

## Government and Conflict Handling of Free Papua Organizations in Human Rights Approach

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**Abstract.** Since 1963 there has been a conflict between Papua and Indonesia called the OPM conflict, at first Papua wanted to secede with Indonesia, in the conflict between Papua and Indonesia originating from the New York Agreement became a controversy, Indonesia until now is busy handling conflicts in Papua, handling the Papua conflict that never ends peacefully, so there are casualties not only from civilians, even from the TNI-POLRI, the purpose of this study is to prioritize the handling of OPM conflicts with a humanist approach to handling the case of independent Papua, the Research Method is a Normative Juridical Research Method, that this research conducts research by means of a research approach through laws and regulations and Legal Theory relevant to this study, the formulation of the problem used is how the role of the government in handling OPM conflicts in Papua in human rights perspective, as well as obstacles in handling OPM conflict?, in the findings of this study, that seeing from the reality that the existence of OPM can dilute the love of the homeland for Indonesia, even the casualties due to the OPM conflict with Indonesia, in conclusion the government and humanist human rights approach in handling the case of the Free Papua Organization.

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**Keywords:** *Government; Conflict Handling; Free Papua Organization; Human Rights; Indonesian*

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### INTRODUCTION

Indonesia is an archipelagic country that starts from Sabang to the end of Merauke Indonesia, so Indonesia has the end of the archipelago, namely: Papua, Papua has very abundant natural wealth, Papua's abundant wealth makes Indonesia a more developed country, but political turmoil in the pre-historic era and historical era, starting from Papua is the land of Papua divided into administrative, namely: Papua and West Papua Provinces. The history of Papua and Indonesia has a long and full of winding obstacles.

Starting from pre-history and concrete evidence of prehistoric relics, in this case artifacts / or historical objects show that Papua has been since the beginning of the eighth century (8th century) under the rule of the Srivijaya kingdom. At that time Papua was known as Janggi. Janggi is a bird originating from Papua which was brought from the land of Papua which was a gift from the ambassador of King Sri Indrawarman from Srivijaya to be given to the Emperor of China, the collapse of Srivijaya in the 12th century was caused by the transfer of control of Papua receding and

moving power to Majapahit, the maritime kingdom that replaced Srivijaya in the archipelago. Majapahit power which has broad power to Papua, Majapahit power at that time was under the rule of Hayam Wuruk with the famous Maha King, namely: Gajah Mada. Majapahit rule over Papua was recorded in Kakawin Nagarakretagama pupuh XIV Mpu Prapanca, around 1478 until Majapahit collapsed. Furthermore, the Dutch political strategy is very famous and has experience in the archipelago since the landing of Cornelis de Houtman on the island of Java, precisely Banten in 1596, as well as just controlling the Land of Papua when the Treaty of London was signed in 1824. Therefore, Fort du Bus was built in Lobo Village, Triton Bay, Kaimana in 1828. The establishment of the fort was taken from the name of the Governor-General of the Dutch East Indies, namely: L.P.J. du Bus de Gisignies, aimed at self-protection from British interference, mortal enemies / or the main rivals of the Dutch in the archipelago. The effective government of the Indies after the establishment of a government post in Manokwari in 1898. In the historical era, namely the 20th century, early when Japan bowed its knees in 1945 against the Allies in World War two, Papua had History and entered a new volume. History is that during the 1945 BPUPKI Session the discussion of Papua's political status became an interesting discussion, at that time President Soekarno formed Trikora or Tri Komando Rakyat to face

the return of the Dutch colonialism (decolonization) system, and Indonesia and the Netherlands failed to determine Indonesian sovereignty in this case Papua, at that time the Netherlands signed the New York Agreement in 1962, (Sejarah OPM, 2023), at the same time sparked a heated debate. The participants of the session who were generally intellectuals and warrior figures, such as Soekarno, Mohammad Yamin and Kahar Muzakar argued that although ethnographically the two peoples of Indonesia and Papua are different, but because Papua is a former Dutch colony, Papua itself became part of Indonesia, and entered the territory of the Republic of Indonesia, discussions about the issue of Papua increasingly surfaced after Indonesia became independent on August 17, 1945. Pro-contra disagreements continued until the transfer of sovereignty over the Dutch East Indies after the Round Table Conference (KMB) in The Hague in 1949 because the Dutch still did not want to give up Papua. The conflict between Indonesia and the Netherlands subsided relatively much after the signing of the New York Agreement in 1962. The transfer of sovereignty was not directly from the Netherlands to Indonesia, but through an intermediary, namely the United Nations, in this case the United Nations Temporary Executive Authority (UNTEA). Furthermore, UNTEA

Having a mission and purpose to Indonesia, the handover of Papua from

UNTEA to Indonesia was carried out in 1963 right in Kota Baru whose original name was Numbay. The development of the New Town era, whose original name was Numbay, changed its name to Hollandia (former Dutch colony), then changed its name to Soekarnopura, finally to the name Jayapura in 1968. The first time Sang Merah Putih officially fluttered in the Land of Papua. Then in 1963, in front of thousands of people in the same place (Jayapura) Soekarno gave a speech. The content of his speech, namely: "the status of Papua is actually no longer needed. As a former territory of the Dutch East Indies Papua itself became an integral part of Indonesia, without any frills, including ethnicity and culture", conveyed at the proclamation of independence on August 17, 1945, (Untung Suropati, 2019).

The existence of OPM in Papua became a sign during the discussion of the New York Agreement in 1962, then when the process did not involve indigenous Papuans, and the political situation at that time Papuan nationalists were not given a place, just as in 1969 the political situation of the Act of Free Choice, then representatives of the DMP (Dewan Musyawarah Pepera) were considered unfair (unfair), so that Indigenous Papuans considered that they were not involved in decision-making at the time of integration of their homeland, Or it can be interpreted that they were disappointed at that time. There is political violence and human rights violations,

then there is an understanding in military construction, even the existence of jargon to maintain the integrity of the Republic of Indonesia by fighting the enemy, Indonesian nationalist figures have been deceived by the discourse of patriotism endlessly or continuously, even the Republic of Indonesia is a death price and the desire to depart from the state is given a doctrine that violates the constitution. The doctrine of the concept of the Republic of Indonesia dead price is still the official slogan of the government or hegemonic official text as the main guideline for nationalism which is considered a steady doctrine. The history of Operation Trikora which was held at the end of 1961 to mid-1962, as well as the continued signing of the 1962 New York Agreement, and the presence of the Indonesian Government under the Old Order for the first time and after, marked by a new volume of political dynamics of the Land of Papua, from learning the long history of the Indonesian state of Papuan development, the formation of OPM in Papua should be a failure of the Indonesian government in political ethics to deal with it its own citizens, it can be said that Indonesia cares less about its own nation, and has been stated in the Declaration of Human Rights, (Lu Sudirman, 2023),

Human Rights is a set of Rights that are in human life itself, so that it has been outlined by God Almighty, the introduction and understanding of Human Rights is classified as global with evidenced by the Declaration of

Human Rights or even known as Global Human Rights, used anywhere, even at that time in England and America recognized the existence of Bill of Rights and Magna Charta in 1215 and 1689, The Rights of Virginia, the Declaration of Independence on the Black Continent is known as the African Charter, (Nyoman Krisnanta Davendra, 2022), Then the Arabic language, Haqq or Haqqa, has the correct meaning, if interpreted broadly then human rights are a basic obligation to do something, (Prianter Jaya Hairi, 2012).

In this UN declaration is a declaration prepared by the international community for international interests, it needs to be understood that there are three generations of Human Rights, namely: a. Understanding Human Rights in the 1948 International Declaration of Human Rights The victory of citizens or the Kingdom, thus influenced by traditional western views, the declaration focused on civil and political rights, freedom of speech, the right to participate in government, then the right to profess religion, b. Second, the existence of human rights listed in the social and cultural economy (ekosobud) in 1966, was the effect of western ideological agreement. Focused on financial rights. Rooted in the third generation of human rights, all efforts to mutually coordinate individual rights, collective rights related to civil, political, economic and social rights, which are implemented in the right to a decent life, ( Busrizalti, 2021), when exemplified decent

life is listed in the Universal Declaration of Human Rights:

1. Articles 3-11, in the Human Rights Declaration contained: Individual rights, namely: equal rights, rights to life, freedom, security
2. Articles 3-11, in the Human Rights Declaration contained: Individual rights, namely: equal rights, rights to life, freedom, security
3. Articles 22-27, in the Declaration of Human Rights, are listed with economic and social rights related to rights in the fields of labor relations, education, social security and choosing freedom of employment freely

The existence of the Universal Declaration of Human Rights, is an instrument of international law, which is accepted by the global community (erga omnes). International Legal Instruments issued by the United Nations, namely: a. International Covenant on Economic, Social and Cultural Rights, b. Covenant on Civil and Political Rights (the International Convenan on Civil and Political Rights), then the development of international human rights in issuing legal instruments, namely: a. Convention on the Prevention and Punishment of the Crime Genocide, b. Convention on the Elimination of All Forms of Racial Discrimination, c. Convention on the Elimination of All Forms of Discrimination against Women, d. Convention against Torture

and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The United Nations has adopted related rights in the prevention of discrimination, (Dedy Nursamsi, 2015), namely: a. Year 1951 ILO Convention No. 100, b. Year 1958 Convention No.111, c. 1965 International Convention on the Elimination of Racial Discrimination, d. The 1960 UNESCO International Convention against Discrimination in Education, e. In 1962 the establishment of the protocol of the Commission and Conciliation responsible for resolving disputes between States Parties relating to the Convention against Torture in Education.

In the international human rights described above, world human rights in its declaration also discusses the discrimination of women, meaning that women are protected in terms of discrimination and slavery, which are related to slavery sexual exploitation, so that the declaration is a form of preventing discrimination against women, (Azka Farida Putri Hindrawan, 2023).

When understanding human rights and law are both instruments for law not as a tool for enforcement, but to function as a mediator of conflicts or resolve in relation to social justice, social justice in this case considering Ir. Soekarno's opinion, "social justice", (Maryam Salampessy, 2023), people are not allowed to live miserable, even on the contrary people's lives are happy and

prosperous" human rights and law involvement in Indonesia, It is also stated in the ideology of the Indonesian nation, namely Pancasila, that a happy and prosperous community life, even balanced with the morals of society is a characteristic of a civilized nation, a civilized nation that this country obeys applicable norms, and recognizes that mankind in dignity is a creature created by God Almighty, the creation of the unitary state of the Republic of Indonesia, (Lilis Eka Lestari, 2019).

The idea of human rights is contained in the concept of human rights, and is also discussed in Indonesia, TAP MPR Number XVII / MPR 1998, namely: a. CHAPTER I contains the Right to Life, b. CHAPTER II contains the right to have a family and continue offspring, c. CHAPTER III is stated for the right to develop themselves, d. CHAPTER IV contains the right to justice, e. CHAPTER V contains the right to independence, f. CHAPTER VI The rights contained in freedom of information, g. CHAPTER VIII The rights contained in the right to security, h. CHAPTER VIII The right to welfare. Legal Instruments in Indonesia are not only TAP MPR, but Law Number 39 of 1999, (Lukman Hakim, 2021), which also remembers in the preamble of the Basic Law, that independence is the right of all nations, so that Indonesia applies Human Rights at the preamble of the Basic Law the meaning is freedom / or freedom, even Indonesia from the

Preamble of the 1945 Constitution, has upheld and respected Human Rights, (Mukhamad Lutfhan Setiaji, 2017).

Understanding and discussing related to human rights and law violations, both are more focused concepts, meaning that both have the view that the norms that apply and are related to humanity and the same before the law, have the right to be protected from the side of humanitarian principles, (Harison Citrawan, 2020), humanitarian principles require that victims who live in conflict areas, such as West Papua, and other places of conflict, states have the right to protect and provide a sense of security and comfort, a sense of security and comfort is a form of respect in human rights, avoiding fear of torture, discrimination, fear of threats, (Farid Wajdi, 2021), if you understand in terms of human rights violations where victims must be protected, and victims avoid threats, this form of threat can be seen in criminal terms, namely related to terrorism, Terrorism in its understanding is: a. Acts of violence accompanied by threats of violence, b. An atmosphere of terror or threat of fear, c. Causing casualties accompanied by damage, (Tolib Effendi, 2021), there needs to be a legal role and the government provides a sense of security and comfort from acts of terrorism from KKB or OPM.

Article 7 Declaration Human Rights, states "All persons are equal before the law and are entitled to equal protection of the law without discrimination. All are entitled to

equal protection against any form of discrimination contrary to this Declaration, and to any incitement leading to this kind of discrimination", even today the OPM continues to run rampant, until the shooting directed at TNI officers in Papua, due to a form of disillusionment with the Indonesian nation. The approach in the perspective of Human Rights, needs to be considered by the Government of Indonesia, so it is considered here that the Government of Indonesia is not only a humanist approach to the Papuan population, but there needs to be international cooperation with the main actors of the formation of OPM, or it can also be interpreted that the President as the Head of Government needs a role in the peace approach with OPM in Papua, Therefore, the formulation of problems that can be studied in this writing, as follows: 1. How is the Role of the Government in Handling OPM Conflicts in Papua in the perspective of Human Rights?, 2. How are the Obstacles to the Role of the Government in handling OPM conflicts in Papua in the perspective of Human Rights?

## RESEARCH METHODS

In writing this research using research:

- a. The Research Method used in this study is Normative Juridical.
- b. The normative juridical research method is a type of research that examines a legal problem based on legal research, this type of research also examines the role of the

government in handling OPM conflicts in Papua in a Human Rights Perspective, this research approach uses a legal research approach to applicable laws and regulations, as well as, a legal approach in terms of legal theories, collection of legal materials or data from laws and regulations, Law journals, as well as books, as well as data analysis techniques analyze the role of the government in handling the OPM conflict in Papua in a human rights perspective, using relevant legal theories and legislation, to help analyze in this study.

## **DISCUSSION**

### **The Government's Role in Handling OPM Conflicts in Papua from a Human Rights Perspective**

Indonesia has many tribes, these tribes are indigenous people who have lived for a long time in certain areas, even have a long history at the beginning of independence, especially Papua, Papua during its history in 1962, namely through the Papuan diaspora, where when several countries were incorporated into the international community network that provided stay for refugees who wanted to leave Irian in times of change and under the position of the United Nations Temporary Executive Administration (UNTEA). With the Act of Free Choice (PEPERA) in 1969, Free Papua Organization (OPM) activists abroad conducted political

talks to countries in Africa, the Caribbean, South America, Europe and socialist countries aimed at gaining recognition of the West Papuan Revolutionary Government proclaimed on July 1, 1971, so that diaspora groups who conducted political discussions in order to get international recognition, then the historic meeting, West Papuan leaders in Vanuatu paid attention to various political activities and even the independence movement united to form a new organization, namely the United Liberation Movement for West Papua / or ULMWP. Vanuatu is one of seven Pacific Island countries to date that have made accusations to Indonesia where the object of accusation is human rights violations in Papua and West Papua, (Ilham Gumelar, 2022). Vanuatu claimed that Indonesia delayed the execution of the time for conducting research on improving human rights in Papua, the issue of racial events and the freedom of human rights of Papua and West Papua to express opinions or expression in the UNHCR session, and was denied by the Indonesian side at that time, (Grace Hexa Christine Tampubolon, 2021). There is a West Papuan figure named Benny Wenda, who often carries out activities to decode West Papua from Indonesia, so that he tries to find international sympathy, even Benny Wenda is a Foreign Citizen, which does not get support from the OPM, Benny Wenda always tries to spread actions and slanderous campaigns related to genocide, racism and human rights,

so that black campaigns often occur, which caused riots in Papua, the Papuan conflict is not only discussed, even if you understand the Long History of Papua, it also occurs in the discussion of the Act of Free Choice, discussing the referendum followed by 1026 members of the Consultative Council of PEPERA representing around 816,904 Papuans, from 1026 members consisting of tribal chiefs, elements of regional communities and community organizations, (Nurhidayat, 2023). The Papua conflict is a very long conflict that occurs ridden by political interests from the international world, which exploits natural resources in Papua, the solution from the government is special autonomy, but instead of being a solution it becomes a hot conflict, not thinking about the psychological and social of the local community, (Bresca Merina, 2023). The development of an uncontrolled political situation in Papua, conflicts often occur even armed groups often commit OPM atrocities in PAPUA by injuring women with sharp weapons, (Muhammad Andi Septiadi, 2022), the killing of elementary school teachers in the Papua region, precisely in Omukia, even helicopter victims and even fighting weapons with Paskhas, with this conflict, there is a need for human rights protection, not only civilians but even health workers who carry out their duties for the healing of patients and even victims hit by gunfire from armed groups (OPM), (Mohammad Imam Mubarak, 2022), besides

that the legal status of OPM-KKB in the eyes of international law is one of the subjects of rebel / billigerance law, even before it became a billiegerance is insurrection, (Zahra Nabila Sukmana, 2023), until now OPM has not received recognition from the International Community as belliegerent, but it has greatly attracted the attention of countries in the world International, (Sefriani, 2003). In the Hague Convention, OPM-KKB is an armed group, which has fulfilled the requirements, namely: a. Have a symbol in the group, b. have a group leader, c. Recognized by the surrounding community, (Paundi Sekar Nuraini, 2023). Armed groups that have groups and symbols, which are in accordance with the Hague convention, the Free Papua organization is a terrorist group, the Indonesian government in this case even today is still handling the OPM case, the terrorist group that has been described then the terrorist group is a factor in the violence that occurred in Papua and West Papua, (Achmad Yusuf, 2023), even according to Indonesian National Law OPM is still in Indonesian jurisdiction, because OPM is openly responsible for the damage that has been done, not only that OPM targets military facilities so that the atmosphere is also not conducive accompanied by fear from the community, (Maria Matildha, 2022). The acts of violence committed by the OPM are attacks that result in death, even shootings carried out by the OPM against civilians who are victims of transmigrants from West Sumatra, (Nafa



Afrillia, 2023), violence committed by the OPM which asks for support from the embassy through political campaigns, and the OPM itself has nationalist ideologies that are contrary to Indonesia and its goal of separating from Indonesia, (Frans Kenny Chandra, 2022), the name OPM was taken from a faction founded by Asser Demotekay in 1963 Jayapura, even a group of New Guinea members who were anti-Indonesia after the Dutch left Indonesia, (Georgy Mishael, 2016), if they understand the concept in international law related to this belligerent that they desire to run their political system, their ideology, so that they can relate politically with other countries, (Riska Nur Azizah, 2021), even they are often called separatism movements, separatism groups, a group that moves the group to be anti-government, and the occurrence of separatism is a political crisis, economic crisis, government policies that are not in favor of the people, (Amalia Assyifa Rahman, 2023), so they feel dissatisfied with government policies related to the economy in the land of Papua, even West Papua, (Muhamad Febrian, 2024).

The names of rebel groups in Papua (Aprilia Budi Jansent Armandany, 2023): a. Hans Bomay Group, Papua New Guinea Kerom border b. Matias Wenda Group, Kerom border Papua New Guinea c. Williem Oden Group, Merauke Regency d. Taddeus Yogi Group, Climber In the concept of state sovereignty (Sovereignty) that an

independent state can exercise its own sovereignty, regulate its citizens, without any intervention from other countries, (Claudio Euaggelion Mariust Sumampouw, 2022), in regulating the life of its country, a sovereign state has the right to deal with conflicts that exist in its own country that make social stability disturbed and violate security norms, (Yemima Gultom, 2024) violating security norms is the same as violating customary norms found in the Land of Papua, (Andi Marlina 2022). Therefore, Human Rights and Norms run in balance, meaning that they are in line with the Constitution and Pancasila, (Bambang Heri Supriyanto, 2014).

### **Maka dari itu Hak Asasi Manusia dan Norma berjalan dengan seimbang, artinya sejalan dengan Undang-Undang Dasar dan Pancasila**

Role in Law part of the Act which is played by the Government as the main actor in government actions, often referred to as Authority, Authority is defined that the government has the power to rule, protect (protect, guide) the Community, as well as the commander-in-chief of the TNI, the government if manifested is the President as the head of government and head of state, and assisted by ministers in the government power system, Authority in State Administration Law (Raditya, 2023), divided into: Attribution, Delegation and Mandate, a. Attribution of the original authority granted from the

Constitution to the Government, b. Delegation of the form of delegation of authority from superiors to subordinates, so that those who receive delegation can carry out the delegation of authority, and c. Mandate is the act of granting authority on its behalf that gives a mandate, so that the entire authority is given a naming, namely the concept of authority (Riawan Tjandra, 2018). When viewed from the Long History of Indonesian politics from the Prehistoric era or from the Historical era, the location of the error of the Indonesian nation is from the political policy of the nation's History, which is focused on the centralized development of the Indonesian nation, as well as the nation's political cooperation with the Netherlands at that time with evidence "Aggrement (with annex) concerning west new guinea (West Irian) . Signed at the Headquartes of the United Nations, New York, on 15 August 1962", pada aggrement tersebut, in Article 1, " Article I : After the present Agreement between Indonesia and the Netherlands has been signed and ratified by both Contracting Parties, Indonesia and the Nether lands will jointly sponsor a draft resolution in the United Nations under the terms of which the General Assembly of the United Nations takes note of the present Agreement, acknowledges the role conferred upon the Secretary-General of the United Nations therein, and authorizes him to carry out the tasks entrusted to him therein" . This means that after the aggression was

signed by the Indonesian and Dutch parties at that time, the Indonesian government until now there is no evidence to ratify it into the form of a law related to West Irian or West Papua, Article 7, " Article VII : "The Secretary-General will provide the UNTEA with such security forces as the United Nations Administrator deems necessary ; such forces will primarily supplement existing Papuan (West Irianese) police in the task of maintaining law and order. The Papuan Volunteer Corps, which on the arrival of the United Nations Administrator will cease being part of the Netherlands armed forces, and the Indonesian armed forces in the territory will be under the authority of, and at the disposal of, the Secretary-General for the same purpose. The United Nations Administrator will, to the extent feasible, use the Papuan (West Irianese) police as a United Nations security force to maintain law and order and, at his discretion, use Indonesian armed forces. The Netherlands armed forces will be repatriated as rapidly as possible and while still in the territory will be under the authority of the UNTEA", It is interpreted that in the Article the administrative transfer of Papua in terms of West Papuan volunteers to Indonesia under the control of UNTEA, then in Article 12, Article XII " The United Nations Administrator will have discretion to transfer all or part of the administration to Indonesia at any time after the first phase of the UNTEA administration. The UNTEA's authority will cease at the

moment of transfer of full administrative control to Indonesia”, It was interpreted that the administrative transfer which was the full authority of Indonesia, at that time the author's opinion saw from the historical situation at that time Papua was not included in the discussion agreement, Therefore, the legal responsiveness carried out by the Indonesian government, has not fulfilled the legal responsiveness, because the existence of the agreement should be the Indonesian government, more attentive to Papua, or immediately adopt the agreement in the form of a law (Philippe Nonet & Philip Selznick, 2003). So that from this situation or incident of conflict in Papua, the Indonesian government is negligent with its function as a government that prospers the people, should with this incident the West Papua conflict / or OPM conflict can be above with the handling of Human Rights, in article 1 paragraph 1 " Human Rights, a set of rights inherent in the essence and existence of humans as creatures of God Almighty, and needs to be protected by the state, law, and government, as well as the existence of basic principles in the implementation of Human Rights, in article 2" The State recognizes and upholds human rights, which include, humanity, welfare, happiness and intelligence, Law Number 39 of 1999 concerning Human Rights, then the Indonesian government, through the President and Vice President, carries out stages of human rights perspectives in handling OPM conflicts. The stages are as follows:

In previous studies, namely related to humanistic media among Papuans, even the way of centering and even framing problems, which in the opinion of the author or previous researchers was a good way in the study, even bringing community leaders and religious leaders, (Thomas Agung Kurnianto, 2022), but the renewal of solving the problem of the Papuan conflict by means of a human rights approach, and restoring a sense of nationalism in the body and the spirit of OPM officials and even indigenous Papuans, updating the way of handling the Papuan conflict with three human rights approaches, namely:

The Indonesian government, together with OPM officials sat together to discuss a good family solution, on behalf of the Indonesian nation, upholding the implementation of the preamble of the Constitution in the interest of progress, as well as the welfare of Papua Province as a whole, considering that the father of the Indonesian nation, Sukarno said "the status of Papua is actually no longer needed. As the former territory of the Dutch East Indies, Papua itself became an integral part of Indonesia, without any frills, including tribes and cultures", and also considered the nationalism of the heroes of the land of Papua, namely: Frans Kaiseipo, Marthen Indey, Johannes Abraham Dimara, Silas Papare, with the names of heroes from the land of Papua, secondly, ceasefire is a good

step to end the conflict of war in Papua, make agreements related to ceasefire, ceasefire is an effective measure and makes it clear to OPM officials that violence, conflict, war is very detrimental to others, depriving people of human life is part of the human right to live in peace, (Teguh Imam Santiono, 2019), third, the existence of a quiet life, providing education and understanding to OPM officials where they feel alienated by the Indonesian government, even restoring mutual respect, respect for human rights, is part of human rights education, from giving, understanding human rights education, part of the formation of good morals for the integrity of the Unitary State of the Republic of Indonesia in accordance with Pancasila, (Sinta Galih Pertiwi, 2021), respect for human rights can be understood through the ideology of pancasila which is seen in the daily lives of the Indonesian people, (Ario Putra, 2022), living peacefully, and practicing pancasila in the life of human rights in the form of mutual tolerance, and respect for one another.

The Correlation of Pancasila and Human Rights, the factual is to prioritize human values, (Dicky Febrian Ceswara, 2017), namely:

1. The Supreme Godhead, that human life on Earth, in the Unitary State of the Republic of Indonesia, based on the norms that have been listed in the Religious Books, even the right to be free from any differences both religious, racial, gender, and language, if

there continues to be conflict, does not rule out the possibility that there will be restrictions on human rights to exercise religious freedom, even carry out religious activities.

2. Just and Civilized Humanity, explaining that the integrity of the Indonesian nation, is its people, so that the people become the driving force of the economy, and the development of the Indonesian nation, if there is still a conflict the whole of the people in Papua will gradually decrease, the nation's economy declines, even the whole human being has the right to get human rights protection from the state to return to human itself.
3. Indonesian unity, means that without the people, the state cannot be formed, so that people in the Land of Papua, have the right to live without a sense of shackles, fellow humans feel equal rights in social association.
4. The peoplehood led by wisdom in representative consultations, the Indonesian state, to reach a resolution of a conflict, is resolved by deliberation, not by a majority vote, the existence of a people's representative institution, which represents the people in parliament, not in a rebellion organization.
5. Social justice for all Indonesian people, meaning that all Indonesian people, have the right to get a job, social security provided by the Indonesian government, so

historically the Indonesian government came from the head of government, namely Ir. Soekarno

Recalling also the opinion of Satjipto Rahardjo "the law is focused on the community to really do right according to the rules so that its form is tranquility", (Ashadi L Diab, 2014), In line with the opinion of Satjipto Rahardjo, the author argues that the handling of government OPM conflicts should need law as a regulator of norms that live in society, meaning the existence of a Conflict Control Theory, the existence of a Conflict Control Theory to restore the norms that have dimmed in society, then the role of the government here is to restore the norms, so that norms and laws are a unity in community life (Role Of Norm life Human), the application of norms that have faded, can be applied or given understanding by the government in this case the head of government (President) the importance of norms, one of which is decency norms which are related to human psychology and behavior, (Gabriel Mokoginta, 2019), so that decency can behave Evil and good, ( Budi Pramono, 2017), later the creation of Justice without feeling pain (Karen Lebacqz, 2015), so that justice for the welfare of the People in Papua.

In International Law, when viewing, reviewing and understanding the Relationship Between International Law and National Law, there is a need for both legal instruments, meaning that national law and international

law originate from the wishes of the state and the wishes of both countries (Mochtar Kusumaatmadja, 2015), it is intended that if the Indonesian government during the ancient era History with the Dutch Government has not been completed regarding the complete transfer of Papua, then the political policy, needs to be resolved so that there is a bright spot in the will of West Papua / or OPM in its wishes, so that Indonesia can fulfill and cooperate with each other, find a point of peace, such as in the Susilo Bambang Yudhoyono Era, Soft Power Approach, to be able to resolve peace during the conflict in Aceh at that time, (Supriadi, 2022). Soft power approach, with a feeling approach or a deliberative approach for the peace of Indonesia and Papua, the Government of Indonesia has the right to hold meetings with the Netherlands and the United States to find a solution that can come from the agreement between the two countries, or the Memorandum of Understanding for peace, as well as the conflict in Aceh at that time, (Sulaiman, 2012), The Memorandum of Understanding to pay attention to the fate of indigenous Papuans related to welfare and education, in this case from the Memorandum of Understanding, can be in the form of a Welfare Development Law in Papua Province and can also discuss the abolition of the New York agreement which has become a controversy between Indonesia and Papua.

## Obstacles to the Government's Role in Handling OPM Conflicts in Papua from a Human Rights Perspective

On the obstacles to the government's role in handling OPM conflicts in Papua from a human rights perspective, namely:

- a. Internal Factors, the government's approach still needs to find a good solution, and transparency so far regarding the wrong approach in Papua, as well as Geographical Factors that are difficult to reach
- b. External Factors, Foreign Influences in Influencing OPM conflict resolution in Papua, Indonesian geopolitical factors, Indonesian influence in international relations.

## CONCLUSION

The role of the government in terms of handling OPM conflicts in Papua needs to be needed in a peaceful settlement, so that the approach from the perspective of Human Rights, the approach in the perspective of Human Rights here means, in discussions related to welfare in Papua it is necessary to provide opportunities for the people of Papua to discuss for the welfare of the people in Papua province, Papua is part of the Unitary State of the Republic of Indonesia.

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