

Names without Graves, Graves without Names:

A Report on Human Rights Abuses in Biak, Irian Jaya

Translation of a Report published in Indonesian by the Institute of Human Rights Studies and Advocacy, ELSHAM (*Lembaga Studi dan Advokasi Hak Asasi Manusia*), Jayapura, West Papua, in July 1999.

ELSHAM's current Director, Ferry Marisan, was a lead investigator and author of the Report.



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See www.biak-tribunal.org

The Biak Massacre Citizens Tribunal

This translation omits the end references, tables and maps of the Indonesian language original, which is, however, now also available on the Biak tribunal website. However all original footnoting has been preserved—those footnotes indicated by “ed” have been added for a non-Papuan, non-Indonesian readership.

Re: Report of Human Rights Abuses in Biak

Encl: 1 dossier

TO: Mr Marzuki Darusman, SH
Chairman of the Indonesian National Commission on Human Rights
(KOMNAS HAM)
Jln. Latuharhari No. 4B
Jakarta

July 10, 1999

Dear Sir,

Herewith we present you a report, "Names without Graves, Graves without Names: a Report of Human Rights Abuses in Biak, Irian Jaya."

During July-October 1998 a number of demonstrations occurred in major cities in Irian Jaya (Jayapura, Biak, Sorong, Wamena and Manokwari) calling for independence and raising the Morning Star flag of Papua. These peaceful demonstrations, however, were met with harsh action from the Indonesian security forces and led to clashes with the people and eventually caused human rights abuses.

On 6 July 1998 in Biak Papuans were organising a peaceful demonstration and raised the Morning Star flag under the water tower (situated behind the health clinic of the City of Biak). The Indonesian security forces raided the location and brutally shot at the people. Hundreds of people were arbitrarily arrested and tortured; a number of people were killed and their bodies not returned to their families; a number of people went missing, and intimidation continued against people so they were unable to open their mouths to speak up about the human rights abuses.

The Papuan people's struggle resulted from an accumulation of various problems which have occurred in the last 35 years since Irian Jaya's integration into Indonesia. This has prompted people's reaction. On 24 July 1998 Papuan Church leaders, Papuan community leaders, university students and women's leaders established a Reconciliation Forum for Irianese people (*FORERI/ Forum Rekonsiliasi Rakyat Irian Jaya*) which has the goal to prevent further violence by the Indonesian security apparatus and to forge dialogue to solve the problems which caused people to "revolt." The Indonesian National Commission on Human Rights (KOMNAS HAM), the fact-finding team of the National Parliament and the Team of the Indonesian Council of Churches (PGI) also have done investigations into the 6 July incident. But the people remain concerned and unsettled because of the lack of serious remedies over gross human rights abuses.

The worry and uncertainty about accountability for the Biak tragedy prompted the three major Churches (GKI/ the Christian Evangelical Church in Papua, KINGMI/ the Tabernacle Christian Church and the Catholic Church) and ELSHAM to investigate and raise the problem.

This report was presented to KOMNAS HAM in order to be dealt with properly in the interests of justice and truth for our people in the region. We thank you for your cooperation.

Yours sincerely,

Signed

Rev. Herman Saud MTh
Chair of GKI Irian Jaya

Most Rev. Leo Laba Ladjar
Bishop of Jayapura

Rev. Benny Giay
Head, Research
& Development Bureau, GKII

Summary

The island of Biak in the Pacific attracted the world's attention following a peaceful demonstration calling for *merdeka* (independence) and raising of the Morning Star flag as well as violent action committed by the Indonesian security forces (ABRI¹) on 6 July 1998 which aimed to suppress the people's rights to freedom of expression and the right to self-determination.

Peaceful demonstrations for *merdeka* and flag raising also occurred in Jayapura, Sorong, Manokwari and Jayawijaya, Irian Jaya, from July until October 1998--the call for independence was the climax of the Papuan resistance movement against the "integration" of the territory of West Irian (now Irian Jaya) into the territory of Indonesia in the 1960s. This integration was considered a violation of the right to self-determination as enshrined in the UN Charter, the International Covenant on Civil and Political Rights and other international human rights law, as well as a violation of democratic principles and legally flawed. The demonstrations were also a protest against various systematic human rights abuses – extrajudicial killings, rape, torture, arbitrary arrest and injustice as a result of militarism and various government development policies (e.g., transmigration, tourism, forest cultivation, mining, etc.) which violated the rights of the indigenous Papuans and caused suffering ever since Irian Jaya was integrated into Indonesia in 1962.

For almost 30 years, the rights of Papuans have been restricted. Various systematic processes such as killings, rape, arbitrary arrest, torture and the deprivation of the rights of the indigenous Papuans by the power of the state have put Papuans in fear. They lost their confidence and suffered from apathy. But this situation changed when in the 1980s the Churches and NGOs in Irian Jaya started to collaborate to break the chains that crippled people's rights. The peak of their success was the exposure of various human rights abuses committed in the operations area of Freeport Indonesia, Indonesian operator for Freeport McMoRan Copper and Gold Inc. in 1995, abuses which have been verified by the Indonesian National Commission on Human Rights (Komnas HAM). This finding prompted Papuans, particularly Papuan students in Java and Irian Jaya, to organise themselves and hold protests against the Indonesian authorities and Freeport. Various protests were held in Java and Irian Jaya during mid-1998 when in May 1998 the three major Churches in Mimika district released their "Report on Human Rights Abuses in Bela, Alama, Jila and Mapnduma – Central Highlands, Irian Jaya," abuses committed by the Indonesian army conducting military operations in the area.

The whirlwind of *Reformasi* and the resignation of President Suharto increasingly allows more freedom, and Papuans make use of it by organising themselves and publicly holding peaceful protests calling for *merdeka* and raising the Papuan flag in major cities in Irian Jaya.

In Biak, Papuans raised the Morning Star flag on a water tower about 35 meters high near the Biak wharf. But this peaceful protest organised by a thousand Papuans was considered separatist by the Indonesian authorities and army and was met with harsh actions. Hundreds of unarmed demonstrators and local residents who lived around the water tank area were surrounded and shot at by the security apparatus at dawn on 6 July 1998. Residents from Pnas, Waupnor and Saramom areas in the Sub-district of Biak City were herded by the security forces to the harbour where they were mistreated and tortured. Dozens of victims

¹ *Angkatan Bersenjata Republik Indonesia*--now (since 1999) TNI (*Tentara Nasional Indonesia*)--ed

injured from shooting and mistreatment were transported in trucks to the Biak local hospital but were not properly treated. Six bodies which had been brought to the hospital were never returned to their families. According to the security forces, the bodies have been “kept” in the ocean. Meanwhile the security forces intimidated the Biak community in such a way that it prevented interested parties from collecting accurate, comprehensive and timely information. The people were worried by dozens of “mysterious bodies” floating in Biak waters following the bloody tragedy of 6 July 1998, but the authorities and the security forces claimed that the bodies were victims of a tsunami in Aitape, Papua New Guinea, on 17 July 1998. The most distressed parties were those who lost family members or relatives who either disappeared (only three victims have been identified) or were killed during the incident.

This Report, “Names without Graves, Graves without Names: a Report of Human Rights Abuses in Biak, Irian Jaya” is the result of collaboration between ELSHAM and the Christian Evangelical Church in Papua (GKI), the Tabernacle Christian Church (GKII), and the Catholic Church. It covers:

- the context of the problem which provides a background to the reason why Papuans in Biak held a demonstration calling for independence and raising the Papuan flag;
- violent actions and various human rights abuses committed by the security forces as well as discovery of “mysterious bodies” in Biak waters:
 - killed : 8 persons
 - disappeared: 3 persons
 - seriously injured: 4 persons (have been evacuated to Ujung Pandang)
 - injured : 33 persons
 - detained: 50 persons
 - mysterious bodies: 32 bodies

State violence committed by government and military personnel against the peaceful protest in Biak and its impacts constitute gross human rights violations and must be dealt with seriously and in a transparent manner in order to uphold law and justice as well as to create a peaceful environment.

Recommendations

1. The government and the military should open themselves up and end intimidation towards victims and their families so that they can reveal their problems without fear;
2. An independent and international team should be established comprising representatives of the governments of Indonesia, Papua New Guinea and Australia, as well as international human rights organisations (Amnesty International, Human Rights Watch Asia and the Robert F. Kennedy Memorial Center for Human Rights) to investigate various human rights abuses and identify bodies which have been found in the Biak-Numfor waters. The findings of the investigation should be released to the public;
3. Komnas HAM should collaborate with the Churches and NGOs to rehabilitate the victims of the Biak incident both physically and mentally;
4. The perpetrators have to be held accountable for their actions;
5. The victims or victim families have to receive compensation from the government/military for the abuses they have suffered;
6. The government and the military have to review militarism policy in Irian Jaya and withdraw all troops;
7. Since peaceful demonstrations in Biak were related to the culmination of various problems unresolved for the last 36 years since integration with Indonesia, the Indonesian government has to open itself to continue democratic dialogue with Irianese/Papuans in order to address their problems, including the political status of the region.

Introduction

The raising of the Papuan flag in the Island of Biak during 2-6 July 1998 cost many lives both civilian and military. The “bloody Biak tragedy” cannot be separated from the history of the integration of Irian Jaya into the Republic of Indonesia.

The integration of Irian Jaya was prompted by the need to control natural resources and defence interests as reflected in the *Tri Komando Rakyat (Trikorla/ Three People’s Commands* [by Sukarno to invade and occupy West Papua-ed]) in 1961 and the Popular Consultation (*Pepera*—the so-called Act of Free Choice) in 1969. The success of these two historical events seemed to eclipse the fact that some Papuans have struggled to establish their own country of West Papua. The success story of government development policy only served the interests of policy makers and those who implement policy to develop a new kind of awareness among the indigenous Papuans to replace the present awareness--that they have been deprived of their rights through legislation; that their families and relatives have been killed in order to secure the interests of the state, and that they have suffered injustices and atrocities since the time of integration and during the New Order era under the leadership of Soeharto, the former commandant of *Trikorla*, who then became the second President of Indonesia.

When the Suharto regime was toppled in May 1998 the road to democracy opened. The people gained more freedom to express their complaints against the policy of the New Order which supported nepotism, corruption and collusion. Meanwhile, in Irian Jaya, Papuans used the window of opportunity to express their aspirations for *merdeka*. They had struggled for these aspirations from their jungle hiding places in the Central Highlands of Papua and coastal areas and islands, but now the centre of the struggle shifted into urban centres with use of peaceful means. The annual commemoration of Papuan independence on 1 July², which used to be organised in the jungle, was moved to the cities, including Biak.

The commemoration of Papuan independence was marked with raising the Morning Star flag during 2-6 July 1998. Papuans were also celebrating with peaceful demonstrations in their villages. The military, however, forcefully dispersed the demonstrators. Many people were shot, beaten, stabbed with military bayonets, axed and endured other forms of violence.

The conditions of the Biak people were a concern for the Church leaders of three Church denominations (GKI, KINGMI, Catholic Church) and ELSHAM. Their concern prompted an investigation into the human rights abuses which occurred during the dispersal of the demonstration in Biak. The result was presented in a report entitled “Names without Graves, Graves without Names, a Report of Human Rights Abuses in Biak, Irian Jaya.” With this report we expect that all government officials, military commanders, church and community leaders and the public can engage in peaceful means to solve problems among them so that human rights can be respected as part of the building up of the Papuan community in the future.

Although eyewitnesses, victims and other interested parties were under fear of reprisal from the security forces due to their commitment to improve the status of human rights in Biak and Irian Jaya in general, they provided us with invaluable information necessary to prepare this report. We sincerely thank them for their contribution.

² “...the day when the Independence Movement, the OPM, proclaimed West Papuan independence in 1971.”--ed

Finally, we present this report to you, our reading audience. We hope that we can renew our commitment to improve the status of human rights in Irian Jaya. May the Lord be always with us in our journey to implement our commitments.

Background

The islands of Biak, Supiori, Numfor and other small islands are located north of Cenderawasih Bay, Irian Jaya. The Padaido islands which are located on the eastern side of Biak and Meokwundi are coral islands. Off the southern part of Supiori there are the islands of Insumambi and Rani. Towards the southwest there is the island of Ayawi and other islands. The geographical situation in which water separates the islands leaves little option for transport other than using a canoe. Today the speedboat is common, though.

The locals who live around the Biak-Numfor area use the same language but, according to Dr Kamma³, the language of the area is divided into nine dialects and there are three language groups in other areas such as Roon, Doreri, and West Waigeo.

The soil is generally not very fertile so the plot that can be cultivated is limited to the areas along valleys and creeks. Swamp areas to grow sago trees are very rare.

Contact with the outside world has been established for a very long time, especially contact with Malay and Chinese traders. Therefore, when there was contact with the West, the Biak culture was already mixed with other cultures as manifested in weaponry, artefacts, porcelain, etc. The centuries-long established contact has perhaps been a reason why the Biak community was widely spread out to places such as Manokwari and the Islands of Numfor, Jobi and Kanaki (two islands north of the Island of Yapen), Waigeo and Raja Ampat.

The first contact with the West occurred in 1527, with Spaniards. Then, in July 1616 (89 years later), a Biaker made direct contact with a Dutch sailor, Willem Corneliz Schouten, and a trader called Leimare who made anchor in Biak waters.

The contact with outsiders has brought many changes in Biak culture. But more intensive and dramatic change occurred when missionaries, whose headquarters were located in Mansinam, began their evangelisation mission in the Biak Numfor area in April 1908. The first missionary to Biak was Petrus Kafiar who was escorted by Reverend Van Hasselt himself.

How did the locals respond to the mission? They welcomed the Gospel by leaving behind their old beliefs. They abandoned the statues of their ancestors. Not long after that, on one occasion, the community gave up 72 statues of their ancestors in all sizes and traditional concoctions used for hunting and fishing were burnt and thrown out.

In Papuan history, the Biakers' attitude towards the mission was ambivalent. There was a time when the community believed that missionaries had brought about a new era: an era of peace, so that they were very much welcome. The locals gave up their *korwa* statues. They realised that the missionaries brought welfare. In the history of the *Koreri* movement the community perceived the missionaries as the bearers of salvation and happiness, but sometimes labelled them hypocrites as they did not reveal the 'secret' of happiness to Papuans.

But then there was a time when the people viewed the missionaries as agents of a ruler who used the mission to prepare the way, to level the ground or to prepare the mental space of the people so that the ruler could easily oppress the people. In this case, the people got up and

³ See Freerk C Kamma, *Koreri: Messianic movements in the Biak-Numfor Culture Area*, Nijhoff, 1972 -ed

attacked this type of missionary. This view played a role in the Biakers' attack on the Dutch explorer Schouten when he anchored his ship in 1616. The same view also played a role in the *Koreri* movement led by Angganita during 1938-1944 which opposed the Dutch and the missionaries. This movement believed that the missionaries were the agent of the coloniser who had a mission to oppress the people and make them suffer.

The wave of protest of Papuans in Biak significantly grew when in the 1960s the international community one-sidedly decided to integrate West Irian (now Irian Jaya) into the Republic of Indonesia. As a result the people of West and North Biak organised themselves in the form of the Free Papua Movement (OPM—*Organisasi Papua Merdeka*) and engaged in armed struggle against the Indonesian military (ABRI). This situation prompted the military to launch operations in the area. Hundreds of people were arrested, tortured or killed without any legal procedure. In their daily life the people of Biak also suffered from discrimination and their rights over natural resources were robbed. This systematic process caused fear, numbness and a sense of apathy but also anger which has been suppressed for 35 years. In the meantime, legal formal mechanisms such as the parliament tended to function as agents of the ruler and paid little attention to the problems of the people. In confronting these serious issues the people tended to rely on the Churches both as a community and an institution.

Chronology of the Biak Incident

On 2 July 1998, at about 4.30am, the Papuan Morning Star flag was raised at the water tower which stands about 35 meters high behind the City of Biak Clinic. After he got this information from a relative, Filep Yacob Semuel Karma went straight to the spot. At about 4.45am he talked to a resident of Waupnor in the location of the flag raising.

The flag attracted people's attention. From a distance they were able to see the flying flag. Having seen people watching from afar, Karma invited them to come closer to the tower. But they declined his invitation. To attract their sympathy, Karma started a speech (see Box 1 below) around 6.30am. The content of the speech was repeated and mixed with songs and *yospan*⁴.

Box 1

The speech of Filep Karma

Thanks to God's blessing and care, West Papua was declared independent on 1 December 1961. But the independence was suppressed by the Indonesian government. The independence of West Papua was merely a gift from God and not a merit of anyone or any human being....The basis of the Papuan struggle is the main God's law as written in the Bible, that is love your God with all your heart and mind and love your neighbours as you love yourself.

Therefore the independence of West Papua cannot be tainted with bloodshed because Jesus the Lord taught us to love our neighbours. For instance, who is our neighbour? Our neighbours are Javanese, Makassarese, Manadonese, including Papuans who behave like Judas. All of them are our brothers and sisters. Just like a police officer in front of me, Sergeant Major Yohanis Sule: he is my neighbour. Although he is from Toraja in police uniform, I don't hate him and I love him. And you can see, because I am not armed, my brother police doesn't arrest and shoot me. This struggle is a peaceful struggle. If we demand our human rights, we have to uphold other people's rights. That's the right way of struggle.

I encourage you folk to protect the flag only with the Bible and *Nyanyian Rohani* (a book of religious hymns) because the Indonesian law says that the security apparatus can only shoot if their lives are at risk. So, if we are only armed with the Bible and *Nyanyian Rohani*, then the police will not shoot at us.

⁴ *Yospan*, short for *Yosim Pancar*. a synthesis of two Papuan folk dances-ed

Then a group of musicians from East Biak came on performing dancing and songs. The presence of the group drew attention from children, youth and adults during the *yospan* dancing around the tower. The crowd grew bigger and bigger during the day. People joined their relatives who were already in the location. Around midday, the crowd reached about a thousand people. Following the attack by the anti riot unit of the Biak police on 2 July 1998 at 3.30pm the number of the crowd slightly decreased. The crowd came from the villages of West, North and East Biak and Supiori.

Negotiations

At 8am, the Regent of Biak Numfor, Amandus Mansnembra; the Commandant of the Military Resort of 173 Biak, Colonel Agus; the Biak chief of police, Lieutenant Colonel John Rory, and the Chief Judge of Biak, Sianipar, came to see Filep Karma and asked him to lower the flag. But Filep rejected their request. Then they brought in Filep's mother but he dismissed her. Filep's father, who was still hospitalised in the Biak State hospital, was brought in to persuade Filep to lower the flag. Filep, however, dismissed his parents' suggestions. The event caused problems for the local authorities of Biak as well as provincial and national authorities. Therefore, the government and ABRI began negotiating with the demonstrators, particularly in relation to the arrival of the *Dobonsolo* ship and the attempt to disperse the demonstrators on 3 July 1998. Due to the demonstration, the *Dobonsolo* ship which had embarked from Manokwari could not dock in Biak upon arrival on 2 July 1998 at 5pm.

As a result, on 3 July 1998 at 9am, the Speaker of the local parliament of Biak, Ayub Sumerta, came up to the demonstrators and Filep Karma. But, before he raised his voice, the crowd asked him to take off his hat and pay respect to the Morning Star flag. After he did that, he had discussions with Filep Karma. He asked Filep to give permission to the *Dobonsolo* ship to dock in the harbour and let passengers get off and on and not to cause trouble. Filep accepted the request and gave his guarantee that the crowd would not disturb the passengers. The Speaker of the local parliament, the Chief of Police and the military commander accepted this response. Then Filep Karma invited Wabdaron from the Health Department of Biak and a member of the Church council of GKI, Waupnor, to pray for the Speaker of the Parliament and his duty in this land.

During the pro-independence demonstration the Church held negotiations with both the demonstrators and the security apparatus. The negotiations were organised for two reasons.

First, in relation to the docking of the *Dobonsolo* ship. The negotiation on 3 July 1998 was led by Rev. Max Kafiar, the Chair of the GKI Council of South Biak, accompanied by a number of pastors who all went to see the captain of the ship and offered their services to negotiate with the demonstrators. Following the meeting, Reverend Kafiar took a longboat to the harbour. He talked to the demonstrators and offered some suggestions and requested a guarantee that the ship could moor in the harbour.

The day before, 2 July 1998, the security services had deployed an anti-riot unit at around 2.30pm. The police, including *Brimob* [the police Mobile Brigade-ed], had been deployed at the front line. When military units entered the location, they consisted of one platoon of the army's 753 Battalion, one from Kodim 1702 and one from the navy--meanwhile troops from the special forces of the airforce were monitoring events from 50 meters away. The police

and *Brimob*, who were equipped with shields, teargas, clubs and helmets, directly confronted the demonstrators.

At about 3.30pm the anti-riot unit raided the demonstrators who were gathered around the flag. But the demonstrators remained unmoving. Having confronted this reality, a sergeant hit a demonstrator, Thonci Wabiser, until he fell over. This incident inflamed the anger of the demonstrators and spectators who then retaliated. A police intel, Sergeant Irwan, was seriously injured. He broke a leg and his teeth. This incident fuelled a clash between demonstrators and the security forces who were watching the incident. During the clash 13 members of the security forces were injured and two of them were left in critical condition. They were transported to Java for further medical attention. Based on their unit affiliation, the victims could be identified as follows: one was from the army battalion; one was the commander of the naval base of Biak, Colonel Yoppy Ruhupaty, and eleven officers came from the Biak police resort.

Having witnessed the harsh way the security forces dealt with the demonstrators, a Church team undertook negotiations with the military and the police. The security apparatus pushed back the demonstrators to allow the *Dobonsolo* to moor. Negotiation resulted in the withdrawal of the troops from the area around the Biak Kota clinic. But the crowd insisted to keep the flag flying. In his speech Filep Karma told the crowd that the Morning Star flag would only be lowered if the UN Secretary General Kofi Anan came.

Second, in relation to the attempt to lower the flag, on 4 July 1998. At around 4pm, six GKI pastors (Rev. Max Kafiar, Rev. S. Sawor, Rev. A. Womsiwor, Rev. A. Prawar, Rev. Hagar Maryen and Rev. A.F. Mandibondibo) held negotiations with the leaders of the crowd. At the time Rev. Max Kafiar read a statement supporting the leadership of President B.J. Habibie. The statement was co-signed by Rev. W. Rumsarwir and Rev. P. Sawen. Rev. Max Kafiar explained that both pastors signed the statement in their private capacity and did not represent the GKI Church as an institution because the Church did not get involved in politics.

Following the negotiation the crowd collected Molotov cocktails, bamboo batons, machetes and spears. The crowd prepared these weapons when they received information that they would be attacked by people from West Biak and the security forces (ABRI and *Brimob*). But the negotiation with the pastors went successfully. The demonstrators threw their weapons into the sea. As a replacement, they armed themselves with the Bible and *Nyanyian Rohani*. The crowd were committed to die under the flying Morning Star flag armed with the Bible and *Nyanyian Rohani*.

Despite their success in dispersing weapons, the pastors were unsuccessful in dispersing the demonstrators. Therefore, on the following day, 5 July 1998, after the Sunday service (around 12pm), Rev. Hagar Maryen together with his council of the “Efata Waupnor Biak” Congregation (i.e., Mr E. Akobiarek, Mr. Wabdaron, Mr Mamoribo, Mr Agus Korwa, Mrs Ruth Korwa and Mrs Wabdaron) met Filep Karma. They asked him to lower the flag, but their efforts were not successful.

The negotiation between the Church and the security apparatus continued on 5 July 1998 at 3pm with Rev. Max Kafiar, Rev. Salomo Sawor and Rev. A.F. Mandikbondikbo representing the GKI Church of South Biak; the Regent of Biak, Amandus Mansnembra, and the Commander of the Military Resort Command, Colonel FX Agus Edyono, representing the authorities. They discussed the demonstration. The Church leaders understood that the

security forces planned to use force to disperse the crowd who had gathered around the Morning Star flag. According to the plan, the action would take place at 2am on 5 July 1998.

Plan and attack

The effort to disperse the crowd involved civilians, ABRI (both army and navy) and the police.

a. Plan to attack the civilians

From the people, there was an attempt to organise an attack by officials of the sub-district of West Biak who gathered together eleven village heads at 3am on 3 July 1998. They were summoned from all villages by using a car that belonged to the Sub-district Head of West Biak, Mathias Mandowen. Once people were assembled they were told to organise another demonstration at the Parliament House of Biak Numfor in order to oppose the demonstration led by Filep Karma. They did this to avoid the stigma of being labelled as OPM. During the meeting they decided to attack the demonstrators around the water tower where the Morning Star was flying. After the briefing, the village heads went back to their villages at 5.30am to assemble their people. About 200 people from 10 villages gathered in Kanaan Wardo Village. They were transported to the City with seven trucks owned by *Karya Kencana Harpindo Co.* at 10.30am. They arrived at 1pm in the city. The sub-district officials directed them to enter the Parliament House of Biak Numfor to hold dialogue with the Speaker of the House, the Regent of Biak Numfor, the Chief of Police and the Military Commander.

During the dialogue, the Speaker of the House asked the people, “What is your purpose to come here?” Two representatives of the delegation, Noak Awom from the Farusi Adadikam Village and Yohan Maker, the Secretary of Wardo Village, answered that they came there to express their concerns that people from West Biak had already suffered--had sacrificed their lives and property: “Therefore we want to express our view that we have nothing to do with this problem.” Then the Secretary of Wardo Village responded, “We came here because the officials of the West Biak Sub-District (*Tripika*⁵) have provided us with banners. But I think there is no need to attack the crowd around the flag because we don’t want to take any risks.” As a response to the Secretary of Wardo Village the Speaker of the House concurred in his statement, emphasising his own experience of *atrocities*⁶ under the flag. Then the crowd dispersed and went back to West Biak at 3pm.

Having listened to the information about the arrival of people from West Biak, the demonstrators went on guard. They collected two trucks of bamboo as weapons and prepared their Molotov cocktails⁷ and explosives.⁸ They also cut down coconut trees to block the road in front of the Bosnik and Aru shops in order to block the road to the City of Biak clinic.

After the first plan to attack failed, the officials of West Biak revised their plan to attack again. They collected nine village heads from West Biak on 5 July 1998 at 1am. During the meeting the Sub-District Head, Mathias Mandowen, and the Sub-District Military

⁵ *Tripika* is terminology from the New Order (Suharto): it refers to an official group made up of the Head of Sub-District, the Chief of Police and the Military Commandant

⁶ He was referring to a humiliating incident where he was forced to salute the Morning Star flag on 2 July 1998 at 8am.

⁷ A Molotov cocktail is a bottle of kerosene or petrol with a piece of cloth as a cork. Once it is lit and thrown at a target the bottle breaks into pieces and explodes.

⁸ The type of explosive used here is the one that people use to catch fish in the sea.

Commander, Second Lieutenant Prayitno, told the village heads that every village must provide 30 recruits. They were told to equip themselves with machetes, spears and other traditional weapons.

After the Sunday service (at 11am) in Kanaan-Wardo Village a village official announced to the congregation that, after the service, all men had to get together in the house of the village head in order to follow his briefing. At the same time, they prepared themselves to go on a mission to the city armed with machetes, spears and axes to disperse the crowd gathered behind the Morning Star flag.

Before the villagers assembled at the residence of the village head, there had been an argument between Rev. J. Wamafma and the officials of West Biak Sub-District, including the head of sub-district, the Chief of Police and the Military Commander:

Head of Sub-District (H): “What do you want?”

Reverend (R): “In my view, the congregation should not get involved in the operation. If anything happens to them, who will be responsible?”

H: “The instruction is not coming from us here. It came directly from the military commander of the district. It is all about protecting the regent and all government officials in Biak so the Biakers’s involvement in the operation is to disperse the crowd.”

R: “Do we have to sacrifice thousands lives of our people for the sake of the self-interest of a regent? According to our traditions, such news will easily spread out to other villages across the city of Biak which could generate a presumption that the people of West Biak were involved in killing their own people from the other part of the island. This would definitely cause retaliation for generations to come.”

During their argument, Rev. J. Wamafma said that he was very doubtful that his congregation would take part in the military operation to disperse the crowd at the location of the Morning Star flag. The argument lasted from 11.30am until 5pm so the group stayed overnight in Yamdori village.

On 5 July 1998 at 10am the West Biak people were transported by a truck, a bus and a *Sinar Mas* taxi to the City of Biak. The security forces directed the people to the Parliament House of Biak in the morning. Once arrived there, around 12pm, they were told to line up carrying a banner provided by the officials of the sub-district. While they were assembling, they were told to sing Indonesian patriotic hymns. The Speaker of the House, the Regent, the Resort Military Commander (*Danrem*) and the District Military Commander welcomed them. These officials briefed them. The *Danrem*, for instance, stated that there would be no casualties during the operation. (Only 21 people were injured from rubber bullets in fact.)

At that time, the Biak Regent, Amandus Mansnembra, said that the crowd should go home and ignore any rumours which could undermine people’s minds. The Regent explained that the Papua issue was not registered on the agenda of the United Nations. Then the *Danrem* gave Rs[rupiah]500,000 cash to the people of the nine villages. They went back to Wardo at 5pm.

b. The Military and Police

The plan to attack by both the military and the police was launched on 2 July 1998. To disperse the crowd an anti-riot unit consisting of one platoon of *Brimob*, one army platoon of C Company and one platoon of the navy raided the crowd behind the tower at 4.30pm. Because of the raid, 13 personnel of the military and police were injured. Two of them in a critical condition were transferred outside of Irian Jaya for further treatment. Meanwhile, the Supreme Commander of ABRI ordered the Regional Commander of the Army of the *Trikora* command, Irian Jaya, to launch an attack. On 4 July 1998 one platoon of the 733 Patimura Battalion from Ambon was redeployed and based in the Manuhua airforce base in Biak.

Before the attack the fishermen along the coast from the harbour as far as Mokmer were told to go home. According the fishermen, six speedboats were deployed from the warship KRI *Teluk Berau* with registered number 534 at dawn on 6 July 1998. The fishermen who used lights were immediately visited by the speedboats. Meanwhile the warship directed its lights to all sides. If any fisherman was not using a light, the *Teluk Berau* searchlight would be directed on him until a speedboat came to him and told him to go home. Eventually all fishermen went home.

Around 5.10am on 6 July 1998 the security forces attacked the location of the Morning Star flag raising. The troops allegedly had come from military units stationed in Biak, assisted by the 733 Pattimura Infantry Battalion from Ambon based at the Manuhua airforce base. These troops were deployed from the warship *Waigeo* 543 which arrived on 5 July 1998 in Biak.

ABRI (including police) troops attacked from four sides--from the West (the market direction), *Brimob* from Maluku; from the North, the airforce and the army; from the East, the police and Biak *Brimob*, and from the South (the harbour) where military units were on guard. The formation of attack was a letter U and troops moved through Airlangga St., Mawar St., Sam Ratulangi St., Aster St., Kuning St. and Cempaka St. while surrounding the crowd behind the water tower. Indiscriminately the troops shot at every single person they came across on the way to the hotspot of the flag raising. From the harbour the troops from the *Waigeo* warship shot at the crowd. The attack was also carried out from a container truck (possibly owned by *Irian* shop) and other trucks that were coming out from behind the troops attacking the people.

Following the attack, Filep Karma told the crowd not to leave the location. They were asked to form a circle under the water tower (see Box 2, below, testimony of WA). Those who were in Papua guard posts⁹ abandoned their positions and joined the demonstrators (see Box 3, testimony NY).

⁹ Papua guard posts were established in every corridor leading to the site of the demonstration in order to send early warning signals by banging on power poles to alert the demonstrators assembled behind the water tower.

Box 2
Testimony of MA

Witness MA said that at about 5am the Indonesian army attacked the Papuan crowd around the tower. Filep Karma instructed the crowd not to leave the location and form a circle surrounding the flagpole. The crowd formed three layers of circles by joining their hands while singing a hymn from *Nyanyian Rohani*, no. 189, “*Serikat Persaudaraan*” (Brotherhood United). Then Filep Karma led a prayer asking pardon for the deeds of the Indonesian army. While he was praying the Indonesian army shot at the crowd around the flagpole.

After the prayer, I saw two young men had been shot. The one who was standing in front of me was shot in his right thigh and the one on my right was shot in his left thigh. Having watched these men shot, I hugged them and asked them to lie down. Then I saw a group of terrified women embrace the army begging them to spare the crowd. But the army kicked the women and told them to go away to the harbour. Then I helped the two men to stand up with me and I showed them the Bible I was holding in front of an army personnel with Irianese background. I could identify his ethnicity from his curly hair. I told him, “If you are religious and belong to God, stop shooting and kicking.” Once I finished talking, he pointed his weapon at my chest and fired. But the bullet passed through my right elbow and hit the concrete of the flagpole. Then I confronted him with the Bible and said, “All right! Shoot me again if you dare, I won’t step back.” Having listened to this, the soldier put down his gun and stared at me for a bit. At this time, I began to drag the two young men off and slipped away to the harbour.

While we were walking towards the harbour, I heard some young men shout, “Aunty, please leave them behind and you must run. Otherwise, you can get shot.” But I said, “Never mind: you go, save yourselves.” While we were walking and entering the harbour, I saw and heard a number of young men and women who had been shot were crying for help. Once we got to the eastern side of the harbour, I saved someone from a barbwire trap so he could cross to the other side of the fence. Then I went back to the two young men. When we arrived at a house near the harbour, I laid them down and asked others who happened to be there to make a circle around the two and I said the prayer, “Our Prayer.” After that, a man sliced the jeans of the two victims in order to tighten up the wound around their legs. Then we escaped to the beach. Once we arrived in the DPU [Public Works-ed] compound, I asked for help from a woman whom I didn’t know to give me spare clothes. After I changed my wet clothes, I came back to double check the two young men, but they had gone.

This witness testified that since morning she avoided shootings. She saw many people were shot and lying around the hotspot. The estimated crowd was in the hundreds.

Box 3

Testimony of NY, 17 years of age

Around 5.30am, NY was on guard at the *Kasuari I* [cassowary] guard post near *Bosnik* shop when he heard that the people's security forces, *the Kasuari troops*, were banging the power poles around the hotspot. He told his friends to stay on guard and not to surrender. But he saw that some part of the crowd had run away and left the flag behind. Then he felt forced to leave his post and went up to the remaining crowd around the flag to show his solidarity with them until the last breath.

NY saw his friend, FK, there. Both of them said grace while shooting continued. Once they finished praying they saw that a man in black jacket and blue jeans was lying beside them. Both arms, the right side of his head and his right side ribs and thigh had been shot. They tried to help him but he had already died. Then they were separated. NY ran along the beach, escaped from the Indonesian army and arrived at his home in Yenures, Biak; whereas FK got some help from a motor boat full of Butonese and escaped the troops who were shooting at the crowd who had tried to escape via Yenures beach.

From the North, the troops shot at the houses and told the residents to get out of their homes. Then they were herded to the harbour. Along the way to the harbour they were beaten by the troops. One of the residents was shot on his ears while others were tortured by the troops.

Apart from attacking the demonstrators the troops who were coming from the North to the hotspot shot at the residents' houses and instructed them to come out. They were then herded to the harbour, as witnessed by MB (see testimonies in Boxes 4,5,6).

Box 4

Testimony of MB

MB reported that on 6 July around 5.30am, the Indonesian troops raided and shot at houses in Pnas and Waupnor compounds. The witness lives in Pnas and was in bed when the incident happened. All of a sudden, the troops searched his house. Then someone shouted, "Those who want to stay alive, get out and surrender! Otherwise, we will shoot you." In the meantime, the shootings continued. Having listened to the order, the witness got up immediately. When he tried to go back to pick up his wallet, he heard shooting from the front of his home which hit the front wall and went through to the back wall. The bullet grazed his ear which made him cry, "Mama, I die!" Then he got out from his house together with his family saying, "Yes, we are ready to get out." When the troops entered the backyard, they ordered all family members to put their hands on top of their heads and squat. Meanwhile, an unidentified soldier handcuffed MB. He reported that while the troops were herding the crowd to the harbour they were mistreated beyond imagination. Some young men were hit on their genitals and punched with rifle butts all over their bodies.

One of the family members (BG) was stabbed with a bayonet on his forehead so he was seriously injured. The witness revealed that the security forces were very cruel and some men were detained from 6am until 4pm. They were forced to lie down and stare at the sun while *Brimob* and C Company were stamping on their stomachs. These men were kicked with army boots, beaten with rifle butts and wooden bars and stabbed with bayonets. BC, one of the victims, was also seriously injured in his left leg.

Box 5

Testimony of Demetrius Fainsenem

When the incident happened, Demetrius Fainsenem was at his home located at the back of Waupnor petrol station. At the time he had bad feet because he had stepped on a broken bottle. So, during the incident he was staying home. But, during the morning raid, some of the crowd ran away to his house and hid there. Some army and *Brimob* personnel saw this so they came into his house and told the demonstrators to get out, including the witness. Initially he refused to go out and explained to the troops that he still had foot injury prior to the incident. He eventually got out and ran away towards the harbour but once he got to *Bosnik* shop he was shot in the right side of his stomach with rubber bullets. Even though he was injured, the troops forced him to keep running to the harbour while beating him with a wooden bar 5x5cm on his left shoulder and kicking him in the forehead. The mistreatment that Demetrius suffered was the same that demonstrators had suffered: they were forced to lie down and stare at the sun while the *Brimob* personnel stamped on their stomachs. The witness was taken into the Biak Numfor police station together with other demonstrators. Once they got there, he was forced to give up his bracelet, watch and cash of Rs 92,000 but only Rs 50,000 was returned to him. He was detained for the day before being brought to the local hospital for medical treatment. Troops who were on guard at the hospital said, "Leave them injured and don't treat them so they will die".

A week later his injury was swollen and full of pus so he reported to the officer in command who took him to the hospital for an operation to take out a rubber bullet inside of his body. Once he had the operation, he was released but remained a city detainee and had to report himself to the police every day.

Box 6

Witness PM, 51 years of age

Witness PM (51) reported that Indonesian troops surrounded the Pnas and Waupnor compound where the flag raising activity took place. At 5.30am these troops attacked the crowd behind the flagpole of the Morning Star. Houses and residents around the hotspot were targeted by the troops. The witness said that the troops entered his bedroom and told all who were inside to get out of the house and go down to the harbour.

PM was the first who got out from the house and he then ran about 30 metres. All of a sudden he was threatened by a number of troops with Javanese background who were shooting at the flag. The troops pointed their guns at his stomach saying, "Now you will be shot dead." After they were told to get out from their houses and herded to the harbour all were forced to give their fingerprints. While they were under interrogation, at around 7am, a warship that had been in a stand-by position off shore slowly moved to the naval base. Around 9am, the ship left for East Biak.

Around 10am when older people--men and women--and children were released home they were not allowed to pass Sam Ratulangi Street where the flag was still flying. The witness believed that there were already many casualties around the flag who had been evacuated by van. Those who were going home were not allowed to pass through the area. PM also mentioned that there had been clashes between the crowd and the security forces since 2 July. The crowd had grabbed a hat, a teargas cannister and a club which belonged to a police officer. The crowd retained these items until 6 July when the security forces took them back and they now were in the hands of the Resort Police. At this time PM was charged as a suspect because his place had been used as a public kitchen that provided food to the crowd behind the flagpole.

While they were running towards the harbour, the crowd were shot at from the back. An army personnel of *Kodim Biak Numfor*, Sergeant L, axed other people as the crowd passed by him. Other were mistreated all the way to the harbour.

Box 7

Testimony of Agustinus Sada

Another victim of mistreatment was Agustinus Sada. At 11am on 6 July 1998, he was beaten and told to roll himself along the street for about 60 metres. He was beaten with a wooden bar 5x5 cm wide and one metre long.

The demonstrators and other civilians who were in the harbour were forced to lie down and stare at the sun. Then their stomachs were stomped and kicked. In this position troops were running over their stomachs. One of the victims shared his story (see Box 8). Two witnesses explained that during the raid a number of demonstrators were shot. They were then brought in to the navy hospital and the state hospital in a van.

Box 8

Testimony of Paulus Kafiar (31)

The witness lived in Rim Kali Ruar Village, Sub-district of East Biak. At 8pm he was with the crowd around the flag. But when the rain started he moved and joined with the OPM guards beside the local clinic until he heard the shooting around 6am. He then ran from the office of the Health Department towards a banyan tree and then to the back where the demonstrators gathered. While PR was with another witness and hearing the shootings, he shouted, "We are not troublemakers, why you shoot at us? Stop it!" Then he was herded towards the harbour together with other residents. When they were inside the harbour area some people were hiding behind the storage room. At this time, the witness saw the speedboat of a Serui fisherman cruising at high speed when a *Brimob* personnel shot at him. But he missed. So a navy warship was told to give chase and eventually arrested the fisherman. He was dragged to the harbour. Not long afterwards a blue truck appeared which was used to transport injured victims. At the same time a container arrived and victims were moved from the truck to it under the guard of First Lieutenant H. Yeminar. One of the last victims brought into the container was Michael Bonay.

Around 9am when fingerprints of victims were being taken Marinus Ronsumbre was kicked in his right ribs and his face beaten with rifle butts so he was badly injured. The witness was detained in police custody for four days before he was released. While he was in the police custody no proper document was issued. He was told to report himself to the police every day without any reason given.

Box 9

Testimonies of CK and MR

About 200 metres from the hotspot four civilians who were just bystanders in Jakarta Street were reportedly shot. They fell over in the street. The Indonesian troops also shot at the walls of the local residents' houses. CK and MR were among them and they explained that those who were shot had been brought to the navy hospital in a container. Having arrived there they were put into a big hall. They were then "selected". Those who died were separated from those who were injured. The latter were transported back to the local state hospital and the navy hospital.

Box 10

Testimony of YY, a Biak fisherman

Another witness is a fisherman, YY. He explained that on 6 July 1998 he was out fishing around Padaido island. Four days later (10 July 1998) YY continued his trip to the sea. On the way between Padaido islands and Cape Barari YY found two bodies floating at the surface, their hands tied behind them with plastic. According to YY, they were adult men and one of them had lost one of his hands and had curly hair. YY cancelled his trip and went home to Biak.

On 18 July 1998, YY went fishing towards the Western side of Biak island between Wardo Village and Rani Island where he found four bodies with tied hands and the hair of one of them peeled off. YY believed that all were adult men and saw many holes in their skulls. He suspected that they were executed.

Box 11

Witness WS

WS was with the crowd when the Indonesian troops attacked at 5am on 6 July 1998. The witness said that many fell when they tried to escape the shootings. In a rapid move the victims were transported away with six trucks that belonged to the army company in Biak. They were mixed in with dead bodies on the trucks. They had been shot in the stomach, head, arms and legs. The shootings also scattered human intestines and *sumsum* (marrow). The Indonesian troops just stepped over this while guarding the victims inside the truck. The witness reported that five people were shot dead because they had the Morning Star painted on their bodies. Some victims were evacuated with six trucks from the hotspot to Biak Barat Avenue.

At 6.30am a truck that was transporting victims--both dead ones and some still alive--turned into the bush off West Biak Avenue and near Samber Sup Village. About 1 km from West Biak Avenue 12 survivors were taken down from the trucks and guarded by ten army personnel. According to the testimony of WS, two were executed on the spot around 10am. Then their bodies were dragged into the bush and nobody knew where they went. Not long afterwards, the four army personnel came back. The survivors had to suffer from a variety of tortures for the whole day. At 6pm the survivors were transported back to the naval base. They arrived there around 7pm. They then were kept in one room in one of the buildings. On the following day, 7 July 1998, around 7.30am they were forced to crawl to get into another building. They were then put in a closed room. Around 9am, five other survivors were brought in to join them. Ten army personnel were deployed to watch them. When these personnel left the room, ten other fully armed personnel came in and shot five victims dead. They then dragged their bodies out of the room. The witness and other remaining survivors were released free on 11 July 1998 at 2am.

Box 12

Testimony of Filep Karma: leader of the demonstration

The leader of the demonstration, Filep Karma, was shot in both legs and taken to the police station. Twenty one victims were brought into the local hospital between 7.30 and 9am. Around 9pm two other victims were also transported to the hospital. Then, around 10pm, one of them was released. Meanwhile the Indonesian Red Cross reported 20 people had been admitted to the hospital. Those who were injured were taken to the local hospital but no one was allowed to check the condition of the victims. Every Irianese passing through Ridge Biak where the hospital was situated had to report to *Kodim* if s/he wanted to go to the hospital.

The exact number of those who fell remained unknown and, after the dispersal of the demonstration for West Papuan independence, the local government radio station reported in its 9pm news that there were 144 people shot who had been treated in hospital. The Irian Jaya Chief of Police, Brigadier Gen. Drs. Hotman Siagian, told the public that the injuries were caused by the rubber bullets of the police and the army. MM said that an army personnel (First Lieutenant HYR) visited his family at 5pm. With remorse, he confessed that during the shootings 29 people were killed.

After the attack the demonstrators and bystanders were herded to the harbour--about 100 people. Senior army commanders ordered that after 6pm people were not allowed to hang about on the street. The troops put up road blocks inside the City of Biak and power was switched off until 11pm.

The fate of those who were transported in the warship remained unknown. But in the following weeks the people from East and North Biak found mysterious bodies in the Biak waters. The bodies generally were not in normal condition because some parts of were missing. Some suspected that the bodies were related to the dispersal of the demonstration in Biak on 6 July 1998. This suspicion arose based on a fisherman's testimony (see the testimony of YY). The government and the security forces, however, explained this in relation to the tsunami in Aitape, PNG, in the third week of July 1998

Human Rights Violations

1. Arbitrary Arrest And Detention

On 6 July 1998 at approximately 5.30am there was an attack by security forces against civilians at the place where there had been a demonstration and a raising of the West Papua flag. The troops which attacked came from Maluku Police *Brimob* (mobile brigade), Biak

Police *Brimob*, *Yonif 733 Pattimura* battalion and the Biak Military Area (*Korem*) and District (*Kodim*) commands, as well as from the Navy. Apart from these, there were also military troops and marines from two Navy warships, the *Waigeo* (No 543) and the *Berau* from Manokwari, which were in Biak harbour from 5 July 1998.

The ABRI troops and police attacked from four directions: (1) the market; (2) *Puskesmas* (the local health clinic), (3) *Toko Merauke* and (4) *Toko Bosnik*. The pattern of attack by the ABRI troops was shaped like the letter "U". Troops moved along Airlangga Street, Mawar Street, Sam Ratulangi Street, Aster Street, Kunung Street and Cempaka Street while rounding up people beneath the water tower where the West Papua flag had been raised. The troops brutally fired upon all those coming towards that location. Meanwhile the troops from KRI *Waigeo* and *Berau* who were coming from the wharf also fired shots towards the demonstrators. During the attack, two container carriers and trucks followed along behind to carry the victims who were being attacked.¹⁰

It appears that in the attack described above there was a TNI Army officer called Lieutenant Satu Hermanus Yeninar who acted as the "Commander of the Attack", whereby many orders were issued by him to shoot at the demonstrators. (See Box 13, Witness Statement by PR).

Box 13

Witness Statement by PR

Another witness, that is PR, said that the attack and the shooting of the demonstrators at the water tower near the Biak wharf, the witness (PR) was forced by an ABRI soldiers (Lieutenant Inf. Hermanus Yeninar, Yehuda Simbiak Kompi C AD, Serka Pol. Dominggus Kafiar) to join in the operation at the time in order to pick up some of the victims who were lying scattered about on the Biak wharf and put them on the container truck and a blue truck that was the property of the *Karya Kencan Harpindo* business. According to PR, some of the victims who were sprawled out and lifted into the container truck were seriously wounded. The witness statement by PR said that a number of those victims were clearly going to die because of their bullet wounds. The witness stated that, when the truck took the victims away from the wharf, it headed towards the main gate of the wharf near the *Bosnik* shop, then turned left on the road towards RS. AL. Biak.

After the attack on 6 July 1998 was over there was a confession/acknowledgement from Lieutenant Hermanus Yeninar to the witness MM.

Box 14

Witness Statement by MM

Lieutenant Satu Inf. Hermanus Yeninar, with a sad face and while crying, said that at the time of the attack on that morning (6 July 1998) there were many victims who died at the place of the incident, totalling 29 people.

The demonstrators at the location of the flag raising had not resisted in any way. They remained standing and sang spiritual songs. The demonstrators only remained at the flag-raising site to protect the Morning Star flag from being brought down by the soldiers. But the rain of bullets that were fired upon them meant that the leader of the action, Drs. Filep Yacob

¹⁰ See *Map of the Attack by the Forces* in the appendix of the original 1999 ELSHAM Biak report.-ed

Karma, ordered the demonstrators to lie down on the ground to avoid being shot. Just when they were all starting to lie down the leader of the action was shot in both the left and right legs. A number of other demonstrators were also shot, then terrorised, and were then thrown into the container truck. There were a number of people who were shot and injured at the site of the flag raising who could not be saved by medical help.

Because the security forces had taken over the area where the flag had been raised the other demonstrators ran away to save their lives, but the soldiers shot at them and terrorised them. At the same time as the attack was being carried out, the security forces also fired shots into the houses of civilians, and one of them became a victim (MB, See Box 4). He was inside his house when he was shot in the ear. The firing of shots on the houses made the civilians who were sound asleep wake up, and then the soldiers entered these houses and ordered each of the residents to leave their homes. They were ordered to run towards the Biak wharf.

The brutal shots fired by the security services hit a number of civilians who were standing watching the flag raising from around 100 metres away, amongst them Ely Ansek, Andi Marisan, Ely Orisu and Ruben Msiren. Many of the demonstrators and civilians who were running towards the Biak wharf were also terrorised and shot. In the area around the wharf the head of the police (*Kapolres*) of Biak Numfor, Lieutenant Colonel Jhonny Rori was standing along with a number of members of ABRI and other police. (See Box 16).

Box 15

Witness Statement by AS

One of the civilians who was shot while in his house, which was behind the Gas Station (DF), had a stomach wound but was forced by the soldiers to run towards the wharf. (See Box 16).

Box 16

Witness Statement by DF

This witness saw these events while in his house which is located behind the Waupnor gas station. At that time the witness was wounded on the sole of his foot when he walked on a broken bottle. While the events were happening outside the witness did not leave but stayed inside his house. When the attack on the demonstrators happened that morning beneath the water tower, some of them ran and hid in his house. A number of ABRI and *Brimob* members, who saw that some of the demonstrators had [gone into the house], went in themselves and ordered the demonstrators and the witness to leave. The witness refused to leave his house and instead tried to explain that he had a wound on part of his foot which had happened before the events [the violence at the water tower] had taken place. The witness finally left the house and ran towards the wharf, but when he arrived in front of the *Bosnik* shop, he was shot in the right side of the stomach with a rubber bullet which then lodged in his stomach. Although the witness had already been shot, he was still forced by the security services to keep running towards the wharf. Meanwhile, the witness was hit with a 5x5 cm block of wood on his left shoulder and kicked on the left side of his face.

The treatment experienced by the witness was the same as was being experienced by the demonstrators who were ordered to lie down flat on the ground and to stare up at the sun while their stomachs were trampled on by ABRI personnel. After that, the witness was taken to the Biak Numfor police station along with the other demonstrators. When they arrived at the police station, the witness/victim was ordered to take off the bracelet and watch that he was wearing and to give the police his wallet that contained approximately Rp.[rupiah] 92.000-- but he only received Rp. 50,000 back. The witness was at Police Station No. 1 but the next day he was taken to the RSUD Biak Numfor hospital to be treated. Because there were many security personnel guarding the RSUD at that time, a number of the ABRI personnel said, "Just let them die of their wounds: it's no use giving them treatment if they're just going to die later anyway."

One week later his bullet wound had become infected and filled with pus, so the witness reported his state of health to the commandant who was guarding them and so was taken for treatment and operated on to remove the rubber bullet that had been left in his stomach. The witness was then released from custody and became an 'outside' detainee, meaning that he had to report daily.

The young people who were detained at the Biak Wharf (*Areal Pelabuhan Laut Biak*) were ordered by the security services to take off their clothes and then to crawl on their bellies to the investigation area for finger printing. After that they were ordered to lie down flat on their backs looking up at the sun while officers from *Brimob*, *Kodim 1708*, *Korem 173* and the Biak navy stamped on them with their boots and hit them with rifle butts and wooden beams. The witness 'PK' reported that each time the soliders hit the demonstrators, no one was allowed to lift their heads or to look left or right. This torture occurred between 8am and 4pm (WIT).

After that, around 200 young people were loaded onto a truck that was owned by the Biak *Polres*, taken to the Biak *Mapolres* and then detained after experiencing harassment from 9pm until around 12pm. The detainees were beaten with a piece of wood 5 x 5cm and a cut off piece of aluminium, and also thrashed by the policemen. As a result Neles Sroyer, Agustinus Sada and Selsius Raweyai were injured very badly. They could not eat because their mouths were badly injured from being hit in the face with a boot. Meanwhile, the detainees were ordered to sleep on water which had been poured on the ground in the cell by the policemen. (See Box 17, Witness Statement by SR).

Box 17

Witness Statement by SR

When caught by the Resort Biak Numfor police, the witness, along with NS and AS, was accused and called out by Lieutenant Salu Sarminto, Sersan Head Benny Warengga and a number of other police members who hit the witness, NS and AS using a piece of metal 5 x 10cm and a piece of wood. As a result of the beatings, their bodies received injuries.

In addition to the 200 people who were detained, 40 others were forced to report each day for a month and to work without a clear status. Then they were interrogated and, as a result, 20 people were charged. Those who were forced to report were not involved in the incident, nor were the detainees, but, without even being given letters or anything else, they were given orders and prosecuted according to the UUHP (court laws). So the action of detaining these people and restricting their freedom was an abusive form of detention carried out by the Biak Numfor police.

2. The Injured

The frontal attack employed rifles (*senapan mesin*) and other firearms which were used indiscriminately against anyone--the demonstrators as well as the civilians who were round about and who witnessed the attack from outside the targeted area. The shootings directed against those outside the targeted area caused a number of casualties, including Eli Ansek (35 years old), Ruben Msiren, Andy Marisan and Eli Orisu.

Meanwhile, back at the hotspot of the demonstration, the security forces attacked by surrounding the crowd and then firing rounds at the people, chopping people with axes and

hitting and thrashing the demonstrators that they could reach. On every side, people were being mowed down by gunfire. The next step by Army head, Sersan Edy Letsoin¹⁵, a member of the Biak Numfor *Kodim 1703*, was to take a small axe and to hack at the back of each Papuan's head he could reach. This vicious attack injured Ruben Orboy (29 years old), Zioter Ukago, Paulus Mamoribo, Filip Karma and other victims. The head of the police force for Irian Jaya, Brigadier General Pol. Drs. Hotman Siagian, declared that, "Every demonstrator who took part in this action was beyond the government's responsibility because they had separatist intentions and were fighting for their own country."¹⁶ In that attack, the local inhabitants' homes were sprayed with bullets which destroyed their glass windows and doors as well as damaging their walls. Meanwhile, around 500 meters away, all the inhabitants were forced to leave their homes and to join the demonstrators at the wharf with their hands raised above their heads. In the area near where they had carried out the Morning Star flag-raising, where the soldiers had shot at peoples' homes, bullet fragments had injured someone called MB. (See Box 4)

3 Those Killed

Approximately eight people were killed as a result of the violence by the security forces against Papuan civilians in Biak. One person, Ruben Orboy (27 years old), died as a result of serious wounds to his head when he was struck by bullets fired by the security forces, but his corpse was not returned to his family. Two people, Paulus Sanadi Mamoribo (20 years old) and Niko Smas (23 years old), died after being released from detention because they had bullet wounds and had been tortured by the security forces while they were interrogated and in detention. Meanwhile, five other people were found dead at the Naval Hospital (RS AL): two of them were known by a witness as Wilhelmus Rumpaisum (50 years old) and Franciscus Gawe (29 years old), while three other bodies of male Papuans were not identified. The body of Ruben Orboy and five other bodies also disappeared from the Biak naval hospital. Below are statements taken from a number of witnesses in the vicinity about the killings during the bloody Biak tragedy of 6 July 1998.

1. Ruben Orboy (27 Years old)

The paramedics who treated Ruben Orboy stated that the victim breathed his last at the Emergency Unit (UDG) of the Biak Numfor Regional General Hospital (RSUD) at around 10am after approximately an hour--the victim was unconscious as a result of massive blood loss caused by serious wounds to his head, being bullet wounds. The security forces then forced the paramedic officers at the Biak hospital to hand over Ruben Orboy's body which was loaded on to an ambulance owned by the naval hospital. After that, the body of Ruben Orboy, who was a husband and father of three children, was never returned to his family. In a meeting on 11 August 1998 between the Biak Numfor council, the *Muspida*¹⁷, and community and religious leaders in Biak, the Biak Numfor *Bupati* (District head)--at that time, a Mr Amandus Mansnembra-- confessed to Ruben Orboy's brother that it was true he had been shot when the crowd of demonstrators had been dispersed by the security forces on 6 July and that his body had been thrown into the ocean. According to Mansembra, this information was obtained from the Biak Numfor *Danlanal*, Naval Col. Yoppy Ruhuputty.

¹⁵ Witness statement made to the ELSHAM IRJA investigation team.

¹⁶ The implication of the statement made by this policeman is that the police could take whatever action they wanted against the demonstrators because they were considered to have tried to become independent and wanted to separate Irian Jaya from the Republic of Indonesia.

¹⁷ The *Muspida* (Regional Council of Leaders) consists of the Sub-district parliament head (*Ketua DPRD Tingkat II*), the *Bupati* (district head) and the Military District Commander (*Dandim*).

When one of the participants in a workshop run by FORERI (the Irian Jaya Community Reconciliation Forum) in October 1998 in Aula STIE asked about this matter, the Jayapura *Pangdam* (Regional Military commander) for the Trikora Maluku Irian Jaya Division no. VII responded: 'The body of Ruben Orboy was "stored" (*disimpan*) in the ocean, so why not ask your questions to the waving grass?' This was a phrase from a song by the singer Ebiat G. Ade.

2. Paulus Sanadi Mamoribo (20 years old)

After the events of the 6th of July Paulus Mamoribo was recorded on the list of those injured¹¹, as he was shot and at that time was treated at the Biak Numfor general hospital. After receiving treatment for three days (8 July), the victim, who had been injured and had gun shot wounds on his arms and hands, was taken from the general hospital for interrogation by the Biak Numfor police and detained for one night at the Biak Numfor police station.

After that he had to make daily reports for unclear reasons. According to the victim's family, aside from the bullet wounds on his arms and hands, he also had swelling on his cheeks and neck as a result of abuse by the security forces during his interrogation and in detention. His family stated that each time Paulus was taken for treatment at the general hospital he never received adequate care. Ishak Pairunan, DSA, the Head of the Biak Numfor general hospital, told the family that the hospital had run out of medication and that because Paulus had been involved in political activities (the demonstrations and the raising of the West Papuan flag), they were not prepared to treat him. Even though the gunshot wounds on his hands and the swelling in his face and neck were very serious still the paramedic staff would only treat him with iodine and betadine, while even the stitches in his wounds were not removed and began to rot.

Paulus began to experience fever symptoms after being returned home by the police on 8 July and his condition deteriorated the following day to the point that he passed away. The body of Paulus Sanadi Mamoribo was buried in the village of Sabar Myokre, Supiori Utara subdistrict.

3. Nico Smas (23 years old)

Nico was one of the victims rounded up by the security forces and forced towards the Biak wharf. The witness 'OY' saw two policemen hitting the victim with their rifle butts and then kicking him in the stomach, causing him to fall down. Once he fell the victim was ordered to crawl for approximately 60 metres while being kicked and hit with rifle butts by the policemen. As a result, the victim received serious wounds all over his body, as well as facial swelling. The victim experienced the same kind of torture done to the other youths who had been rounded up at the wharf at 8am on 6 July and who were then abused and tortured by the security forces.¹⁸

At 4pm the victim was taken along with the other young people to the Biak Numfor police station for interrogation. The victim was made a suspect (*menjadi status tersangka*) and detained at the Biak police station for approximately one month. But after that he became an 'outside' prisoner and was forced to make daily reports.

¹⁸ Security forces (from the Mobile Police Brigade, Brimob, and the Army) ordered these young people to crawl on their stomachs to where they were fingerprinted, and then they were ordered to lie down on their backs (looking up at the sun) while the Brimob police and army soldiers ran over their stomachs. The security forces also kicked their ribs, heads and legs/feet.

On 11 August, after returning home from making his daily report to the Biak police station, the victim said to his parents that he felt unwell and had a fever. From the middle of that day until that evening the victim's fever worsened, and on 12 August at 3pm, Niko Smas finally breathed his last in the village of Diano, Warsa Biak Utara subdistrict. According to his family, the victim died as a result of abuse and torture by the security forces when he was at the Biak wharf and during his month in detention at the Biak police station. Nika Smas died while still a 'suspect'.

4. Franciscus Gerson Delton Gawe (29 years old), Wihelmus Rumpaisum (68 years old) and three unknown adults (bodies) at the Naval Hospital (RSAL)

Franciscus Gerson Delton Gawe and Wihelmus Rumpaisum were previously listed amongst "the disappeared" after the events of the mass dispersal beneath the Biak city water tower on 6 July. At the time of his disappearance Franciscus Gerson Delton Gawe had been wearing a white T-shirt, a black jacket, well-worn blue jeans, a brown belt and brown leather shoes. He lived in the Samofa area, Biak city, and worked every day as a taxi driver.

Wilhelmus Rumpaisum was wearing a red shirt that had the word 'HAMMER' written across it. He was a small-statured man, bald and approximately 170cm tall. Wilhelmus lived in the village of Kajasbo, East Biak sub-district, and was a retired former health public servant. The witness (SK) in this case said that he and Franciscus Gawe were together beneath the water tower when the security services attacked the people on that morning (6 July). He observed the attack by the ABRI forces and saw the victims flee, running towards his aunt's house on Aster Street, Pnas area, in Biak city. But the security personnel who had been attacking in the area saw the victim and so started shooting at him behind his aunt's house.

The victim's aunt (the witness) said that the shooting of Franciscus Gawe had been done by three military people wearing fatigues and fully armed behind their house at about 5.30am. At that time, the witness was in the kitchen and saw Franciscus being hit and dragged about 50m by the three men while they said, 'Come on, let's get back to the wharf!' Then they threw him into a container truck which had already been prepared by the security forces. The witness tried to follow them but she was threatened by the soldiers that she would be shot and, because shooting was still going all around outside, she was too afraid to leave the house. Franciscus Gawe never returned after that.

Since then his family has carried out searches for him everywhere. The day after the morning attack (6 July), his family went to the AL (Navy) to check on his whereabouts, but before they could enter the Navy complex the security man at the guard post refused them entry. Unhappy with that result, on 8 July, the family met with the Head of the DPRD 2nd Level for Biak Numfor, Ayub Sumerta, who only told them that he too would look for Franciscus. Dissatisfied with that, on 13 July the family also went to ask as to their son's whereabouts from the *Bupati* (Amandus Mansnembra) and the Biak Numfor police, but they received no response. Finally, through the help of the Irian Jaya Human Rights Advocacy Team, the family took the matter to the Military Police (POM) of Biak, but nothing worked. Rather, they experienced continuing intimidation from Sersan Dua Supriyanto of the Biak *Korem* Intelligence unit who repeatedly intimidated Franciscus Gawe's mother and even went to the school where she was teaching and told her not to keep searching for her son. Besides the intimidation carried out by the security forces, the Biak Numfor *Bupati* also sent an untrue report about the number of people who'd gone missing, including Franciscus Gawe.¹⁹

¹⁹ The Biak Numfor Regional Head (*Bupati*) report (dated 7 September 1998) was entitled 'Progress Report on the Missing List relating to the 2-6 July 1998', as sent to the Governor, head of the 1st Level (Province), Irian Jaya.

Franciscus Gawe was known to have died after the witness CK (who was also a victim) was shown his photo by the Irian Jaya Human Rights Advocacy Team at the Biak police station in August 1998. CK said that on that morning (6 July) he saw Franciscus being shot in the stomach, which caused the victim to cry out in pain and to hold his torn stomach, which was covered in blood, near the water tower. A few moments later CK saw the limp victim being thrown down by the soldiers near him and then he was thrown, along with nine other victims, into a container truck which carried them away to the Police station and the Biak Naval hospital.

Wilhelmus Rumpaisum, according to his family, left his house for Biak city on 5 July 1998 at 6pm to buy medicine at the pharmacy. Because there were no taxis left in which to get home, the victim decided to watch the demonstrators' action and the flag raising beneath the water tower. But after the security forces attacked on 6 July Wilhelmus Rumpaisum never returned home. His family searched everywhere for him but were unable to find him. Amandus Mansnembra, the *Bupati*, reported that the victim (Wihelmus Rumpaisum) had run away to North Yapen. His family also looked for him there, but without result.

As with Franciscus Gawe, Wihelmus Rumpaisum was discovered to have died after CK and MR gave their accounts that his was one of the five bodies that were lying that morning in the Biak Naval hospital. CK stated that he had asked the name and address of the victim who had been so seriously injured by being shot in the stomach before he breathed his last.

CK and MR also gave testimony that, besides these two victims (Franciscus Gawe and Wihelmus Rumpaisum) who could be identified, there were three other dead bodies of Papuan adult males in one of the rooms at the naval hospital. These five bodies were separated from those who had been injured and who were taken to the Biak general hospital. CK's and MR's statements were strengthened by a Radio Australia broadcast in which a medical officer was interviewed from the naval hospital on 6 July 1998 who was at the hospital where the five bodies had been on that morning.²⁰

With the testimony and information from CK, the family were supported by the Human Rights Advocacy Team in reporting that the victim had disappeared while detained by *Denpom* ABRI (armed military police) in Biak. But at *Denpom* ABRI the family received the same kind of treatment: they were intimidated by the officials and were asked not to make a fuss about the whereabouts of Wihelmus. The ABRI soldiers even came frequently to the victim's family in Kajasbo village to intimidate them. As a result of this pressure, one of the men in the victim's family ran away to Jayapura. (See Box 18, Statement by DR and his family, below).

Box 18

DR and the witness' family

On 5 July 1998, Wihelmus Rumpaisum left his house in the village of Kajasbo because he wanted to go buy medicine from the pharmacy in Biak. The public transport was quiet that evening and the victim joined together with the crowd gathered below the water tower. Since that time, the victim has never returned home to his family.

One of the accused (CK) knew that the victim was dead when he saw him being thrown down near the water tower. This witness was gathered together with the other victims who were

²⁰ Other than the Radio Australia journalist who also contacted ELSHAM in Jayapura at that time, someone else carried out an investigation into the Biak bloody tragedy and found out about the five bodies at the Biak naval hospital.

injured during the attack. CK also saw the victim together with the five other bodies at the naval hospital. One of them, who was known to CK and who had died, was Wihelmus Rumpaisum. [See Box 19, statement by CK (victim/witness)].

Box 19

CK (Victim /Witness)

At that time I was sprawled, helpless, near the water tower, the place where the flag had been raised and where that body had been thrown near me. When I was in one of the rooms at the Naval Hospital, I saw five bodies and I knew two of them to be Franciscus Gawe and Wihelmus Rumpaisum. I knew that after I saw a photo of Franciscus Gawe which was shown to me in the Biak Numfor police station cell. At the naval hospital I also knew one of the victims because his features showed that he was already old and his head was bald.

The witnesses (KJK and MR) were amongst the tens of victims who were taken by container truck to the naval hospital after the attack that morning (6 July).

Victim/witness statement by Djoumunda Costan Karma

According to his testimony, one of the people shot dead beneath the water tower was Franciscus Gawe. The men who carried out the attack were the security forces who wore green uniforms and black (flak) jackets.

The victim/witness was abused by the Army soldiers who thrashed, kicked and beat him with their rifle butts while he was handcuffed along with his other friends. Of these there were only Markus Rumsowek and FJS Karma in the container truck/vehicle. There were nine people in the container truck altogether when they arrived at the naval hospital, meaning that there were only four people still alive: five had died. The two known to have died were: Gawe and Rumpaisum. Meanwhile four people were carried from the naval hospital to the Biak general hospital, and one of them had died.

According to the witness, while they were at the naval hospital, Rumpaisum was still alive and was able to get his handcuffs taken off when one of the medics from the naval hospital came in to check on the victims and who said that it was no use helping the older man because he was going to die anyway. While still tied up, the victim/witness was ordered to jump into a Toyota jeep that was owned by *Dan Lanal* to be taken to the Biak general hospital. He was driven there by two marines who threatened him that if he tried to run away, they would shoot him.

Health Services

Outside the flag raising area the security forces injured four people who had nothing to do with the demonstrating crowd beneath the water tower. Eli Ansek went to help Andy Marisan and was hit by a bullet fired by the security forces and fell down. The victim was hit in the back and the bullet came out the front of his body. The victim fell down while trying to hold in his intestines that had spilt out. On 9 July two ambulances were used to move four victims from the naval hospital: Eli Ansek was one of them; all were taken to the Frans Kaseipo Biak airport and flown to Ujung Pandang on Garuda flight No. GA65 at 10.45am. They were accepted for treatment at the *Pelamonia* hospital there.

While they did provide some help, it was clear that the Army were not serious in their handling of the treatment for these four victims. The four victims were not yet recovered when they were returned to Biak for no clear reason, at least not for any reason that was given, and issues were raised by the health officials in Biak Numfor district. The paramedic (a doctor) at the *Pelamonia* hospital who treated the men knew about their conditions and was

prepared to care for them. This care was not given because the four men were immediately returned to Biak. The difficulty for these four victims wasn't only related to the cost of the treatments but also because of attitudes at the Biak general hospital because the victims had been involved in political troubles. Eli Ansek, for example, was refused treatment by Dr. Ishak Pairunan (a paediatrician), the director of the Biak general hospital, for political reasons, and said that permission had to be given by the security forces. The victim tried by himself to obtain medicine and stayed for three nights at the hospital in Sentani, Jayapura. The three other victims: Andy Marisan, Eli Orisu and Ruben Msiren, who had all received serious wounds, still suffer ongoing effects.

1. Elias Ansek (35 yrs old, male)

He was shot in the back and the bullet went through him and exited his body at the front, causing his intestines to spill out. He was shot while trying to help Andi Marisan who had been knocked over because he'd been shot in the knee.

2. Ruben Msiren (26 years old, male)

He was shot in his left calf. (After undergoing treatment at the Pelamonia Ujung Pandang hospital, he arrived back in Biak on 17 August 1998).

3. Eli Orisu (20 years old, male)

He was shot in the right side of his stomach. (The story told is that, after arriving at the *Pelamonia* Army hospital on 9 July 1998, he was immediately operated on. After the operation, he was left for three days without medicine in a room which he said was where bodies were put before being collected by their families. After three days in that room, a doctor came to check on him. Apparently the doctor discovered that he was still breathing. He was then moved into the intensive care unit and given oxygen. After a day on the oxygen, he regained consciousness. He was then moved to another room where he continued to receive care. He arrived back in Biak on 17 August 1998. These days he is cared for in his home by a nurse. After getting a referral for treatment at the Pelamonia Army hospital in Ujung Pandang, he was supposed to receive treatment at the Biak general hospital. But after showing his letter of referral, the hospital did not treat him. The doctor at the Biak general hospital said that he could treat him only if he received a letter of explanation from the police.

4. Andy Marisan (17 years old, male)

He was shot in the left side of his chest, which broke his chest bone.

The health service provided to the victims involved in the demonstrations was very inhumane. The wounds suffered were not treated seriously by the paramedics in Biak. Further, treatment was done without sterile process, causing the wounds suffered to become worse. The other reason proposed is that RSUD was lacking in medicine for treatment purposes. Such health conditions caused the deaths of Paulus Mamoribo and Nicko Smas. In addition, paramedics were reluctant to provide treatment because the victims were involved in a political case and had a similar experience as Yoppy Karma with Dr. Ansor, a private doctor for the Karma family, who refused to treat him because he was involved in a political matter.

For about one week Army troops from *Yonif 773 Pattimura* Ambon blocked access for citizens wanting to visit RSUD. During that time a regulation was imposed on the indigenous community (Papuan) prohibiting them from visiting relatives currently being treated at

RSUD. This rule did not just apply to victims post-dispersal, but also to every Papuan person whose relatives were being treated at RSUD because of illness. The Head of the DPRD 2nd level of Biak Numfor, Ayub Sumerta, who witnessed the raid felt sad about the actions taken by the security apparatus that caused the fall of many victims from the community.

The victims of violence from the clash between the security forces and the demonstrators also included victims on the side of the security forces. Sergeant Major Police officer Irwan of the intelligence unit that infiltrated the crowd to create chaos and disperse the people became a target of the demonstrators. This victim suffered a broken leg and lost teeth. This event then sparked a physical clash between the mass of demonstrators and the security forces that oversaw the event. In this clash 13 people from the security forces suffered wounds. Nine of the 13 suffered minor injuries, while two people with quite severe wounds were sent out of Irian Jaya for treatment.

Behaviour of the Security Forces

After security forces broke up the demonstration, peaceful pro-independence demonstrators that did not have weapons were just thrown onto a truck on top of each other. According to information from several witnesses, live victims were even thrown in with victims that had already passed away. According to victim CK when at RSAL victims were separated into those in critical condition, with minor wounds, and victims who had died without immediately being treated, who then were evacuated to RSUD. In the emergency room victims were simply thrown from the back of the truck. Yoppy Karma, quoting the words of a doctor at RSUD Biak who was angry with this treatment, said, "If you really want to kill them, throw them someplace else. Don't carry them here and then just throw them like that from the back of a truck."

The surviving victims after being treated were then taken back into custody and at the police office were frequently tortured. The victims that were then subject to mandatory reporting because of the situation were beaten by members of the security forces in the middle of the street, detained and intimidated to the point that they were scared to seek treatment at the hospital. This was the situation as told by a victim to the investigator.

1. BR (Witness)

BR was met by the ELSHAM team at his house on 15 July 1998 and said he had been shot in the right thigh under the water tower when attacked by the security forces at dawn on 6 July. The victim had remained at the house without further treatment after leaving the hospital. According to him the wound in his thigh still hurt making it difficult to move. The victim feels like there was a foreign object in his right thigh and it is very painful if he moves. Besides being shot the victim also claims he was abused with kicks and blows to the eye causing a blood clot in his eye. The victim, while not involved in the demonstration or the raising of the West Papuan flag, was still subject to compulsory reporting by the Biak police.

2. ZEU (Witness)

The team met ZEU at his house on 22 July 1998. The victim was shot with two bullets that penetrated the right thigh, left calf and left elbow. ZEU said that when the masses were attacked by the security forces he tried to escape in the direction of the *Bosnik Biak* shops, where he was shot. When the victim fell and was lying on the ground, he was shot again in the left calf and left elbow. The wound in the left elbow, when being operated on at RSUD Biak, was found to have a sharp bullet in it. The bullet was kept by the medics.

The victim remained in his house without medical treatment. Other than shot wounds ZEU also experienced wounds on the left and right side of his back as a result of being scratched by the security forces. Although not involved in demonstrating the victim was subject to compulsory reporting to Biak police.

3. FJSK (Witness)

The victim was a leader of the demonstration and raising of the West Papua flag on 2-6 July 1998 at the water tower in Biak city. He was shot in both legs, hit on the back of the head and kicked in the left eye. The victim, who experienced successive abuse, experienced a fit. After being treated he was immediately sent to and detained in a Police cell on 6 July, but after public pressure against the security forces on 13 July he was transported to RSAL to be treated. After this he was returned to the Biak police cell. One of the ELSHAM team that met with him on 20 July 1998 expressed that his state of health was very concerning.

4. YM (Witness)

Yohan Mofu is one of many victims that were arrested and then taken and locked in the warehouse of company PT PELNI Biak. He was kicked with boots and struck with a rifle butt, causing him to lose consciousness. With other community members he was caged in the PT PELNI warehouse from 7.00am on 6/7. Then the victim was helped by a friend, a member of the police, who released the victim at 2.00 pm Eastern Indonesian Time. The victim is currently being cared for by his family at home.

5. BG (Witness)

Around 6.00am, while the victim was with members of his family sleeping, suddenly a group of soldiers started firing at their house and then ordered him to come out, whereupon he and his family were herded to the port. When at the port, the victim was beaten with the butt of a rifle causing injury to the left part of his forehead which caused swelling resulting in blood clotting in the left lower eyelid. The victim was prohibited from seeking treatment by the military.

6. BK (Witness)

At approximately 6.00am, after hearing gunshots, the victim was shocked, woken up and immediately hit by a bullet to the neck. The victim was also not treated at RSUD with his reason for not attending being that he feared an accusation of being involved in the raising of the West Papuan flag. The victim had received wounds and he died.

Several family members in Biak told our source in Biak that family members up until that date (17/7) had still not returned home. In most cases victims that were reported to have disappeared on 6 July 1998 at the time of the raid by the armed forces were arrested and possibly shot. As reported by the families there were victims that were involved in the peaceful demonstration, but also victims that had not been involved at all. Several people among them were able to be identified.

Missing Victims

Three weeks after the pro-West Papua Independence demonstration had been broken up in Biak, several dead bodies were found along the beach. The local people found bodies during 27- 31 July 1998 in East Biak district and North Biak. The local government, 2nd level (*Cenderawasih Pos*, 19 July 1998) explained that the bodies were victims of the tsunami from West Sepik/ Sandaun Province, Papua New Guinea. Commander V Jayapura Laksma

Military, William Franklin Kayhatu, explained that “the findings of victims that include children comes from the sinking of the *Kiana Bhakti* boat in waters near Mios Airi Island, Manokwari” (*Cepos*, 29 July 1998). On the other hand the community connected these bodies with the dispersal of the mass of pro-West Papua Independence demonstrators on 6 July 1998. The difference in opinion has not hindered our ability to incorporate new information about the finding of the bodies after the peaceful pro-West Papua Independence demonstration ended tragically.

The raid and shooting operation under the Morning Star flag on 6 July 1998 by the Indonesian military (unit *Korem 173/Pvb* and Company C Biak, unit *Kodim 1708* Biak, Biak district police, riot troops from *Brimob* Ambon Police and unit *Kostrad* from *Kodam VII* Wirabuana Unjungpandang) claimed many victims in civil society. Reports until now that have been received from local residents and other sources in Biak mention that many of the victims were civilians that were tortured, shot or went missing.²²

The majority of local residents are currently in a state of fear as a result of experiencing and witnessing the actions of the military troops blindly shooting, striking people with their rifle butts and punishing the local citizens who at the time were being herded to the Biak seaport. The community members are in a state of fear and feeling unsafe: moreover an issue arose that was developed by a member of intelligence from the unit *Korem 173/PVB*, *Kodim 1708* and local *Polres* about a plan to abduct or kidnap all people involved in the pro West Papua independence peaceful demonstration on 6/7 identified by the Indonesian military through photos. The action of the apparatus caused the community to fear reporting victims that had gone missing to the groups involved. Intimidation was carried out by the security forces in *Denpom* ABRI Biak towards the families of Gawe and Rumpaisum when they reported the cases of missing people.

Notes on various witnesses recounting events as follows:

Box 20

AF (witness)

AF recounts that while on the way (walking) to his work at the Frans Kasiepo airport in front of RSUD Biak, he met with three Indonesian military soldiers from the army unit. He was forced into a Land Rover and immediately taken away. It is said that the vehicle followed Sriwijaya Road then Mamoribo Road in the direction of Sumberker and then across Bosnik main road, stopping at Hangar *PT Merpati Nusantara* Airlines at the north end of the runway of Frans Kaisepo Biak Airport. He said that in the car that was carrying him he saw blood seeping from eight plastic bags filled with human corpses. Between the piles of bags he saw a lifeless human foot protruding. According to the witness, he suspects the victim was an adult. The vehicle carrying AF then dropped him at the hangar and the Land Rover drove off.

The missing victims reported missing by family members to date amounts to three people in particular, among others:

1. Yuslin Sroyer (missing)

Yuslin Sroyer left her house with her older sister Irene Sroyer at 5pm. Arriving in the city around 8pm they did not take public transport to return home. The two sisters eventually joined the masses under the water tank, singing and dancing until morning and then returned

²² See information from witnesses in Boxes 8-10

home at 5am. When the raid by security forces occurred at that moment the two sisters were split up and Yuslin has not been seen since. According to a confession, there was a female victim in Aminweri, but it turned out there wasn't. A search was held in Manokwari city but nothing was found.

2. Arius Boseran, 22 years old (missing)

The victim was approximately 150-160 cm tall, with tanned skin. At the time of disappearance the victim was wearing blue jeans and a grey-sleeved shirt with blue stripes. According to a reporter (DB) the victim went missing on 6 July 1998 when he was with the demonstrators that were dispersed under the water tank. To date the victim has still not returned to his family. The victim's family have searched in Manokwari, Sorong and Jayapura but did not find him.

3. Daniel Mandowen, 29 years old (missing)

The victim lived in East Yamna Sarmi, and had a family with three children. The victim was quite overweight, had dark skin and curly hair. At the time of disappearance the victim was wearing knee length blue jeans and a yellow T-shirt.

From Jayapura the victim went on holiday to Manokwari and on 2 July 1998 with KM *Dobonsolo* the victim arrived in Biak and joined the masses under the water tank. The presence of the victim at that location was known by relatives of a family from Mandori village that witnessed the victim's death. Another witness, Eli Orisu, said he was with the victim under the water tank.

1. Paulus Msiren, 27 years old (missing)

The victim lived in Nyeundi village, North Supiori. His height was 160 cm, with tanned skin and curly hair. At the time of meeting witness PK the victim was wearing long black pants and a green singlet.

The victim was found at around 6-7am swimming to save himself and was helped by PK. According to PK and M the victim had rubber bullet gunshot wounds on the palm of his hands and body. The victim was vigorously shot at and just left like that. The relatives of the victim in Nyeundi village say to date the victim has still not returned home.

Mysterious corpses: Victims of a Tsunami or State Violence?

News about the finding of several bodies stranded in the waters of Biak Island became a topic of interested discussion. Local residents themselves don't believe the bodies came from PNG; that they were victims of a tsunami in Aitape that occurred on 17 July 1998. Various mass media outlets spread the news about the findings of the mysterious bodies. Consecutively on 28-30 July 1998 the daily *Cenderawasih Pos* reported on the case.

The same news became headlines in the *Jakarta Post*. This international standard paper put out an article with the title, "Bodies found near Biak may be shooting victims."²³ Further the paper commented that the three bodies found in East Biak sea were suspected to be connected with the bloody incident of 6 July 1998.

²³ *Jakarta Post*, 20 July 1998.

In local media *Cepos* it was stated that, “PNG Tsunami victims in Biak found near East Biak perhaps victims of shooting”.²⁴

Various controversial statements emerged and circulated about the appearance of the mysterious bodies. According to the suspicions of the local community, some of the bodies that were found show that they were victims of military violence. This was proven, people said, by the markings and physical changes on the victims’ bodies, and the suspicion was further strengthened by information provided by several witnesses (See Boxes 22-25).

When news about the mysterious bodies was published widely the local government Level 2 Biak Numfor and the military apparatus immediately anticipated the news by putting out a statement that a number of the bodies found in Biak waters and nearby were victims of the tsunami that engulfed the district of Aitape, PNG. There were also other cases used by the authorities and military to strengthen their line, such as the case where six bodies were found near Manokwari waters, indicated by team SAR to have come from the boat *Kiana Bhakti* that sank in waters near the island of Mios Auri, Manokwari. According to Chief Commander V Jayapura, Military Admiral William Franklin Kayhatu, it was indicated that among the bodies there was a child, which shows that the victims came from the *Kiana Bhakti* or were victims of the PNG tsunami and not victims of the dispersal of the masses in Biak (*Cepos*, 29/7/1998).

Besides that, the local community was intimidated by military intelligence and police, following the narrative of a witness telling of their experience of the case set out below (see Box 21).

The authorities also mentioned several pieces of evidence, such as wreckage of building material and several household appliances as well as accessories from PNG drifting in with several of the bodies that were found (see Box 26).

The military force and local government showed their arrogance by having a repressive approach, as in the case of the burial of the deceased Ruben Orboy (*Cepos*, 30/7/1998), whose corpse was buried in a mysterious place and finally found later. His body had actually disappeared under the waves of Biak because he had been buried in sand.

Box 21

Intimidation--and Finding of a Body in Anggaduber

Before the mysterious bodies floating in Biak waters were found Head Military Sergeant David Rumansara and Police Sergeant Alberth Rumpaidus checked along the coast at East Biak beach. According to several witnesses these two members of security went to East Biak to check whether there were bodies floating. It was also noted by the Investigation Team that when they met with Rumpaidus in Tanjung Barari he said that he was searching for floating bodies at East Biak beach. Another witness said that after burying mysterious bodies in Opiaref village he was approached by several intelligence members of the unit *Kodim*, transported to Bosnik beach and threatened that if he was approached by other groups and asked about the mysterious bodies he was not allowed to say that they came from the dispersal of the mass demonstration at Biak, but that the bodies were victims of the Aitape Tsunami. And if the witness said that the body was a victim of the dispersal of the demonstration he would be killed. Several community members who found mysterious bodies bravely provided information concerning the characteristics of the bodies found, and it was requested their identity not be published as it would jeopardise their safety.

²⁴ *Cenderawasih Pos*, 1 August 1998

A serious question arose among several groups, particularly in the local community, whether it was true that the washed up bodies came from PNG--or the opposite, that the mysterious bodies were the victims of state violence from the bloody Friday incident.

Testimonies by fishermen and local people who found the mysterious bodies constitute 32 cases (see Box 10, testimony of YY).

Box 22

Body wearing “GOLKAR” T-shirt

A mysterious body found in Opiaref Biak Timur Village was wearing a T-shirt that had “*Golongan Karya*” [GOLKAR] written on it. This was found by the local residents that came to see and bury the body.

A witness intimidated by security forces from the unit ABRI AD, First Sergeant David Rumansara, plus several others, was picked up and transported to Bosnik beach. The ABRI personnel told him that he must not say anything about the characteristics of the mysterious body, and must say that it was the body of a victim of the Aitape tsunami, not of Bloody Friday in Biak. If the witness spoke about the body’s real characteristics then he would be killed.

Box 23

Male body Found Brutally Killed With No Genitals

A mysterious body was found floating by a fisherman with the initials (AM) from Yobdi Biak Utara village, who rescued and carried the body to land and then observed the physical characteristics of the body, including that it was a male about 28 years old with a small hole in the chest and a large hole in the back, as if from a gunshot. The stomach was still intact, but there was no chin and only the skull was left of the head as well as five teeth and fresh blood on the gums. Even more surprising for the locals that witnessed this was that underneath his short jeans the penis was missing, apparently cut off.

Box 24

Body Wearing Shirt with Logo “OSIS SMP”

Three witnesses (YI, AI and AW—a teacher at SD YPK Muurwar) recounted that they found a male body estimated to be nine years old, with the following characteristics: right hand of the corpse cut off; left and right foot cut off from the ankles; head cut off, and shirt bearing the logo “OSIS SMP”.¹²

Most of the mysterious bodies drifting along the coast off Biak beach were found with a wound in the chest that penetrated to the back.

As for the female mysterious bodies, their gender was difficult to determine because their heads were bald; there were no breasts, and the genitals were completely destroyed.

Regarding all the mysterious bodies, the security forces ordered that they be immediately buried and not taken to hospital for autopsy.

¹² Intra-School Students Organization (abbreviated OSIS) is an organization at high school level in Indonesia: *Wikipedia-ed*

On the 32 “Mysterious Body” cases in Biak described here and based on witness information that focussed on a few salient cases, the community and witnesses’ suspicions are increasing strongly about the cause of death of these bodies since there is indication they were victims of state violence on the bloody Friday, 6 July 1998. For example, four of the first bodies found were seen by witness SS (Box 22) on 10 July 1998, four days after the attack on demonstrators but a week after the Tsunami in Aitape.

Box 25

Mysterious Body

Found together with the bodies found in Kampung Kakur, Ainimi village, other items may have come from PNG, including: (1) An Australian flag with a map of PNG inside it with the words “Australia Come to New Guinea” on it; (2) a colourful necklace (red, yellow, black, blue, white) with metal money pieces of one Kina in a bottle with writing on it, “Papua New Guinea 1975”, and a picture of two crocodiles; (3) an ornamental boat, a wooden spoon (*pemutar papeda*), a cross from a grave that read “Reg. No. 1386 Peter Nomo Birth 05 August 1957, Dead 19 Nov 1997, and a hair tie coloured red-white-blue. Also a plastic plate with a picture of two Nuri birds as well as writing: “HAWAII”. Also found were two gas lamps (Petroman brand), etc

Box 26

Eye witness, PM, 45 years

At 5.30am the family of eye witness PM was escorted from their house and ordered by Indonesian military troops to enter a container truck that was waiting. However, at that point witness PM said, “We are not animals and not dead people that you (Indonesian military) want to put in a vehicle with people that have already died.” PM’s objection was heard and eventually the family did not get in the vehicle, but were escorted with other families to the port. PM said that actually before the attack by the Indonesian military they apparently had already decided to shoot and abduct people. With that, when the troops were deployed to attack, several trucks and container trucks were already ready behind the troops to carry away the victims of the shooting.

According to the witness, after the victims were herded to the dock at 6.00am First Lieutenant Hermanus Yeninar said, “If I want to, I will tell the troops to shoot you all dead”. Meanwhile at the port the military hurled more words: “You that want independence--you already have your own factory, you have gold, you have a flag, so you’re stupid now wanting independence. You have equal schooling, now want independence.” The witness and other women returned home at 10am.

That military operation made the situation in Biak city tense. Public transport didn’t operate. Irian people didn’t leave the house because they were afraid. Economic activities came to a standstill. All shops and stalls closed--also the traditional market, *Inpres* Biak market and the old market. Thus public transport (taxis) didn’t operate.