

## BORDER SECURITY IN INDONESIA AND PAPUA NEW GUINEA

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### ABSTRACT

*Since Papua New Guinea's independence in 1975, the 760- kilometer-long border between it and Indonesia's Irian Jaya Province was a focus for mutual suspicion. Indonesia sought through diplomacy and intimidation to prevent Papua New Guinea from becoming a cross-border sanctuary for OPM separatists. Port Moresby's policy on the border situation was conditioned by fears of Indonesian expansionism and sympathy for West Papuan efforts to defend their cultural identity against Indonesianization. The Papua New Guinea government was also keenly aware of the military imbalance between the two countries. Border between Indonesia and Papua New Guinea, there are various problems that occur in the region. Issues surrounding cross-border activities in the border areas between Indonesia and Papua New Guinea with regard to illegal cross-border activities of border communities as a form of traditional activities for their customs and cultural similarities between the border communities. It can disrupt diplomatic relations between the two countries so any problems should be resolved by means of negotiations.*

Key word : Border, Security, Indonesia, Papua New Guinea

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### Introduction

Since Papua New Guinea's independence in 1975, the 760- kilometer-long border between it and Indonesia's Irian Jaya Province was a focus for mutual suspicion. Indonesia sought through diplomacy and intimidation to prevent Papua New Guinea from becoming a cross-border sanctuary for OPM separatists. Port Moresby's policy on the border situation was conditioned by fears of Indonesian expansionism and sympathy for West Papuan efforts to defend their cultural identity against Indonesianization. The Papua New Guinea government was also keenly aware of the military imbalance between the two countries (<http://countrystudies.us/indonesia/100.htm>).

Indonesia – Papua New Guinea relations are foreign relations between Indonesia and Papua New Guinea, two bordering countries north of Australia. Western New Guinea (which consists of two Indonesian provinces: Papua and West Papua) and Papua New Guinea share a 760-kilometre (470 mi) border that has raised tensions and ongoing diplomatic issues over many decades. Indonesia is represented in Papua New Guinea with an embassy in Port Moresby and a consulate in Vanimo (<http://countrystudies.us/indonesia/100.htm>).

The land boundary between Indonesia and Papua New Guinea stretches for some 750 kilometres. In the south it passes through dry savannah and swampy rain forest before ascending into the precipitous limestone ridges of the rain-soaked Star Mountains. North of the Star Mountains it traverses the Sepik floodplain, another series of formidable limestone ridges and raging mountain streams, and a thickly forested swampy plain before rising again into the Bougainville Mountains, which ultimately fall, in a succession of limestone cliffs, into the sea at Wutung. The border itself is poorly defined. Until the 1980s there were only fourteen markers along the entire length of the border (<http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch14.html>).

Picture 1 :  
Map Papua New Guinea



(Sources : <https://www.quora.com/Who-is-responsible-for-the-confusing-names-of-Papua-New-Guinea-and-Papua-New-Guinea>)

Except for parts of the border area roughly from the Fly River bulge to 100 kilometres north of it, the region is sparsely populated by people who are shifting cultivators with small groups of predominantly hunter-gatherers. In the north and south respectively taro and yam provide the main staples, and in the higher altitudes some depend on sweet potato; for the rest sago is the main staple, supplemented by hunting. As in other countries whose borders are the product of arbitrary decisions by past colonial regimes, language groups and traditional rights to land as well as relations of kin and of trade extend across the border. Indeed, border surveys during the 1960s established that the border ran right through the middle of at least one village and that several villages which had been administered by the Dutch were in fact in the Australian territory. As recently as 1980 a village included in Papua New Guinea's National Census was found to be inside the Indonesian province of Irian Jaya [which in 2000 President Wahid renamed Papua]. The situation is made more complex for administering authorities by the tendency, amongst these shifting cultivators, for whole villages to shift, re-form and disappear over time (*Bulletin of Concerned Asian Scholars*, 1987).

The land border is defined by an Australian-Indonesian border agreement of 1973, and is the subject of an agreement between Indonesia and Papua New Guinea concerning administrative border arrangements. The latter was originally drawn up in 1973 (when Australia was the administering authority in Papua New Guinea, though the agreement was signed by Michael Somare as chief minister), and was renegotiated, with minor but significant amendments, in 1979 and 1984. The agreement contains provisions relating to definition of the border area, the establishment of a joint border committee and consultation and liaison arrangements, border crossings for traditional and customary purposes and by non-traditional inhabitants, customary border trade and the exercise of traditional rights to land and waters in the border area, border security, quarantine, navigation, exchange of information on major construction, major development of natural resources, environmental protection, and compensation for damages. There is, however, no provision for hot pursuit across the border, and Papua New Guinea has repeatedly resisted proposals for joint military patrolling of the border (The agreement is reproduced in May 1979).

Relations between Indonesia and Papua New Guinea have been very closely with the issues of border issues such as security and welfare, which occurred in the border region. It is also reinforced with traditional border crossing problems due to kinship, customary and cultural similarities between the two countries that do not directly affect the other aspects. So that the diplomatic relations between Indonesia and Papua New Guinea are very vulnerable, especially the security of the border between the two countries, and therefore the paper is made with themes Border Security In Indonesia And Papua New Guinea.

### Research Methods

Based on the features of legal research, Soekanto (1986; 10) categorizes it into three types, namely:

- 1) Exploratory research is conducted if knowledge about a phenomenon that will be investigated is none or still lacking;
- 2) Descriptive study is done to provide accurate data about people, circumstances, or other symptoms;
- 3) Explanatory research is research that is intended to test specific hypotheses.

Viewing from the objectives, legal research is divided into two categories (Soekanto & Mamudji; 2003; 14) they are:

- 1) The literature research is done by researching library materials or secondary data.
- 2) The empirical or sociological legal research is conducted primarily by examining primary data.

Based on the category of the types of research, this research employed descriptive design that is intended to provide a clear picture of a country's reasons to issue a travel warning to a state in the perspective of international law. The objective of the present research is normative law, of which the data were obtained through the study of documents or literature by examining library materials, such as: books, international conventions, international agreements, papers, journals, articles, newspapers as well as internet sites related to the object under study.

Research is a scientific activity that is related to the analysis and construction done methodically, systematically and consistently. Methodological means in accordance with a method or a certain way, systematic is based on a system, while consistent means the absence of contradictory things within a certain framework. (Soekanto; 2012). This research is descriptive research that provides the data as accurately as possible *about Border Security In Indonesia And Papua New Guinea* and this research is a normative research is legal research done by researching library materials or secondary data. The data were analyzed qualitatively is this analysis want to find the truth based on the value or quality of data obtained through the process: collecting the data, the data were then grouped according to the object, the data that have been classified was then outlined and explained, and establish conclusions and ius constituendum.

#### **History of Ideas on Borders** (Emmanuel Brunet-Jailly, 2000)

Borders, boundaries, frontiers, and borderlands are human creations that are grounded in various ethical traditions. When Allen Buchanan and Margaret Moore compared natural and international law traditions with the Jewish, Christian, Confucian, Islamic, and Liberal ethical traditions of boundaries, although they found that the ethical traditions were somewhat ambiguous in terms of how to establish borders, including settlement, purchase, inheritance, and secession, all of conquest these traditions agree that is unjustifiable (Allen Buchanan and Margaret Moore, 2003). Nevertheless, the history of the Roman Empire is testimony to the fact that conquest was central to the differentiation between barbarism and civilization. Boundaries organized the Roman Empire according to a hierarchy of spaces – territories of varied dimensions and functions, which included settlements, cities, provinces, and regions (Malcolm Anderson, 1996).

Definition of the general border is a line of demarcation between the two sovereign states. At first the borders of a country or border states formed with other countries, before the people living in a particular area does not feel the difference is not uncommon even they are from the same ethnic. But with the advent of their country separated from the mentor of the country they have a different nationality (Rizal Darmaputera, 2009). Said border or the border according to Guo (Rongxing Guo, 1996; Victor Presscott and Gillian D. Triggs, 2008), implies a restriction of a political area and the area of movement, while the border region implies as an area that plays an important role in the political competition between two different countries, which is an area that limits between two interests of different jurisdictions (J. G. Starke, 2007; Huala Adolf, 2002).

An area of the country ideally have borders that the state can implement its sovereignty in accordance with the rights and obligations as a subject of international law. Sometimes a permanent state border agreed upon through agreements do not necessarily adhered to, and often violated. Nothing like this happened due to a shift in the structure and system of political life that triggered war with the intention of questioning the existing state borders, it could be due to the war raised new agreements to split to form a new country or region merging. As the geographical space from the beginning is a region of a power struggle between countries, mainly characterized by their fight to expand the boundaries of the state, as part of the history and existence of the state, a history of the border region can not be released from the history of the birth and berakhinya countries (Pusat Pengelolaan Pendapat Umum Badan Informasi Publik, 2008).

Thus that, the task of monitoring borders and territorial integrity is a primary duty of states to protect their citizens in the territory autonomy while protecting society. For the role of the state border is the duty of protection so that outsiders will enter into a state-owned land should be stopped and that there should not be appropriated by foreign parties who are not authorized. A country's borders shows the complexity of its own which shows that not only divides the state border of different entities. He was even the same ethnic divide, because of their history of different nationalities by the same ethnicity.

#### **Border Historis Indonesia and Papua New Guinea**

In the 1980s there was some discussion of the broad defence and security aspects of Indonesia-Papua New Guinea relations. The informed consensus seemed to be that Indonesia does not have expansionist ambitions towards Papua New Guinea (past expansionist ventures being the product of particular historical circumstances that cannot be projected onto the Papua New Guinea case), but that there might be other imaginable circumstances that would worry Indonesia and perhaps lead to intervention in one form or another, specifically the emergence of a hostile (communist-sympathetic) regime in Papua New Guinea or some kind of breakdown in Papua New Guinea's political system, perhaps caused by regional dissidence (<http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch14.html>).

Picture 2 :  
Gate Papua New Guinea



(Sources : <http://muktafarikza.blogspot.co.id/2016/05/perbatasan-nkri-dengan-negara-lain.html>)

I have no fundamental quarrel with this analysis, except perhaps a logical quibble about the ‘particular-historical-circumstances’ argument: granted that the particular historical circumstances of Indonesia’s original claim to West Papua, of *konfrontasi* over Malaysia, and of East Timor do not apply to independent Papua New Guinea, can Papua New Guineans be blamed for sometimes wondering whether *another* set of particular circumstances, domestic and/or external, might be seen by Indonesia as justifying another expansionist venture? It is in this context (and perhaps also in view of recurring Indonesian claims that it has acted with ‘restraint’) that some of us find the discussion of possible Indonesian ‘intervention’ in the event of a ‘hostile’ or ‘unstable’ regime in Papua New Guinea disquieting.

I hope we may assume that those who present such scenarios agree that the emergence of an ‘unstable’ regime (whatever that means) in Papua New Guinea, or even one hostile to Indonesia, would provide no justification for Indonesian intervention. Having said that, I suggest that the more immediate concerns in Indonesia-Papua New Guinea relations have to do not with possible invasion or intervention but with the problems arising over administration of the common border. Administration of the border takes place within the framework of the border agreement and in the context of a mutual commitment to good relations. Since 1981 there have been annual Joint Border Committee meetings, irregular meetings of a Border Liaison Committee, and a number of meetings of technical subcommittees.

In fact, however, relations between the two governments over the border have been marked by short cycles of tension followed by self-conscious cordiality. When ‘incidents’ have occurred, the machinery of border liaison has generally proved ineffective. For example, when in 1983 it was discovered that Indonesia’s trans-Irian Jaya highway crossed into Papua New Guinea at three points, it took more than three months to secure an acknowledgement that the incursion had taken place and 16 months before the offending sections of road were closed off. (Incidentally, the incursion might have been established several months earlier had Indonesia not withdrawn from a joint survey exercise, because of inadequate funds.)

Again, in February 1984, with refugees flooding across the border, Indonesian officials told the Papua New Guinea foreign minister that they knew nothing of reported events and assured him that things in Jayapura were ‘normal’, even though residents on the Papua New Guinea side of the border confirmed that Jayapura was in darkness and its government radio station silent. At this time there had not been a border liaison meeting for over a year – allegedly because of lack of funds – and the Vanimoy Jayapura ‘hot-line’ had been out of service for several months. And when in April 1984 Papua New Guinea sought a meeting of the Joint Border Committee to attempt to achieve some resolution of the situation, its foreign secretary found himself sitting down with a local *bupati* who was apparently uninformed on the subject of the border crossings and had no authority to make decisions. A scheduled meeting the following month was cancelled at short notice when the Irian Jaya governor withdrew from the Indonesian delegation due to ‘over commitment’. This sort of situation, combined with evasive responses to Papua New Guinea’s protests over border violations as described above, did much to generate the strains that characterised Indonesia-Papua New Guinea relations throughout most of 1984-85 (<http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch14.html>).

There has been a tendency amongst distant commentators on Indonesia-Papua New Guinea relations to refer to the problems, and to urge greater 'understanding', as though the Indonesia-Papua New Guinea relationship is symmetrical. Obviously it is not: border crossing has been essentially one way; border violations have been entirely at Papua New Guinea's expense; Papua New Guinea does not have a domestic insurgency problem overflowing its border; it has been Papua New Guinea rather than Indonesia that has had to seek explanations for external disturbances, and responsibility for the frequent ineffectiveness of liaison machinery has been largely on the Indonesian side.

Moreover, the huge disparities in size and military capacity between the two countries create an obvious imbalance in the relations between them. One might be excused for wondering too, when Indonesia's foreign minister defends *transmigrasi* on the grounds that Indonesia does not intend to preserve Irian Jaya as 'a human zoo', if there are not also imbalances in cultural attitudes. Any sensible discussion of possible improvements in Indonesia-Papua New Guinean relations must begin by recognising this imbalance (<http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch14.html>).

#### **Border Management Based on Law No. 43 Year 2008**

Border management are an indication of the seriousness of a country in managing its borders, it is one of which is indicated by the presence of a set of rules in the form of formal legal rules that mark and comprehensive. The seriousness shown by the Government of Indonesia by issuing Law No. 43 of 2008 on the territory of the State, the legislation does not define the boundaries of the country, accompanied by the coordinates of the border because international law is not justified establish state borders unilaterally, but must go through the agreements set forth in the form of border treaty. Nevertheless in the legislation described in any country Indonesia bordered by both land and at sea, including in border management settings in both countries in central and local government that happens to be the country's borders.

The authority of the Central Government in the management of territory and border areas according to this law are as follows:

- 1) Establish policies management and utilization of the country and the border region;
  - 2) Conducting negotiations with other countries regarding the establishment of state borders in accordance with the provisions of legislation and international law;
  - 3) Establish or make the sign of state borders;
  - 4) Collecting data and naming the island or islands and other geographical elements;
  - 5) Giving permission for international flights to cross the territorial airspace on a path that has been specified in the legislation;
  - 6) Give permission to the innocent passage of foreign ships to traverse the territorial sea and archipelagic waters on a track that has been specified in the legislation;
  - 7) Carry out surveillance in additional zones needed to prevent violations and to punish violators of legislation in the field of customs, fiscal, immigration or sanitary laws within the territory or territorial sea;
  - 8) Establish prohibited airspace crossed by international flights to defense and security;
  - 9) Create and update maps of the country and delivered to the Parliament at least every five (5) years; and
  - 10) Maintaining the integrity, sovereignty and security of the country and the border region.
- In Article 11 (1) states that in the management of border areas of the country and provincial government authorities:
- a) Implement government policies and other policies in order to establish autonomy;
  - b) To coordinate development in the border region;
  - c) The development of border areas between regional governments and / or between local governments and third parties; and
  - d) To supervise the implementation of the development of border areas of the government district / city.

Stated in Article 12 regency / city governments in the management of the country and the border region authorities: implementing government policies and other policies in order to establish regional autonomy and duty of assistance; keep and maintain the boundary markers; coordination in the implementation of development tasks in the border region in its territory; and the construction of the border region between regional governments and / or between local governments and third parties. To manage state borders and border areas are managed at the level of central and local government and local government formed a national management agencies and regional management bodies. The management board led by a head of the body responsible to the President or the head of the region in accordance with an arbitrary.

Elements institutional membership is derived from the government and local authorities in view of the strategic position of the border regions involved in things like national sovereignty, territorial integrity, rule of law and the welfare of the people. Border management agency tasked to: establish policies border development programs; establish a plan budget requirements; coordinate the implementation; and carry out the evaluation and supervision. In the Act No. 43 In 2008 a commitment to take over management of the country, especially borderline feels stronger, this law clearly defines that goal setting area of the country is to ensure the territorial integrity, sovereignty and order for the welfare of the entire nation, as well as in the legislation underlines authority of both central and local governments in the border regions are doing the development and coordination to make it happen, even this law has set the establishment of a special agency that handles management of border areas.

#### **Conclusion**

Indonesia-Papua New Guinea border quite a lot of problems that need special attention. problems faced quite serious. For example, drug smuggling, the number of illegal immigrants coming from Papua New Guinea, and separatism. In the mission of securing the border areas, as many as 450 soldiers deployed on missions securing the border areas between Indonesia and Papua New Guinea.

They will be deployed in 16 positions along the Merauke Regency and Regency Digoel. Task Force led by Major Inf Kamil Pasha Bahren it will carry out the mission until February 2017, replacing the 301 Infantry Battalion 3 Siliwangi Military Command. In the region of Indonesia-PNG border event took hostage two Indonesian nationals, Sudirman (28 years) and Badar (30).

Until now, the release of both are still in the negotiation process. When kidnapped, they were looking for wood in Skopropo, Arso Timur, Kerom District, Papua Province, which was taken during a three-hour walk from the village of Skoutio, Sandaun Province, Papua New Guinea, where they were detained by armed groups. This incident is not related to political issues and tend to criminal acts. The Government of PNG and Indonesia are negotiating a waiver.

Coordinating Minister for Political, Legal and Security Luhut Pandjaitan said border areas between Indonesia and Papua New Guinea will be resolved properly. According Luhut, the border issue between the two countries is unique because of the presence of the Indonesian population in the region of PNG and vice versa. So no claim PNG nationals of Indonesia, Indonesian and flying the flag that already from the first stay there, whereas in the region of the country there is also a citizen of PNG. Papua New Guinea government also complained about this. Indonesia and PNG government will solve this problem gradually.

## References

- States, Nations and Borders: The Ethics of Making Boundaries Allen Buchanan and Margaret Moore, (Cambridge, UK: Cambridge University Press, 2003).
- Frontiers: Territory and State Formation in the Modern World Malcolm Anderson, (Cambridge, UK: Polity Press, 1996) Introduction and Chapter 1.
- Darmaputera, Rizal, 2009, *Manajemen Perbatasan dan Repormasi Sektor Keamanan, Panduan Pelatihan Tata Kelola Sektor Keamanan Untuk Organisasi Masyarakat Sipil : Sebuah Toolkit*, Institute for Defense, Security and Peace Studies (IDSPS) – Geneva Centre for Democratic Control of Armend Forces (DCAF), IDSPS Press, Jakarta.
- Guo, Rongxing, 1996, *Border – Regional Economics*, PhysicaVerl Heidelberg, German. Lihat juga dalam Victor Presscott and Gillian D. Triggs, 2008, *International Frontiers and Boudaries*, Martinus Nijhoff Publisher, Leiden and Boston.
- Starke, J. G., 2007, *Pengantar Hukum Indonesia* (edisi kesepuluh, Buku I), Penerjemah Bambang Iriana Djajaatmadja, PT. Sinar Grafika, Jakarta.
- The agreement is reproduced in May 1979.
- Pusat Pengelolaan Pendapat Umum Badan Informasi Publik, 2008.
- Law No. 43 Year 2008
- Mutual Respect, Friendship and Cooperation”? The Papua New Guinea-Indonesia Border and its Effect on Relations Between Papua New Guinea and Indonesia, <http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch14.html>
- <http://muktafarikza.blogspot.co.id/2016/05/perbatasan-nkri-dengan-negara-lain.html>
- <https://www.quora.com/Who-is-responsible-for-the-confusing-names-of-Papua-New-Guinea-and-Papua-New-Guinea>

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