

Political-Legal Dynamics in the Establishment Status of Special Autonomy of Papua: A Historical Perspective

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Abstract

The existence of Papua in the Republic of Indonesia has long political and historical stories, started from international political fights among European countries in economics realm to fight between the Netherlands and Indonesia after the independence of Indonesia on August 17, 1945... Indonesia's efforts to control Papua's area and establish Papua as part of Indonesia are being executed seriously. This can be seen through foreign diplomacy effort which performed by government and internal effort (domestic) such as establishing several legal provisions in local government.

Keywords: political dynamic, status of special autonomy

1. Introduction

The existence of Papua¹ in the Republic of Indonesia has long political and historical stories, started from international political fights among European countries in economics realm to fight between the Netherlands and Indonesia after the independence of Indonesia on August 17, 1945. There were several motives which pushed the Netherlands to constitute its government in New Guinea. The motives were to prevent foreign intervention in New Guinea; to secure the Netherlands' interests in Moluccas; to support Bible's message; to manage natural resources and crub Tugeri tribe which had done many robberies and intrusions in English's colonial areas in East New Guinea².

Indonesia's efforts to control Papua's area and establish Papua as part of Indonesia are being executed seriously. This can be seen through foreign diplomacy effort which performed by government and internal effort (domestic) such as establishing several legal provisions in local government. Besides international diplomacy, another effort performed in Indonesia to show that Indonesia still controlled West Papua's area are creating several laws in implementation of local government in which it regulates Papua and enforces to legitimate Indonesian government activities in Papua. Several laws are created, *inter alia*:

1. The Law No 15 of 1956 on the Establishment of the Autonomous Region of West Irian Province;
2. The Law No 23 of 1958 on the Determination of the Republic of Indonesia Exigent Law No 20 of 1957 on the Interpelation of the Establishment of West Papua Autonomous Region Level I Laws;
3. The Presidential Decree No 1 of 1962 on the Establishment of New Formation of West Papua Province;
4. The Presidential Decree No 1 of 1963 on the Government in West Irian Region soon after Submitted to the Republic of Indonesia; and
5. The Presidential Decree No 57 of 1963.

Indonesian independence which proclaimed on August 17, 1945, had not fully obtained. Indonesian independence fully recognized on December 27, 1949 when the Dutch government recognized Indonesian independence by RIS state form, except for the Nedetherlands (West Papua)³. Thus, West Irian was not part of Indonesia of which exercised RIS constitution because the dispute between the Netherlands and Indonesia over the West Papua region had not been completed. From August 23 to November 2, 1949, Round Table Conference (RTC) being held between Indonesia and Netherlands in Den Haag, to finish the dispute regarding New Guinea. The conference mediated by a UN comission which formed for *United Nations Commission of Indonesia* (UNCI). Until the closing of RTC on November 2, 1949, it didn't reach the agreemeent regarding the political status of New Guinea and it was decided to proceed it to next year.⁴ From March 25 to April 1, 1950, was held an Indonesia Netherlands negotiation in Jakarta to take several steps in completing New Guinea dispute. From

¹The Name of Papua for the natives, for the first time given by Jorge de Menezes, Portuguese Government in Ternate, who landed in Waigeo Island and lived for several months in Warsai, Bird Head, from 1526 to 1527. He called the area "Ilhas dos Papuas". Hernan Cortez a conqueror, Spanish nationality, sent Alvaro de Saavedra Ceron to release a Spanish post which controlled by Portuguese in Tidore. During that time, he had a chance to live for one month in Schouten Island (perhaps Biak) and called it as "Isla de Oro". On June 20, 1545, Ynigo Ortiz de Retes, a captain of Spanish ship which based in Mexico, sticked Spanish flag in a place in eastern of Mamberamo outfall thus, he claimed Papua's areas as property of King of Spanish of which called "Nueva Guinea". See Agus Sumule, 2013, p. 47.

²Rosmaida Sinaga, *Dutch's Authority Times in Papua 1898 – 1962*, Komunitas Bambu, Jakarta, 2013, p. 47.

³Agus A. Alua, *West Papua from Lap to Lap- A Cronological Summary: Papua Political Education Series No. 1*, Presidium Secretary of Papua Council and Research Bureau STFT East Fajar, Jayapura, 2002, p. 37.

⁴*Ibid*, pp. 36-37

the negotiation, it agreed to create a combined commission to observe New Guinea. Indonesian representatives in that commission were J. Latuharhary, Muh. Yamin and LPHS Makaliwy, whilst Netherlands representatives are Prof. Dr. GH van der Kolf, Prof. Dr. JM. Pieters and Prof. Dr. R. van Dijk¹.

On December 14, 1961, Indonesian government created the Highest Command on West Papua Liberation located in Makassar – South Sulawesi. On December 19, 1961, President Soekarno declared *Tri Komando Rakyat* (TRIKORA)- People's Triple Commands released in Yogyakarta to defeat Papua State Establishment. The contents of the TRIKORA are to:

1. Defeat establishment of Papua Puppet State by the Dutch Colony.;
2. Flut the Red White in West Papua;
3. Prepare general mobilization to defend the united land, water, and states.²

Although People's Triple Commands had been implemented, political status of Papua still in international political dispute between the Netherlands and Indonesia, had not been a final decision. A struggle between the Netherlands and Indonesia regarding New Guinea kept continuing (the writer didn't elaborate further), then the signing of "Agreement between the government of the Dutch Kingdom and Indonesia regarding West Papua" or known as "New York Agreement" on August 15, 1962. The agreement signed by the Netherlands and Indonesia (New York Agreement), did not include Papuans.³

Under the UN, it held the *Act of Free Choice*⁴. The discussion of the result Pepera became a warm discussion in the XXIV UN General Assembly Session in New York from November 7 to 13, 1969. It was therefore deferred several times and in the end it had never been authorized⁵. On August 16, 1969, President Soeharto reported the result of Pepera to the Cooperation of People's Representative Council (DPR-GR) in Jakarta through DPR – GR RI meeting. The content of the report tended to announce Indonesia's triumph in Pepera over West Papua and inform development plan in the future. In his speech, President announced given status of West Papua as a "Level I Region Province with Rill and Wide Autonom" and also to give Legal Draft on the Establishment of West Papua Autonomous Province and Autonomous Regencies in West Papua, to be discussed as Law in the next council meeting⁶.

2. The Dwindling of Reformation and Local Political Dynamic in Papua in Responding the Reformation

The Establishment and Determination of the Law No 12 of 1969 on the Establishment of West Papua Autonomous Province and Autonomous Regencies in West Papua Province, was the first step of Regional Government performance in Papua, (next shortened as the Law of Province and Regency Establishment in West Irian). This law made as the follow up of Pepera, which determined West Irian still part of Indonesia.

After West Irian Autonomous Province established, Local Government performance in Provincial and Regency level ran according to the Law concerning Local Government. Until 1999, there were such laws concerning the Local Government, as followings: (i). The Law No 5 of 1974 on Local Government; dan (ii), Law No 22 of 1999 on Local Government. In addition to those laws, the Law No 5 of 1979 on Village which also applied nationally.

The application of those several laws in Local Government did not give significant influence in human rights protection, realization of justice and welfare for Papuans in local government performance in Papua. The centralized of the New Order Government by using its power in performing state government including Local Government in Papua had ruined the native Papuans' lives in the form of human rights, civil, political, economic, social, and cultural violation, and exploitation on Papua's natural resources.

Suffering and oppression which experienced as a result of the use of arbitrary power during the New Order Government era under President Soeharto's leadership were hardly to perform opposition because laws seemed helpless and respect to human rights was not an important thing in performing a government. Papuan's freedom to express became bridled because state did not open space for democracy to Papuan. The opposition towards the

¹*Ibid*, p. 39

²*Ibid*, p. 50.

³*Ibid*, p. 51.

⁴In Papuan's point of view, People Determination Process- *Penentuan Pendapat Rakyat*/PEPERA (*Act of Free Choice*), did not go well according to New York Agreement, however, there was a manipulation process. Thus, the result of Pepera still in debate until present. For Indonesia, the result of Pepera is final, in the other hand for the native Papua, Pepera is not final yet.

⁵*Ibid*, p. 79.

⁶*Ibid*, p. 81.

New Order Government in Papua would be seen as separatist movement which going to separate from the Republic of Indonesia and perform opposition towards the state's power. Each of Papuan movement to criticize or protest towards government performance in Papua always gave separatist stigma by making laws as legitimate tools for authority's acts.

Reformation movement marked by the cessation of Soeharto as President on May 21, 1998, was a new step for Papuan to express their suffer and voice over the Papua integration political fake to the Republic of Indonesia by Indonesian government. As the dwindling of reformation, it gave influence in one side, but it was also a chance for Papuan to protest, criticize, and give opinion as the real form of actualization of human rights and democracy in other side. The cessation of Soeharto from his position as the President of Republic of Indonesia and the increase of reformation movement gave a chance for Papuan either in Papua or Jakarta to express and deliver their opinion and will, which performed in many ways:

a) Human Rights Violation Demonstration in Papua.

This demonstration was moved by Human Rights Care Group - *Kelompok Peduli Hak Asasi Manusia* (KPHAM) led by George S. Abrauw, a university student and volunteer of ELSAM Irian Jaya. This group performed three times big demonstrations. First demonstration was on May 25, 1998 at Papua's House of Representative (DPRD) Office Level I (now Papua's House of Representative/DPRD). The second demonstration was held on June 5, 1998, and the third demonstration was held on June 11, 1998. Those demonstrations insisted responsibility from Indonesian National Army (TNI) and Indonesian government on all the human rights violation in Papua¹.

b) Demonstration in Responding the Letter of American Congress and RFK Memorial.

One of the driving factors of Papua revival actions was the letter of American Congress on May 22, 1998 (the day after B.J Habibie appointed as President of Indonesia) and a letter from Robert F. Kennedy Memorial (RFK) to President on May 27, 1998 (a week after B.J Habibie appointed as President of Indonesia). In the letter from American Congress which was signed by fifteen congress members related Indonesia's political situation and gave support to President B.J Habibie in executing national plan regarding reformation in democracy and human rights realm.

Whilst letter from RFK related to human rights violation in Papua which signed by two organizers. The congress' letter contained eight points and needed to obtain attention soon on both of the realms. One of the main points and became an encouragement for Papuans was the fourth element said that "initiating a direct and good intend dialog with the people of Easter Timor and Irian Jaya concerned on human rights protection and initiating fair solution related to political status both regions". Political movement in Papua became rife when President B.J Habibie announced a referendum to people of East Timor to finish political status in that region².

c) The Raising of Papuan Flag Action in Regency

The revival spirit of Papuan applied by raising Evening Star Flag in all Papua's land. Since July 1998, all the regencies in Papua were raising Evening Star Flag which approved as nationality flag. The result of it for several regencies were finished by intimidation, violence, and bloodshed from safety officer to Papuans³.

d) Demonstration by Papua Student Alliance in Jakarta

This demonstration executed on July 20, 1998 in Jakarta. Papuan students in Jawa, Bali, and Sulawesi who gathered in Papua Student Alliance held demonstration in front of UN Representative Office in Jakarta. They did not flatter Papuan Flag but they brought it in hand together with other banners. In that demonstration, Student Alliances proposed three charges to UN:

- a. UN must return West Papua Independence which proclaimed on December 1, 1961;
- b. Urging International Court side to accuse Indonesian government who intendly eliminated national rights of land and Papuan nationality for 35 years; and
- c. Giving full power to UN and USA to immediately re-open West Papua State case for international settlement, regarding political and legal status in UN general in September 1998 session⁴.

e) Formation of Irian Jaya People Reconciliation Forum (FORERI)

Foreri was initiated by church organization, ethnic figure, woman figure, youth and students who gathered in Papua ELS-Human Rights office on July 24, 1998. The meeting which was held in ELS-Human Rights office performed to response physical fights and found several victims on Papuans from Papua independence actions. The formation of the FORERI aimed to monitor, collect and deliver the real voice of heart of Irian Jaya people to Local Government, Government, and other related parties⁵.

¹ Agus A. Alua, *Papua and Indonesia National Dialog February, 26 1999*- Return sovereignty of West Papua, Back and Ponder: Papua Political Education Series Seri No. 2, Papuan Council Presidium Secretary and STFT East Fajar Research Bureau, Jayapura, 2002, p. 2.

² *Ibid*, p. 5.

³ *Ibid*, p. 6.

⁴ *Ibid*, p. 14.

⁵ *Ibid*, p. 16.

f) National Dialog between Papuan Representative Team and President B.J Habibie

Papuan representative team consisted of 100 teams (called as 100 Team). After preparation, these team left from Jayapura to Jakarta to meet President B.J Habibie. On February 26, 1999, 100 Team met President B.J Habibe in Bali Room State Palace. In that meeting, 100 Team delivered political statement of West Papua Nation through the pointed speaker of 100 Team. Mr Toam Beanal started the conversation by delivering the written political statement followed by Mr Heman Wayoi and Mr Agus A. Alua and stressed by the other speakers vocally. The content of the written political statement by 100 Team as resumed by Agus A. Alua *inter alia*:

- a. We went out from Republic of Indonesia to form independent state and fully sovereign and stand equally with other nations;
- b. Immediately formed intermediete governance at least in March 1999;
- c. As political following act is to held immediate discussion among Indonesian Government, West Papuan, and United Nations; and
- d. We, the West Papuans do not participate in 1999 Election;
- e. That in State Law on the Status and Power of Law, the existence of West Irian in Indonesia is not officially recognized. West Papua is still colonized area of Indonesia¹.

g) Great Discussion of the Papuans

Initiative to hold Great Discussion was the following acts on dialog with President B.J Habibie which held on February 26, 1999. The discussion was held because the Indonesian government did not respond political demand seriously which delivered through 100 team of which was a decision of the Papuans when they met President B.J Habibie. The aim of this was to discuss and formulate the necessity of Papuan Congress as democracy discourse to urge Indonesian government to have a dialog with Papuans to follow up aspiration of national dialog which had been delivered to President². It was held on February 23-26, 2000. This great discussion produced several provisions, *inter alia* :

- a. Straightening the historical politic of Papua;
- b. Papua Political Agenda;
- c. Papua Consolidation Component;
- d. The Establishment of Political Struggle Ride of Papua that is Papuan Council Panel and Papuan Council Presidium; and
- e. Political Legal Announcement of Papua³.

h) Papuan Congress II

Implementation of Papuan Congress held on May 21-June 4, 2000. The general aims of the Papuan Congress II were:

- a. To give understanding to involved parties in integration process on how important the rectification of history;
- b. To open wider, equal, fair, and aspirational democracy space which allows aspirations and people political demands naturally, democratically, peacefully, and constitutionally;
- c. To strenghten position and role (vision and action) every component of Papuan struggle according to dream ideology "one nation-one soul"; and
- d. To hold responsibility of vision, mission and struggling movement of Papua to people and history⁴.

Whilst the particular aims of the Congress were:

- a. To follow up the mandate of Great Discussion of Papua 2000;
- b. To inaugurate nationalism, vision, focus, strategic and agenda of Papua fight;
- c. To internationalize rectification of Indonesian history;
- d. To educate history of Papua Nation; and
- e. To conduct resolutions of Congress⁵.

After the congress, the commitees which contented of seven members and led by Mr Theys Hiyo Eluay (Council Presidium Leader of Papua), announced the result of the Congress II execution to President Abdulrahman Wahid, in his place, Jl. Irian No. 7, Central Jakarta.

3. The Respons to the Central Government on Regional Political Dynamic in Papua

Political dynamic that developed in Papua as elaborated above was performed to respon reformation and give an impact on the state's disturbed stability and local government performance in Papua. Observing social political condition that developed in Papua, thus, People's Consultative Assembly meeting (MPR) of Indonesia's yearly

¹ *Ibid*, pp. 70-71.

² Agus A. Alua, *Papua Great Discussion 2000 : Historical and Truth Way*, Political Education Seri of No. 3, Papuan Council Presidium Secretary andSTFT East Fajar Research Bureau, Jayapura, 2002, p. 42.

³ *Ibid*, pp. 64-104.

⁴ Agus A. Alua, *Papua Congress 2000: Let Us Straight the History of West Papua*, Political Education Seri of No. 3, Papuan Council Presidium Secretary andSTFT East Fajar Research Bureau, Jayapura, 2002, p. 18.

⁵ *Ibid*, pp. 18-19.

session 1999 in its MPR Provision No IV/MPR/1999 on the Outline of State Policy (GBHN) 1999-2004, at the development aspect from GBHN appointed draft, contained particular aspects for Aceh, Irian Jaya, and Ambon. Particularly for Irian Jaya (now Papua), GBHN determined that :

- a. Defending integration of nation in Republic of Indonesia by respecting equality and diversity of social lives of Irian Jaya through the establishment of particular autonomous region which governed in laws.
- b. Finishing human rights violation in Irian Jaya through fair and dignified judicial process.

Through the provisions of People's Consultative Assembly of Indonesia No. IV/MPR/1999, Papua was given the particular autonomous region status which governed in laws. In terms of human rights aspects, the People's Consultative Assembly of Indonesia provision mandated to the President of High State Institutions to finish human rights violation in Papua through fair and dignified judicial process. Even though the People's Consultative Assembly had determined that Papua should have been given the particular autonomous status by laws, political dynamic in Papua still increased. The development of regional politic in Papua Independent Movement kept performing through: (i), Papua Great Discussion on February, 23 – 26, 2000 ; and (ii) Papua Congress May 21– June 4, 2000.

MPR Provision No. IV/MPR/1999 did not reduce political escalation in Papua. The intensity of Papua Independent Movement kept increasing by society. The impact of expression actualization and opinion delivery gave an impact on the increasing of political escalation in Papua. This condition became a main concern of central government. In People's Consultative Assembly of Indonesia Yearly Session on August 7 – 18, 2000 resulted nine provisions. From those, there were two provisions that became referral to special autonomy for Aceh and Papua:

- a) MPR RI Provision No. IV/MPR/2000 on Policy Recommendation in Performing Autonomous Region.

One of the MPRI RI's consideration to create the provision was:

“that the autonomous region has not been running well as expected. It created many fails and did not reach the target. Those fails made unamusement and offense on justice which cause, *inter alia*: charge to separate and urging charge to increase the performance of regional autonom.” First recommendation which delivered by People's Consultative Assembly of Indonesia to President and People's Representative Council: “Law on Particular Autonom for Particular Region of Aceh and Irian Jaya, according to provision mandate of People's Consultative Assembly of Indonesia No. IV/MPR/1999 on the Outline of State Policy 1999 – 2004 was to release at the latest on May 1, 2001 by considering regional people aspiration”.

- b) MPR RI Provision No. VIII/MPR/2000 on Yearly Report of High State Institutions at Yearly Session of People's Consultative Assembly of Indonesia 2000

Towards the implementation of President Report on the Outline of State Policy and MPR provision in yearly session, Assembly stated their opinions related to political and safety scope on disintegration threat as follows: “President has not fully overcome separatism movement that threatens Indonesia particularly in Aceh and Irian Jaya. The assembly assigned President: “ President must give real attention and be assertive towards any separatism movement that can threat Indonesia by using legal base through human approach, welfare, and safety integrally and to accelerate Particular Autonomous implementation in Aceh and Irian Jaya, according to MPR Provision No IV/MPR/1999 on the Outline of State Policy”. The three of People's Consultative Assembly of Indonesia Provision as explained above became the legal basis for status grant of Special Autonomy for Papua Province which governed by law.

- c) The Establishment and Determination of Legal Draft of Papua Special Autonomy

After being enacted, the MPR Provision No. 1V/MPR/1999 on the Outline of State Policy and the MPR Provision No. IV/MPR/2000 on Policy Recommendation in Local Autonomy Performance and the MPR provision on Yearly Report of High State Institutions at Yearly Session 2000, and authorization of Article Pasal 18B as one of the subject of the second amendment of the 1945 Constitution were the legal basis for Local government of Papua Province and society to start discussing the format and special autonomy of Papua in many perspectives. Status determination of special autonomy started becoming attention and discussion in many parties. Whilst, before there was a policy from central government to provide special autonomy status for Papua, Papua NGO Cooperation Forum- *Forum Kerjasama LSM Papua* (Foker) had came up with a concept as alternative solution on political dynamic of Papua. The concept namely “Special Local Authority.” This concept was one of the concepts that inspired either the drafting team of Special Autonomy in Independent Government Formation or the assistance and review from Papuan intellectuals actors.

The Governor of Papua, J.P Solossa and his Vice Governor Constant Carma, whom elected on November 23, 2000 based on the direct election of House of Representatives (DPRD) of Irian Jaya Province, started building communication with various society particular Cendrawasih University. Some of the Papua intellectuals' view were requested regarding model and content of the special autonomy of Papua which were going to arrange in one legal draft. To respond the opportunity given by the central government for Papua, the Governor of Papua

released the Governor Decree No.10 of 2001, February 7, 2001 on the Establishment of Committee on the Papua's Empowerment Role Seminar in Indonesian society. The reason of the establishment of this committee were:

1. To find new format of conflict resolution in Papua and effort on the empowerment of Papuan society in acceleration of local development towards the new Indonesian society. It is therefore necessary to arrange a particular government concept in Irian Jaya.
2. To establish an implementation committee on the Enrollment of Papuan's Role in the new Indonesian Society Seminar.¹

The seminar held on March 28 and 29, 2001 located at Sport center of Cendrawasih Jayapura Bu (called GOR). However, the seminar which aimed to obtain input or opinion from various society regarding format and substance of Papua Particular Autonom was rejected by society groups. While the seminar was on going, in front of GOR, the demonstration was continuing. There were about 150 people brought banners and exclaimed their protest. However, they did not impede anyone who took a part in the meeting. They even gave warm smile.²

Before the governor established the seminar committee, the Papuan intellectuals gathered in Jakarta in the end of December 2000. According to the meeting, they agreed to mandate Rector of Cendrawasih University to establish a team that consists of several Papuan intellectuals to start the process of Papua legal draft of Special Autonomy of Papua³. The Cendrawasih University Team worked to prepare the draft through communication from various society of Papua either in Jayapura or regency or town.

The legal drafting of the law did not run smooth and well. It was because there were some objection from Papuan groups who did not agree with the Special Autonomy. The rejection towards the effort on material substances of the legal draft of the law was also rejected by Papuans during the seminar and workshop at Sport Building of Cendrawasih Jayapura. Although, it obtained many rejections, Cendrawasih University together with society's groups kept compiling the concept of the special autonomy of Papua. Besides the committee, the Governor established Assistance Team of Special Autonomy of Irian Jaya Province. The reasons of the establishment of the assistance team were:

1. To find a new format of conflict resolution in Papua and its effort on the empowerment of Papuan society in acceleration of local development towards the new Indonesian society. The Government of Irian Jaya Province therefore had drafted a local government concept in order to implement the legal draft of Special Autonomy in Irian Jaya Province.
2. To support the discussion process of the draft in the national level (the House of representatives – DPR), it was necessary to establish an Assistance Team located in Jakarta.

The tasks of the Assistance Team were:

1. To prepare materials and data in the context of conciling and discussing Legal Draft of Special Autonomy Irian Jaya Province;
2. To conduct consultation or discussion, expert meeting, and elaboration with DPR's fractions in order to strengthening material of Legal Draft of Special Autonomy Irian Jaya Province.⁴

This decision was decided on March 1, 2001, however, at the fifth dictum, it stated that this decision could be applied retroactive since March 1, 2001. According to the dictum, it could be concluded that the Assistance Team basically had been appointed by Governor on December 6, 2001.

The Cendrawish University Team by obtaining support from the Papua Government, the Papua's intellectuals and several society's groups including NGOs completed the legal draft until the 14th legal draft with entitled: "Special Autonomy for Papua Province in Independent Government Region Form". On the first weekend of April, the Rector of University of Cenderawasih submitted the Final Draft and Academic paper to the Governor.⁵ The Governor then decided that the involvement of University of Cenderawasih and the other intellectuals must proceed to help discussion in Jakarta. Furthermore, on April 16, 2001 one of the delegations which led by Governor and two of Local House of Representatives Irian Jaya Province submitted the Legal Draft of Special Autonomy to the President and the House of Representative of Indonesia.

In addition to the draft which proposed by the Governor, the Ministry of Internal Affairs on behalf of the

¹ Agus Sumule (Editor): *Finding the Middle Way of Particular Autonom of Papua*, PT. Gramedia Pustaka Utama, Jakarta, 2003, pp. 613-614.

² *Ibid*, pp. 29-30.

³ *Ibid*, p. 17.

⁴ *Ibid*, pp. 623-625.

⁵ *Ibid*, p. 31.

Indonesian Government also submitted its own version regarding the Draft to the House of Representative of Indonesia. However, from both drafts, on the second week of July 2001, the Minister of International Affairs, Surjadi Soedirdja, revoked its own draft and supported the Draft submitted by the governor. After passing an intense and long discussion, on November 21, 2001, the Special Autonomy Draft was signed by President, Megawati Soekarno Putri, and it was enacted as the Law.

4. Conclusion

The Indonesian Government basically has performed serious effort to oversee Papua's area and made Papua as part of Indonesia. In its effort to make Papua as part of Indonesia, it has seriously performed its acts either through an international diplomacy as its external effort or an internal effort by establishing several legal provisions in Local Government. Those efforts can be seen clearly in some laws regarding Papua as part of political-legal dynamics of the establishment of Special Automy of Papua.

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