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**Strategies and Policies in Enforcement of Security, Human Rights and
Development in Papua**

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Abstract

Papua always an interesting discussion along with the rampant acts of violence against civilians carried out by the Independent Papua Organization (OPM), which were later labeled with various terms such as the Armed Separatist Group (KSB), Armed Criminal Group (KKB), Armed Separatist Criminal Group (KKSB). KKB carried out acts of violence in killing civilians, government officials vandalizing and burning public facilities. Because of the ways that are similar to acts of terrorism, this group is finally called the Armed Terrorism Group (KTB). The Indonesian National Army (TNI) and Indonesian Republic Police (POLRI) security forces have taken repressive actions with armed contact as an effort to uphold law and sovereignty, especially in responding to the actions of armed separatist groups. Although some believe that the crackdown by the officers will lead to human rights violations. In this paper, the author will try to analyze the security enforcement of KTB and also look at the development side of Papua. This study uses qualitative methods with comprehensive analysis through accountable data. Research suggests that the State must provide a sense of security to Papuans who are often terrorized, protect the rights of Papuans who are often taken away by the KTB group. So, it can be said that the repressive actions of the TNI-Polri security forces against KTB were not human rights violations.

Keywords: Security, Human Rights, Armed Terrorist Groups, Papua Development.

INTRODUCTION

The Papua region consists of two provinces, namely the province of Papua and West Papua. These two areas have never been separated from the controversy that has been going on since the founding of Indonesia. The controversy concerns the future direction

of Papua. Controversy about Papua's identity also occurs at the international and national levels. During the Jokowi presidency, in the international arena, the status of the province of Papua as part of the sovereign territory of the Unitary State of the Republic of Indonesia (NKRI) was once raised and disputed in

a session at the United Nations (UN). Although, the issue was not very significant. This means that international support that Papua is part of the Republic of Indonesia is very large (Mukhtadi, 2021). However, several Papuan figures who fled abroad did not stop raising their aspirations for separatism and attacking the Indonesian government.

At the national level, the controversy about Papua emerged during the Jokowi presidency, especially when there were high national political dynamics. For example, when there was a direct presidential election in 2019. The current evaluation of the status of special autonomy in the two provinces. At the national level, controversies arise in various fields such as politics, economics, law, human rights, and security (Sabir, 2018). In the political and economic, the two provinces that have received special autonomy status since 2001 are considered to have not succeeded in lifting the backwardness of the people in the two provinces. The province is located in the easternmost part of Indonesia, that blessed with abundant natural resources, but its local people are still underdeveloped. The Human Development Index (HDI) in the two provinces is the lowest in Indonesia,

namely 60.84 for Papua Province and 64.70 for West Papua Province. Meanwhile, the HDI of DKI Jakarta Province is the highest in Indonesia, which is 80.76. However, the HDI growth in Papua was quite high in 2018 and 2019 at 1.51. This growth is considered the fastest when compared to other regions, for example, DKI only grew by 0.36. HDI is used as an indicator to see development progress in the medium and long term (Papua.bps.go.id, 2020). The human development index can be seen from the fulfillment of community needs, education, and health quality.

Security enforcement in these two provinces has never been devoid of security issues in various forms, such as demonstrations and violence caused by many things. Meanwhile, the issue of violence has been going on for a long time until now. In the past, many acts of violence were carried out by the security forces of the TNI and Polri to uphold law and sovereignty, especially in response to the actions of the armed separatist group, the Independent Papua Organization (OPM) was later labeled with various terms such as the Armed Separatist Group (KSB), Armed Criminal Group (KKB), Armed

Separatist Criminal Group (KKS) (S. Edon and N. Hidayat, 2021). Recently, acts of violence in the form of killing civilians and government officials, destroying and burning public facilities, were carried out by KKB. Because of the events that resembled acts of terrorism. This group diverted to the Armed Terrorism Group (KTB). These various designations also caused controversy in the community.

The term terrorist against KKB is generally understood to refer to acts of violence targeting civilians in pursuit of political or ideological goals. This act of terror was used by a handful of groups to achieve the political goals of an independent Papua. The criminal acts carried out by the KKB were also intended to provoke a state of terror in the Papuan community in general or a certain group of people for political purposes. Such acts cannot under no circumstances be justified, political, philosophical, ideological, racial, ethnic, religious, or other character considerations may be used to justify them. (Office of the United Nations High Commissioner for Human Rights, 2008). In this context, the government is certainly obligated to protect civil

society from acts of violence against the KKB, even if in a repressive manner.

Several parties clashed with the security enforcement by the TNI-Polri apparatus against KTB with allegations of human rights violations. So, if it is called a human rights violation, the direction is usually directed at government officials, especially the TNI and Polri. Recent violence has also been carried out by civilians in this case, KTB, and even government officials have become the victims. In essence, in Papua, there are still issues of law enforcement, human rights, and security that need serious attention.

RESEARCH METHODS

This study uses a qualitative approach with reliable data sources including international and national journals, proceedings, and information from websites. This qualitative research method emphasizes the analysis of problems regarding development and law enforcement, human rights, and security in Papua based on accurate data. Through this qualitative approach, researchers are expected to be able to comprehensively explain the problems that exist in Papua (Jamaluddin, 2015).

RESULTS AND ANALYSIS

Armed Criminal Groups, Terrorism and Human Rights

The KKB act of violence which has been categorized as an act of Terrorism aims to seriously damage human rights, democracy, and the rule of law. This certainly undermines legal values, peace and other international instruments, respect for human rights, the rule of law, rules governing armed conflict and the protection of civilians, tolerance between nations and countries, and peaceful conflict resolution (Djafar, 2016). Acts of terrorism have a direct impact on several human rights, in particular the rights to life, liberty, and physical integrity. The actions of this KKB group have fulfilled the elements of terrorism by Law No. 5 of 2018 concerning Criminal Acts of Terrorism, because the KKB's actions were very heinous, which not only targeted the TNI-Polri apparatus but also targeted civilian groups who had no contextual context and were not in conflict with KKB. This group was not only killed with one shot but dissected, and dismembered. The acts of violence carried out by the KKB can destabilize the government and weaken civil society (Sianturi et al., 2020). Such actions can damage peace and security and hinder

social and economic development, this of course has a direct impact on human rights in Papua. Terrorist labeling in KKB generally refers to the concept of a terror process, defined and illustrated as consisting of three elements: violence, fear, and reactive behavior from the KKB movement. Papuans may be deeply affected by mass violence, acts of terror, or trauma resulting from shootings, bombings, or other types of attacks.

Human rights law stipulates that the state should protect individuals or groups under the umbrella of law from attacks or acts of violence perpetrated by the KKB. This stems from the general obligation of the state to protect every citizen under the constitution. More specifically, this obligation is recognized as part of the State's obligation to guarantee respect for the right to life and the right to security for citizens, in this context Papuans should obtain security rights from the State through the TNI-Polri apparatus (Mardiani et. all, 2021).

The protection of the right to security and the right to life includes the obligation of the state to take all appropriate and necessary steps to protect the lives of those within the jurisdiction of the state. As part of this obligation, states must implement an

effective criminal justice and law enforcement system, such as measures to prevent violations and investigate violations that occur; ensure that those suspected of committing criminal acts are brought to justice, provide victims with effective remedies and take preventive measures so that violent incidents do not recur (Sianturi et al., 2020). In addition, international and regional human rights law has recognized that, in certain circumstances, the State has a positive obligation to take preventive operational steps to protect Papuan communities whose lives are known or suspected to be at risk of acts of violence that could cause death or serious damage. as a result of the KKB attack.

The actions to eradicate terror carried out by the KKB carried out by the government are correct. Some of the proposed measures, provided they are enforced proportionately, may prove helpful in reducing acts of violence against civilians. Individuals and groups must not advance their political goals by using terror, challenging legal values, and endangering the rights and freedoms of the Papuan people, especially if these acts of violence target people indiscriminately. This criminal act of

KKB cannot be justified and must be eradicated.

Security Enforcement in Papua

Papua has been hit by a lot of violence due to the "divide et impera" politics left by the Dutch to become a "time bomb" until now in 2021 (58 years). The violent approach of the Dutch colonial heritage that was left behind "imparted" the Indonesian security forces and eventually became a culture of violence against its people, the Indonesian people, especially the Papuans. If we observe terms of security and human rights in Papua, there will always be turmoil with the existence of the KKB movement which often attacks and injures residents. Recently, within a week in April 2021, three Papuan civilians were killed at the end of the KKB weapon. Thursday morning, April 8, 2021, KKB shot a civilian, Oktovianus Rayo, in Julukoma Village, Beoga District, Puncak Regency, Papua. The brutality of the KKB not only killed Oktovianus Rayo, but also a teacher at SMPN 1 Julukoma, Beoga District, Puncak Regency, named Yonatan Randen who was also killed. After killing two teachers, another civilian who died at the end of a KKB rifle was an ojek driver, with two bullets lodged in

his body. The list of victims who died as a result of the series of murders carried out by the KKB in Papua grows longer when combined with the number of victims from the TNI/Polri. Sunday, April 25, 2021, the Head of the Papuan State Intelligence Agency (Kabinda) Major General TNI Posthumously I Gusti Putu Danny Karya Nugraha passed away. Then on Tuesday 27 April 2021, Brimob member Bharada Komang was shot dead by KKB, while two other Brimob members were injured (mpr.go.id, 2021).

The government must immediately action on the human rights violations committed by the KKB against the civilian population and security forces in Papua. The government is obliged to protect, respect, and fulfill human rights as stipulated in the human rights law in articles 71 and 72. This responsibility cannot be reduced for any reason, whether for political, economic, or cultural reasons. If there is a violation of human rights, the state must action to stop it, stopping is one of the efforts in the field of law enforcement. The law can be applied through the judiciary in Indonesia (Merina, 2020). The existence of a human rights court is a legal answer that Indonesia is willing and able to

enforce the law and prosecute perpetrators of human rights violations committed by the KKB in Papua. As for law enforcement efforts in human rights courts, through mechanisms, first the arrest process, this is the responsibility of the TNI-Polri in making arrests of members and/or those involved with the KKB. Second, is the detention process. Third, is the research process. Fourth, is the investigation process, and finally, the prosecution, which is then followed by the sentencing of members and/or those involved with the KKB (Kaisupy, 2021).

The inhumane acts carried out by the KKB in Papua must not continue. This is for the sake of upholding the right to security and social justice for Papuans, the state must be present and use the necessary force to eliminate all potential threats to Papuans. The existence of the KKB in Papua with all its brutal actions so far has certainly created endless fear for civilians. So, it is not wrong if Papuans express their jealousy toward fellow countrymen in other regions who enjoy normal lives without fear of attacks or acts of violence (Mardiani et. al, 2021). If the dynamics of life in other regions or cities can be normal and conducive because they receive maximum protection from the state, then

of course the Papuan people are also entitled to full protection from the state.

The presence of the state provides maximum protection for Papuans by not violating human rights. When the integrity of basic human rights principles is withdrawn and put into the problem in Papua, which has recently been rife with killings and terror against local civilians. It is clear that there has been a violation of human rights, the perpetrator is the KKB and the victims are Papuan civilians. If then the state takes the initiative to take firm action against human rights violators in Papua, then firm action by the state does not mean ignoring human rights but is aimed at protecting and maintaining the safety of the people. Therefore, the decisive action of the TNI/Polri security forces has been deemed appropriate.

Development in Papua as a Reducer for Conflict

In the second period of President Jokowi's administration, especially in 2021, various issues regarding Papua in the political, economic, social, legal, and human rights fields regarding Papua seem to have resurfaced. The emergence of controversies about these various issues accompanies the discussion on the continuation of Special Autonomy

which ends in 2021. Currently, the Regional Government, the Central Government, and the DPR are conducting serious discussions related to the evaluation of special autonomy as contained in Law No. 21 of 2001 concerning Special Autonomy for Papua Province (Sabir, 2018). This law has given wider authority to the Papuan people through its figures such as the Papuan People's Council (MRP), the Papuan People's Representative Council (DPRP), executive leaders such as the governor, and other district leaders.

The history of Papua (formerly Irian Jaya) is a history of controversy. Special Autonomy (Otsus) is a political contract, consensus, or compromise between senior Papuan figures and the political authorities of the Central Government. Special Autonomy as a solution to political tensions since 1962. The New Approach of the Reform Order government began with Megawati. Papua is part of the Republic of Indonesia with a special status (special autonomy). Papua or any area within the Unitary State of the Republic of Indonesia that is part of the Unitary State of the Republic of Indonesia is the Unitary State of the Republic of Indonesia at a fixed price. Groups that

want to replace or separate from the Unitary State of the Republic of Indonesia will surely face resistance not only from the Police & TNI but also from the entire Indonesian nation (Mukhtadi, 2021). Papua's official vision (2018-2023) is very simple, namely, Papua Rise, Independent, and Prosperous with Justice (2018-2023). Meanwhile, the proposed vision for Papua is something like this: Creating the Papuan people as part of a just, prosperous, and prosperous Indonesian society based on Pancasila and the 1945 Constitution, upholding human rights, religious values, democracy, law, and with preserving cultural values (customary law that lives in customary law communities) (Based on the Preamble Chapter of Law 21 the year 2001; Concerning Special Autonomy for the Papuan People). To realize this vision, several budget sources can be used, including Provincial Original Revenue (PAD), balancing funds consisting of taxes and natural resource revenue sharing funds (80% Forestry, 80% Fisheries, 80% General Mining, 70% petroleum mining, etc.). Natural gas mining by 70%, provincial revenues in the context of Special Autonomy, regional loans, etc. The Special Autonomy regional government

consists of the DPRP (political authority), MRP (cultural authority), and the Governor and his apparatus (administrative authority) (Recure, 2021).

The main problem in Papua is the issue of local government governance that is not right, governance issues. Improving governance will accelerate development in Papua. Besides that, development in Papua certainly has its challenges, starting from the challenge of severe geographical conditions. Resulting in high development costs, disparities in the prices of basic and other strategic needs (especially in the mountainous region of Papua), and high threats and security disturbances by the Armed Criminal Group (Sabir, 2018). This is certainly one of the inhibiting factors for development in Papua, even though the central government has channeled large funds for Papua's development through the Special Autonomy policy.

Papua's special autonomy as a political consensus was born as a conflict resolution in Papua. The acceleration of welfare development in Papua. Second, the management and utilization of the natural resources of the Papua Province have not been used optimally to improve

the standard of living of the indigenous people, so that it has resulted in a gap between the Papua Province and other regions, and is a neglect of the basic rights of the indigenous Papuans. Third, to reduce the gap between Papua Province and other provinces, improve the standard of living of the people in Papua Province, as well as provide opportunities for indigenous Papuans, it is necessary to have a special policy within the framework of the Unitary State of the Republic of Indonesia (Recure, 2021).

The central government has divided the main lines of special autonomy, including the division of authority between the central government and the Papua Province. Division of Authority in Papua Province. Papua is given broad authority in a special system of government, except for foreign relations, defense, and security, judicial power, monetary and fiscal systems. This is done to create stability in the government in Papua and improve the welfare of the Papuan people so that conflicts can be minimized.

The provincial government as well as the central government must continue to protect the rights of the Papuan people. Protection of indigenous peoples'

customary rights. Protection of the right to life of Papuans in the Land of Papua, namely a quality of life that is free from fear and fulfilled all their physical and spiritual needs in a good and proportional manner. Protection of the rights of the Papuan people to land and water within certain limits with the natural resources contained therein. The four main objectives of Papua's development through special autonomy are a). Improving the standard of living of the Papuan people or Papuan Indigenous people b). Respect for the basic rights of indigenous Papuans d. Implementation of good governance. If this is done properly, the conflict and the KKB movement whose political goal is to be independent will disappear by themselves.

CONCLUSION

The state is obliged to uphold security from threats of violence by the KKB against civilian groups. The KKB often launches terror attacks that result in casualties of both civilians and the TNI-Polri security forces. Therefore, the government must carry out the constitutional mandate in implementing Community Security and Order (Kamtibmas) which states; first, when the TNI-Polri security forces deal with

the KKB, the security forces are expected to prioritize a persuasive approach by the SOP or PROTAP, to avoid casualties. Second, humanely, the TNI-Polri officers do not want casualties in law enforcement and Kamtibmas, but when there is anarchic resistance by the KKB, the officers are forced to take law enforcement steps, which have the potential to result in fatalities. Third, the apparatus must take steps to enforce the law because there may be orders from the institution to take firm steps in the event of armed conflict in the field with the KKB. Fourth, the institution ordered the apparatus to take firm steps because there was a state policy. In this case, it protects Papuans from the threat of violence that results in casualties due to the brutality of the KKB. Fifth, the state must take firm policies because there are constitutional orders to state officials to maintain state sovereignty. Such decisive steps can be in the form of arrests or even crackdowns if they resist and contact with the security forces.

In addition to firm action by security forces, the government also needs to use a welfare approach in reducing conflict in Papua. The acceleration of development and the welfare of Papua must be supported by a

special autonomy program that is right on target. This state policy for Papua should focus on developing human resources, Papua scholarships, school and university buildings, as well as infrastructure development, in the form of roads, bridges, dams and irrigation. So that the human resources and HDI of the Papuan people are getting better, their standard of living and welfare will increase so that conflicts and violence will decrease or disappear by themselves.

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