

The Expansion of Natural Resource Sectors Under Papua's Special Autonomy: Disproportionate Impact on Indigenous Women



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As the twenty-year period of Special Autonomy for Papua (Law no 21/2001) draws to a close, tensions on a way forward are increasing. While many Papuans view Special Autonomy as a failure that must be replaced by concrete steps toward political self-determination and independence, a more moderate view is the law's expiry provides an opportunity to re-negotiate autonomy and make real promises for a better future for Papuans. Most likely, the national government will compromise by extending the current law without seriously re-evaluating or improving its implementation. But now Papuan women, left out of initial negotiations, are speaking out on the law's negative impact, and are calling for an assessment of patterns of racism, sexism, and gender-based violence that significantly increased under Special Autonomy. Indigenous women are particularly demanding a voice to chart a way forward to address the broken promises of the past.

SPECIAL AUTONOMY'S BROKEN PROMISES

This brief is not intended as a comprehensive review of Special Autonomy, but rather as an overview of its specific failures that most directly affect indigenous women:

- **Plantation expansion:** Papuan forests are the new frontier for the expansion of plantation commodities, mostly produced for export. Roughly one million hectares of forest have been converted to commercial plantations, with many thousands more in the planning stages. In particular, the Merauke Integrated Food and Energy Estate or MIFEE has targeted 2.5 million hectares of forest for plantations, mainly for oil palm and pulpwood. As recently as September 2020, President Widodo announced his vision for an additional 4.6 million hectares of rice in Papua, as part of an expanded "Food Estate" program.
- **Loss of traditional land and food security:** Vast areas of plantation have been established by clearing forests under indigenous claim, often without the consent of, or fair compensation to, indigenous landowners, or is not in compliance with agreements made with communities to provide benefits, thereby violating Indonesian regulations. Meanwhile, locals bear the incalculable loss of their land and forests, essential to maintain their identities and traditional livelihoods.
- **In-migration and demographic shifts:** Plantation expansion has brought a surge of in-migration, both spontaneous and organized, as Indonesians from other islands provide labor for both hybrid industrial and small-holder schemes. Rising migrant populations have generated religious tensions and frequent racism, with an increase in inter-ethnic conflict. Papuans feel excluded from employment and educational opportunities that come with increasing development funds intended to improve their welfare have increased.
- **Inter-clan conflict:** Since the enactment of Special Autonomy, Papua has been divided into two provinces, 32 regencies, and hundreds of new districts, which has driven competition for political power and authority over revenues from natural resources. Competition related to these new jurisdictions (known as *pemekeran*), that often align with different Papuan clans disagreements over traditional territorial boundaries, and the sale of community-claimed land to plantations, have increased inter-clan conflict.

- **Corruption:** While Special Autonomy has not delivered on its promises for greater political freedoms, it has produced a massive influx in revenue from natural resources and “special autonomy funds” (*dana khusus*). Regency governments were unprepared to effectively allocate this funding, with no institutional support for budget management or procurement processes, and no transparency or effective anti-corruption measures in place. As a result, a large proportion of these funds were poorly spent or lost to corruption. However, the funds do serve as an effective means for Jakarta to co-opt members of the Papua (male) political elite.
- **Increasing militarization:** Far from reducing conflict, the military has continued its heavy presence under autonomy, in part to protect the expanding natural resource extractions as “national assets”. Many MIFEE concessions are located close to the border with Papua New Guinea, creating additional military concerns. In addition, individual military officers personally benefit from resource enterprises. Communities have documented the involvement of military and police as security for MIFEE plantations that intimidate communities, punish resistance to land grabs, and co-opt local leadership in the land acquisition process.

DISPROPORTIONATE BURDEN FROM SPECIAL AUTONOMY ON VULNERABLE INDIGENOUS WOMEN

Prior to autonomy, indigenous women were already vulnerable due to their weak position in traditional (*adat*) society. Women are often blocked from participating in *adat* institutions, have weak or no rights to land, are forced into underage marriage, are prevented from educational opportunities, and suffer economic marginalization with no access to skilled employment or the cash economy. Special Autonomy has increased their vulnerability due not only to the loss of traditional lands to the expanding plantation sector, but also to other changes that put them at risk. Based on in-depth discussions with 100 indigenous Papuan women, we found that the factors increasing vulnerability include:

- **Lack of land rights, participation, compensation:** Indigenous Papuan women reported that companies replicate the discrimination of *adat* institutions by excluding women from negotiations, denying them due compensation and benefit-sharing, by paying (if at all) clan leaders or male relatives instead. Jobs and other benefits like scholarships or education opportunities are monopolized by male clan members. Often companies isolate clan leaders from their communities in order to make non-transparent deals.
- **Forest dependence:** At the same time, indigenous women are most dependent on forests for their livelihoods, so they feel the loss most acutely. It is women who provide food for their families and suffer when they lose access to land for farming, or to forests for collecting staples like sago and other traditional foods. Five out of 100 women respondents relied exclusively on their gardens for subsistence while a further 85 relied on forest gardens supplemented with employment, assistance from family members or a combination of the two.
- **Increased household labor:** Women suffer from increased household labor demands when male family members take wage-labor jobs on plantations. The loss of land and forest also means women must travel farther to farm and collect forest products and drinking water.
- **Male access to cash:** Meanwhile, men have monopolized access to the influx of cash from wage labor, development projects, and land sales. Women report that men’s increased

access to cash, coupled with women's loss of traditional livelihoods, has soured family relationships, led to alcohol abuse, and increased domestic violence.

- **Violence Against Women:** Women are at increased risk of gender-based violence from the migrant community, from the military, and from private security forces. Of the 100 women who participated in this research, 49 have experienced violence. This includes domestic violence (23 participants) as well as violence between community members outside the home (7), and violence perpetrated by state actors or security personnel from the companies (19).

In summary, Special Autonomy was intended to calm separatist sentiment by reducing conflict, and by increasing political freedoms, justice, and prosperity for indigenous Papuans. However, rural indigenous women have in fact suffered increased violence, food insecurity, and ruptured traditional identities from the loss of traditional land under the policies of Special Autonomy.

RECOMMENDATIONS

1. **The government's assessment of Special Autonomy should be based on a transparent dialog with the indigenous Papuan communities, including a proactive role for women.**
This process should include:
 - Reforming the natural resources sector in order to protect traditional forests, based on sustainability and a community-led development paradigm.
 - Reviewing Special Autonomy funding, ensuring future distribution is transparent, and effectively targets the welfare of indigenous Papuan communities, in particular vulnerable groups like women.
 - Drafting a new law requiring acts passed by Papuan Parliaments to automatically come into effect if the Department of Internal Affairs does not formally enact or veto them.
 - Developing mechanisms prioritizing indigenous Papuans, especially women, for education, scholarship, and job opportunities.
 - Establishing a Truth and Reconciliation Commission and a Human Rights Court for Papua, as agreed in the 2011 Special Autonomy Law.
2. **The National Parliament** should immediately pass legislation enacting the 2012 Constitutional Court decision (TAP MK 35/PUU-X/2012), which provides for the registration of customary territories and their removal from the national Forest Estate. This should be a practical process taking into account time and resources required by applicants.
3. **The Ministry of Environment and Forestry and the Ministry of Agriculture** should comply with the formally adopted national priorities to register and remove traditional land from the Forest Estate, including active concession areas. These efforts must include:
 - Allocation of adequate staff and resources to undertake participatory mapping and registration of traditional lands. Registration and enclave processes should be significantly streamlined.
 - A transparent concession review, and the revocation of permits found to have violated existing regulations requiring the consent, and the full and fair compensation of true owners, the sharing of benefits, and any other aspects of the negotiated community development agreements.
4. **The National Human Rights Commission (Komnas HAM)** should involve local government and indigenous communities in establishing **an inquiry into the role and impact of security forces in natural resource sectors in Papua.**

5. **The National Commission on Violence Against Women (Komnas Perempuan), working with the Indigenous People's Council's (MRP) Women's Working Group, and women-led Papuan civil society,** should ensure that advocacy efforts address the plight of indigenous women, including regular reporting on the status of Papuan women in traditional institutions, their right to land, and their involvement decision-making on land use. Komnas Perempuan should facilitate the participation of indigenous women in any and all re-negotiations of Papua's Special Autonomy.