia. I won't forget the court system of Indonesia. A court of justice should be where a judge acts on the basis of what is right and just. As a university student in law, I was very aware that in a democracy the court system should bring about just results. From my experience from the time of arrest, through the court process, and not just my experience but that of any West Papuan or West Papuan university student involved in justice and peaceful actions – we do not experience justice through the Indonesian court system. We are still victims.

4 Advocacy = law.

His first sentence, in 2000, was for four months; the second, in 2002, also for two years. Both times, the charge was subversion.

Herman says:

I contemplated while in prison that this is the experience that a West Papuan has to go through. We have to come before the Indonesian military and in the courts, the judge is an Indonesian, so it is extremely difficult for a West Papuan to receive justice.

‘Dialogue with the Indonesian Government is like boiling a stone in a pot.’

Herman describes his efforts to have any dialogue with the Indonesian Government as like ‘boiling a stone in a pot.’ Again in 2005, when there was a new President of Indonesia, the students attempted to have a peaceful action on the first day of December, which is a national day for the West Papuans. It was announced to all the West Papuans by the regional Government that anyone who engaged in peaceful activities, or raised any flag other than the Indonesian national flag, would be punished. Any university students involved in such actions would be detained.

Herman decided:

I knew that this would happen to me a third time, I didn’t want to be caught a third time. Among my friends we began to feel afraid. There were some others who were willing to carry out the peaceful action. One of my friends, Philip Karma, was put in jail for 15 years, and another friend Yusak Pakage was sentenced to ten years, and various others were still in process through the courts.<sup>5</sup>

5 The stories of Philip Karma and Yousa Pakage are detailed in a report ‘Protest and Punishment: Political Prisoners in Papua’, dated February 2007 from *Human Rights Watch*, vol. 19, no. 4 (C), published New York.

It was in this context of intimidation and fear that Herman arrived at his momentous decision – to actually leave West Papua and take some of his fellow West Papuans with him. But he was not going to flee over the border into Papua New Guinea, as many of his countrymen had done since the 1980s.<sup>6</sup>

So we decided to do the trip to Australia, and that it would be absolutely secret. I began to see how I could devise a strategy to carry this out with my friends. We began to raise funds secretly. I commissioned the boat to be made.<sup>7</sup> It was to be wooden, suitable for ocean sailing, as my ancestors had made for hundreds of years. It would have outriggers, and we would need two outboard motors and enough fuel. So we set off from the capital city of West Papua, Jayapura. I took a boat around the coast,<sup>8</sup> which was full of risk, and we had to be extremely careful.

**David Wainggai**, who became famous in Australia as Refugee Number 43 – the last of the West Papuans to be granted refugee status by Australia’s Refugee Review Tribunal – takes up the story.

David arrived in Australia on 17 January 2006 with the 42 others after four days in the Torres Straits. However, he was separated from the rest by Australian Department of Immigration officials, and held on Christmas Island by himself for five months. In the meantime, the others were processed and taken to the Australian mainland, where most of them finished up in Melbourne.

Initially rejected for refugee status, David Wainggai’s appeal was upheld by the Refugee Review Tribunal, which found that

6 An estimated 11,000 West Papuan refugees live in camps in Papua New Guinea in 2007.

7 The identity of the boat builders remains undisclosed, for safety reasons. After the boat eventually arrived in Australia, Indonesian security forces made efforts within West Papua to find out their identity.

8 Around what locals call ‘the Bird’s Head’ – to the west, and then south.

Australia had obligations for his protection under the UN Refugee Convention.

If proposed legislation had passed the Australian Senate,<sup>9</sup> David would have had no course of appeal once he was denied a Temporary Protection Visa. His case became part of the public debate which led several Senators to cross the floor or abstain from voting on the Bill in August 2006. Not having the numbers in the Senate, Prime Minister John Howard withdrew the Bill.

David's 'case' differed from the others because his domicile before the boat set out was Jakarta, where he was a member in an Apostolic Church and where his mother, who is Japanese, still lives. At the time of the escape, David actually had a visa for Japan as he planned to work there.

In the end, the reason the Refugee Review Tribunal granted him protection was that his father, Dr Thomas Wainggai, the first West Papuan ever to earn a PhD, is one of the great heroes of the West Papuan Independence movement. Despite knowing that the Indonesian Government had declared illegal the public display of the Independence flag, Dr Wainggai flew the flag in 1988 in the soccer stadium in Jayapura, and was arrested and jailed for it. He died in 1996 in jail in suspicious circumstances. Authorities said he died of liver cancer, but no autopsy was conducted. It is thought he was poisoned – 'This is how Indonesians work', says David.

Plans for the escape by boat to Australia began, from David's viewpoint, in August 2005. He joined his cousin Herman Wainggai in West Papua in a plan to get to Australia. Herman had not told

9 The Howard Government's response to the granting of asylum to the 43 West Papuans was to propose amendments to immigration legislation, which would have mandated that all asylum seekers reaching Australia be processed offshore, at designated facilities at Christmas Island and Nauru. See Michael Wesley, *The Howard Paradox*, ABC Books, Sydney, 2007, pp. 207-208..

them how they were getting to Australia – he was keeping that a secret. David at first thought they were using a boat to get to Papua New Guinea or even a plane. By now, there were 20 people gathered in Merauke, then more collected at Sorong. This was all by word-of-mouth and kept confidential.

The invitation offered to people to get on the boat Herman had organised was on the basis of oppression at home, as well as the shared intention of going outside to campaign for West Papua's Independence. There were now 43 collected together. While waiting to leave for Australia, they tried to look normal as they walked around the town of Merauke. Suddenly, they met another student, Donny Roem, who said, 'Come and have lunch. I have a SMS message from Herman ... to prepare lunch for [him]'. In other words, Herman had arrived by boat. At 10 pm the following day, they got their gear together and quietly left the house.

It was a dangerous moment. The 43 who would end up in Australia were all gathered in one town, keeping quiet, not drawing attention to themselves. Herman, who was well known to the Indonesian police and military, had arrived. The 43 were very careful. On a signal at 1 am, they went to the beach. Because it had begun to rain, they lit a fire so that Herman could see them. They then waded out into the water to the boat.

'Herman said in sixteen hours we will make it to Australia,' recalled David. It took them four days:

It took us 16 hours just to get to the PNG border area, and from PNG we were going to go direct to Australia. We were not worried about whether the boat would make it, but I was worried about the direction we were going. Yes – really worried. I had bought a compass in Merauke, and the first day we didn't use it. The plan was not use a

compass – it was my idea to bring the compass along – felt too worried not to bring a compass – so we were finally using the compass and checking, and the third day we saw a red light in the middle of the night, so we looked at the compass in the middle of the night, so we were able to determine direction again. When Herman woke up in the morning, he told us to go back in the other direction. So we had been heading west. We had wasted all that time for seven hours heading west and then we had to go back seven hours – just wasted 14 hours’ worth of petrol. In the morning of the fourth day we saw a warship in the distance behind us. We didn’t see it again.<sup>10</sup>

Then suddenly, they reached the west coast of Queensland, in the Gulf of Carpentaria. David continued:

We saw the tops of the trees on top of the water. We were nearly without hope, and headed to land. We saw a car on the land and thought it might have been police. We thought let’s not go there, as ... it might be Indonesian police. We went further away, to land away from where we saw the car.

They were stuck on a coal reef, just off the coast, and Herman asked some of the West Papuan students to swim for the shore.

When we all got to shore, we were one night there, and in the morning a plane went overhead and we waved at the plane – then they sent a helicopter – they landed and asked about our situation about how we were, and they brought some food and drink.

Was this a welcoming committee?

They were Police and Customs from the government officials of Australia, and also a reporter came in another helicopter.<sup>11</sup>

10 The full story of the four days at sea is told in the next chapter.

11 Damien Baker from the *Torres News*, based in Thursday Island.

The reporter was kept away from the immigration officials – they (the reporters) were prevented from speaking to us. First we were taken to Weipa hospital and our health was checked. We were then taken by plane to Christmas Island. At that time no one told us what was going on, or where we were going, so we weren't aware – we didn't know.

After being processed for refugee status, all were approved, except for David Wainggai, who finished up by himself on Christmas Island. Was it a distressing time to be the last? David recalls: 'Yes. I was actually under pressure but also afraid. Jakarta is only 45 minutes away from Christmas Island and I thought the Indonesians could get to me. I guess they got to my Dad, so why couldn't they get to me?'

From mid-March to August 2006, David Wainggai was alone in the Christmas Island detention centre, except for a time when Jacob Rumbiak joined him, as part of an agreement. The others said they were not going to leave without him.

Apart from cousins Herman Wainggai and David Wainggai, each of the family groups and individuals who boarded the boat had a different story and background. The most different was **Gilius Chogy Kogoya**, the only person from the Dani tribe in the highlands of West Papua, a tribe famous to some Australian Christians because of the killing of two Australian missionaries in the Baliem Valley 40 years ago. It is a legend told in the book *Peace Child*,<sup>12</sup> and made even more famous in a film and TV documentaries. The Dani tribe are often enmeshed in warfare, and are famous in word and film for being warriors, and for defending their territory with spears and whatever else they can use to fight

12 See footnote 14 below.

a war. So, in terms of their own struggle for Independence, they are more inclined to violence than some other tribes. They like to gather in great crowds. Gilius explains: 'In my parents' generation they were still warriors, right until the Word of God came into our area. Every area had its enemies, so there were always wars going on.' Into his part of the land around Wamena came missionaries from America and Canada, including Roman Catholics, Baptists and some from APCM.<sup>13</sup> Gilius explains:

Before the missionaries came, Dani men used to marry a lot of wives. They used to kill each other – that is, between the tribes, not in our tribe – and they used to grow tobacco.

Then the first missionaries came. My parents saw the white skin; the people came in with salt and sugar, and they wanted to come close, but my parents – they ran away. They tasted the sugar, which was a totally new experience. In our area we didn't kill missionaries, but at that time two Australian missionaries went through our area to another area and there they were killed.<sup>14</sup>

The missionaries opened schools and began to teach the children. The men stopped growing tobacco, they stopped having multiple wives. In time, some of the children grew up and they went into school for pastors. They became pastors. Before that, the level of education was low – only three or five years of schooling. And they don't believe in the black magic now, they believe in Christ now. The majority of the Dani tribe have actually accepted Christ as their Saviour.

13 Asia Pacific Christian Mission, an evangelical mission agency based in Melbourne.

14 Stan Dale was an Australian missionary with the Regions Beyond Missionary Union (RBMU) – now World Team. See Helen Woodall, *Courage, Confidence, Hope*, in New Life Editions, February 2003; RBMU Bibliography on [www.papuaweb.org/dlib](http://www.papuaweb.org/dlib); and Don Richardson, *Lords of the Earth*, Gospel Light, Ventura, CA, 1977. See also the film *Peace Child*.

From this quite different background, the highlander became connected with the university students who were campaigning for Independence. Gilius explains:

Actually. I didn't know Herman when we set off on the boat.

From when I was small – about 12 years old – my grandfather was the first pastor in our area. He was baptised first, became a teacher and taught the children. My grandfather actually was involved in the struggle from the beginning and he believed that West Papua should stand independent from the beginning. My parents were also involved – they are in their 50s now – but right from a young age they were involved. They would sell animals, pigs, whatever, to raise support, so that if anyone came from the OPM (Free Papua Movement)<sup>15</sup> who were going to buy guns, my grandfather would support them and help them. The police knew that my grandfather was a well-known activist. He was arrested along with his friends; they were beaten, imprisoned, and humiliated in a variety of ways. When I heard these stories, I was greatly grieved and saddened ... There began to rise within me this question about freedom for West Papua. When I was in year 12 of high school, I heard a report that my grandfather was going to be killed. Knowing that report, I left my high school – in the city of Wamena – and went back to my village. I took my grandfather from the village back to my place in Wamena, and hid him there for over a month. During that time I also graduated from high school. I felt within myself a sense of anger and revenge that if they want to kill my parents, my grandparents, then I have to be involved. At that stage I didn't know Herman. I sold my pigs for eight million rupiah,<sup>16</sup> one million I gave to my parents. I took off to Jayapura to enter university.

15 OPM was the Free Papua Movement (*Organisasi Papua Merdeka*), initially an armed guerilla movement, but over time divided into a minority armed group and a majority committed to peaceful dialogue, at least until recently.

16 1 million Indonesian rupiah = \$140 Australian dollars.

I then began to live with friends down there who were activists and already involved. Some of them were members of the OPM and they would go back and forth between the jungle and the city. I also began to be threatened by the police, because I was living with those within the OPM. That then became the environment in which I talked to relatives and friends about the whole struggle for freedom for West Papua. At that time I met Herman. Then I began to hear what he was saying about freedom for West Papua and I began to realise that it was the same as us. And so I drew close to him and started to listen to him.

There was an incident on 6 October<sup>17</sup> in Wamena. The police station was attacked and there were some police killed. Because my family was accused, they also began to hound my older brother and uncle in town. What had emerged over time was that there were two groups – one supporting autonomy, Special Autonomy; and those wanting to go for self-determination and independence. Because of these clashes occurring within our own groups, we were targeted as OPM and therefore we were no longer hidden. It was now obvious to everyone who was standing for our Independence.

Did informers operate during this period – notifying police of where people were and what they were saying and doing – or was it entirely a matter of surveillance by the Indonesian police? Gilius reports:

Those involved in the civil service and their families were often doing the reporting. Social conditions often influence things. As well, there was lots of unemployment. People have not got any money, and so they were paid to give information. Even those holding positions of authority in

<sup>17</sup> 2006.

the offices, if they wanted to get money, that is what they would do. I heard a report that because Herman was under threat, he was going to make a run for it to Papua New Guinea or Australia. I got close to him and said 'I would like to go with you.'

So a Dani joined the university students from the city, and other people from the coast, to escape for Independence and for safety.

Another of the 43, **Sadrak Nawipa**, remembers back to October 5, 2005, when on Serui Island, three months before the boat journey, twelve people had gathered in preparation for the journey to Australia, having no idea what would follow.

For the next few days we fasted and prayed to God. We ate no food and drank not even water. Our breakfast, lunch and dinner was to pray and praise God, to ask for God's mighty grace to point us to his perfect journey. During the fasting, God showed us a real vision of himself. Gilius Kogoya shared the first vision – on a lovely sunny day we were near a fishpond, with a lot of red and white goldfish. The second vision, from Sadrak Nawipa, was – he is in a big city, with a lot of tall towers and big and tall buildings. A third vision, through Henock Nawipa, was – there was a big white ship, entitled 'Australia Express'. Through these visions God showed us that our purpose would be successful.

They waited weeks in Sorong and then caught a ferry to Kota Merauke. They were very cheerful. Sadrak Nawipa described the trip:

There was not a cloud in the sky. Our lovely land of West Papua was laughing at us. All the natives such as birds, fishes, trees, mountains, valleys, rivers, and lakes from our lovely land, were pleased and laughing at us as well.

However, when they finally reached Merauke, some of them became anxious and left the group, returning home. 'They were

quite worried,' says Sadrak Nawipa, 'with all the obstacles from the military side; they were so scared – their minds were changing.'

Thus, in many and varied ways, the 43 came together, confident of a good outcome for their journey.