Implementation of the Papua Province Special Autonomy Policy in a Public Policy Perspective

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Abstract
The prolonged battle in Papua has resulted in various multifaceted setbacks, most of which are ignored by the international community. The people of Papua faced a loss that hit them very hard. The purpose of this piece is to examine how certain autonomy policies have been put into practice in Papua Province. The methodology that is used is qualitative. The study that was conducted, which was found in a variety of books and journals, was utilized to compile the data that was employed. The image that can be discovered in this article illustrates the fact that the implementation of the special autonomy has not been carried out in an effective and efficient manner. There is still a long way to go before indicators of the performance of public services and the settlement of conflicts can be considered perfect. In order for the government to arrive at the conclusion that the policy of granting special autonomy cannot necessarily be implemented in a pragmatic manner, it must take humanist approaches that promote a sense of humanity.

Keywords: Implementation, Policy, Special Autonomy, Public Policy.

Introduction
The application of the concept of asymmetric decentralization gives special treatment to regions with different status degrees from other regions based on aspects of specificity and privilege. This is because Indonesia is a very diverse country that is very complex (Labolo, 2014). Several areas carry out the tangible form of Indonesia’s asymmetric decentralization strategy, such as the Special Capital Region of Jakarta, special regions such as the Special Region of Yogyakarta, and special autonomy models such as the Special Autonomous Regions of Papua, West Papua, and Aceh (Dewi & Nuriyatman, 2017).

The adoption of Law No. 21 of 2001 concerning special autonomy for Papua, which is the commitment of the government and all Indonesians to adopt a new
perspective in solving various problems that characterize the life of the Papua Province, wherein the Papua problem, which originally used a security approach, became a social welfare approach (Kaisupy & Main, 2021). The policy of special regional autonomy (Otsus) is aimed at implementing development initiatives that meet the community's fundamental requirements in the domains of education, health, and the people's economy. The Papua province government has four (4) priorities: (1) education, particularly for rural and coastal people. (2) Health, in which the government provides special drug packages with special autonomy writing; (3) People-based economy; and (4) National resilience strategy, which is expected to prioritize the welfare of the Papuans, defend the Unitary State of the Republic of Indonesia, and become border guards (Tabuni et al, 2018).

Specific Autonomy (Otsus) for the Papua province is a special power recognized and granted to the province and people of Papua to control and administer themselves within the framework of the Republic of Indonesia's unitary state. Special authority entails giving the province and the people of Papua greater responsibility for administering the government and regulating the use of natural resources in the province of Papua to the greatest extent possible for the prosperity of the people of Papua as part of the Indonesian people in accordance with statutory regulations (Musa'ad, 2016). Specific Autonomy (Otsus) for the Papua province is a special power recognized and granted to the province and people of Papua to control and administer themselves within the framework of the Republic of Indonesia's unitary state. Giving the province and the people of Papua more responsibility to manage the government and control the usage of natural resources in the province of Papua for the greatest benefit of the people of Papua as part of the Indonesian people in accordance with the laws and regulations (Mutaqin, 2013).

The position of providing special autonomy to Papua is inspired by four major core factors, including: First, after the merger of the Papua area into Indonesia in 1964, many local elites are said to still wish to establish their own nation. Following 1964, separatist movements arose that sought to secede from the Unitary State of the Republic of Indonesia (NKRI); second, the occurrence of human rights violations committed by the state, resulting in a protracted conflict fueled by trauma and vengeance; third, the government's failure to develop education, health, and people's economic empowerment; and fourth, the marginalization and discrimination of migration flows (Mustikawati & Maulana, 2020).

The implementation of special autonomy for Papua, as stipulated by Law number 21 of 2001, has given the regional government a significant role in the formulation of policies and development programs that benefit the people, but there are still problems and have not achieved the objectives of Otsus because there are still many people who have not felt the success of welfare in the field of education and all fields of development (Latupeirissa et al, 2021). According to Malak (2012), Law No. 21 of 2001 providing special autonomy for the province of Papua, which was approved on November 21, 2001, should be remembered as a significant consequence of collaboration between the national and local administrations. This legislation is intended to be a constructive and strategic strategy in terms of enhancing services, speeding development, and empowering all people in Papua Province, particularly indigenous Papuans. Furthermore, Malak believes that a strategy that supports indigenous Papuans is required.

However, the special autonomy strategy implemented in Papua has fallen short of expectations. The unique autonomy policy, in conjunction with a number of stimulating
rules, is supposed to achieve equal justice and community welfare based on regional, cultural, religious, and historical aspects (Sugandi, 2008). Special autonomy, on the other hand, has not been able to solve the difficulties in Papua. As a result of Papua Province's unique autonomous status, it gets budgetary money from the national government each year. Data from the Central Statistics Agency (BPS) show that the Special Autonomy Fund (Dana Otsus) increased between 2002 and 2013, although this was not followed by a decrease in the number of disadvantaged persons (Imam & Hafiz, 2019).

The spirit of special autonomy itself is implemented without paying attention to the actual conditions in Papua. The roll-out of special autonomy makes people haunted by fear, worry, and uncertainty. There is a fear of natural resources being exploited on a large scale without paying attention to the environment and not giving reasons for aspects of benefit for the local community (Susih, 2021). Practically from the description above, special autonomy has not been able to solve problems in Papua. So that in this study has a purpose and conducts analytical studies, including First, to see the obstacles in the implementation of special autonomy in Papua. Second, recommendations regarding the implementation of special autonomy in Papua from a public policy perspective.

Method

However, Papua's special autonomy policy has fallen short of expectations. The one-of-a-kind autonomy policy, along with a number of stimulating regulations, is intended to promote equal justice and community welfare based on regional, cultural, religious, and historical factors (Sugandi, 2008). Special autonomy, on the other hand, has not solved the problems in Papua. Papua Province receives financial funds from the national government each year as a consequence of its unique autonomous status. According to data from the Central Statistics Agency (BPS), the Special Autonomy Fund (Dana Otsus) grew between 2002 and 2013, although this was not accompanied by a drop in the number of disadvantaged people (Imam & Hafiz, 2019).

Result And Discussion

Special Autonomy Policy in Papua Province

The reform momentum in Indonesia allows for the creation of fresh ideas and knowledge to tackle numerous main challenges of the Indonesian nation in managing a better life for the country and state. In this sense, the People's Consultative Assembly of the Republic of Indonesia concluded in 1999 and 2000 that the Province of Irian Jaya required Special Autonomy status. This is a good first step toward increasing public confidence in the government, as well as a strategic move toward establishing a strong core framework for the numerous initiatives that must be done to complete the settlement of issues in Papua Province (Huda, 2021).

The Indonesian government approved Law No. 21 of 2001 on Special Autonomy for the Province of Papua in 2001. The emergence of special autonomy for Papua is inspired by the government's inability to offer welfare, prosperity, and respect of the Papuan people's fundamental rights. The Papuan people's situation in education, business, culture, and sociopolitics remains worrying. Some of them still live as if they were in the Stone Age. Furthermore, fundamental concerns such as abuses of human rights and denial of the Papuan people's welfare rights have yet to be handled in a fair and dignified way. According to Article 1 point 1 of Law No. 21 of 2001 concerning Special Autonomy for the Papua Province, Special Autonomy is a special authority
recognized and granted to the Papua Province to regulate and manage the interests of the local community based on its initiative and the aspirations and basic rights of the Papuan people (Sukmalalana et al., 2020).

The passage of Law No.21 of 2001 establishing special autonomy for the Papua Province on November 21, 2001, should be acknowledged as a momentous consequence of collaboration between the federal and local administrations. This legislation is anticipated to be a good and strategic strategy in the context of service improvement, development acceleration, and empowerment of all people in Papua Province, particularly Papuan indigenous. This strategy is intended to close the gap between the Papua Province and the other provinces of the Unitary State of the Republic of Indonesia, as well as to give chances for indigenous Papuans to participate in their territory as actors and development goals (Kum, 2012).

The allocation of more power to the Regency/City Provincial administration and the Papuan people to control and administer themselves creatively within the framework of the Unitary State of the Republic of Indonesia is referred to as special autonomy for the Papua Province. This broader authority also includes the authority to regulate the utilization of natural resources in the Papua Province region as much as possible for the sake of the Papuan people's prosperity, empowering their economic, social, and cultural potential, and ensuring a significant role for indigenous Papuans through representatives. Their representatives should be included in the process of developing regional policies and plans for development while respecting the equality and variety of people's lives in the Papua Province area (Iryanti et al., 2014).

In the implementation of Law no. 1 of 2001 concerning Special Autonomy for the Province of Papua, there are groups of people who consider the Special Autonomy of Papua a failure, while others claim that this law has provided benefits. For example, through several regional government development policies for Papua Province, Regency, and City for Papuans. For local governments (Provincial and Regency/City) Papua Special Autonomy has also made changes to the lives of the Papuan people, although some groups of Papuans think otherwise. Thus, the implementation of Otsus Papua still raises several problems that require concrete solutions.

The Special Autonomy targets, first and foremost, indigenous Papuans: persons who belong to the Melanesian racial group, which includes indigenous tribes in Papua Province, and/or those who are acknowledged and recognized as indigenous Papuans by the indigenous Papuan people. Second, inhabitants of Papua Province: all those who are registered and domiciled in Papua Province in accordance with relevant legislation. The Special Autonomy Law on the Rights of Indigenous Papuans and Papuans takes the form of protection, empowerment, and alignment. For indigenous Papuans: become governor and deputy governor; the Papuan province government is obligated to accept, respect, defend, empower, and promote customary law communities' and indigenous peoples' individual rights (Malak, 2012).

The Papuan Provincial Government is obligated to protect indigenous Papuans' intellectual property rights; to recognize the customary court as a peace court within the customary law community; to provide quality education up to secondary school level at the lowest possible cost; to protect, foster, and develop indigenous Papuan culture; to foster, develop, and preserve the diversity of regional languages and literature in order to maintain and strengthen the identity of t (Katrarina, 2019).

Indigenous Papuans have the right to chances and are given preference for employment in all sectors of labor in the Papua Province region based on their education
and skills. In the sphere of justice, indigenous Papuans have the right to be appointed as judges or prosecutors in Papua Province; particular consideration for the development of isolated, distant, and neglected tribes that live in places that have not been affected by development. For the Papuans (who are not categorized as indigenous Papuans). Political parties may be formed by Papua Province residents. The Papua Province's economy, which is part of the national economy, strives to generate the maximum potential wealth and wellbeing for the whole Papuan people. Every Papua Province citizen has the right and freedom to practice their faith. Every inhabitant of Papua Province has the right to a good education and health care. The province government and district/city governments are required to create and execute initiatives to increase population nutrition, and their implementation (Ariyanto, 2017).

Everyone has the right to a decent job and income and is free to choose and/or change jobs according to their talents and abilities. The Papuan Provincial Government is obliged to maintain and guarantee a decent life for Papuan residents who have social problems. However, Otsus Papua has problems in its implementation. Until the 10th year, the legal instrument for implementing Law no. 21 of 2001 in the form of 18 Provincial Regulations (Perdasi) and 11 Special Regional Regulations (Perdasus), not all of which were produced by the regional government and DPRP (Kum, 2012).

Obstacles in the Implementation of the Special Autonomy Policy in Papua

To see the extent of the impact of the Papua Special Autonomy policy, one can look at indicators of the level of welfare of its people. The mandate in the Special Autonomy Law contains 3 (three) basic things that become the urgency of the implementation of the special autonomy policy, namely, First, the authority between the central government and the regional government of Papua Province. Second, is the recognition of respect for the basic rights of indigenous Papuans. Third, realizing good governance (Rakia, 2021). However, the urgency of the three bases above is still far from expectations. This can be seen from the economic aspect; education; human development index; and health services, the following is a description of the achievements of the special autonomy policies that have been achieved:

a. Economic aspects. Data compiled from BPS Papua (2019), shows that the majority of the population works in the agricultural sector 45.28%; services 33.90%, and 61.59% are in the informal sector;

b. Educational aspects. In fact, from year to year there has been an increase in the school enrollment rate. However, this figure is still not good, and the gap is still far between schools. The School Participation Rate (APS) for elementary schools (SD) has improved, reaching 92.76%. However, for junior high school (SMP) level, it is still 62.29%; high school (SMA) by 62.29%; and at the tertiary level it is much smaller, only 24.19%;

c. Aspects of the human development index (HDI). The HDI in Papua is the second lowest in Indonesia with a value of 61.82% below the national average of 68.90%;

d. Aspects of health services. In 2018 in Papua health services are still far from ideal. The ratio of the number of doctors in Papua is 1:7,599. This means that 1 (one) doctor serves around 7,559 people on average.

Practically what is aspired to improve the welfare of the people in Papua is still far from expectations. So, it is necessary to evaluate the course of the special autonomy policy, it is still worth continuing or replacing it with a new policy. The role of the government is to give special attention to Papua as a region with special autonomy has
not been fully implemented in Papua, this is because the readiness of resources is far from expectations. In carrying out and managing their government, the Papuan regional government is still rated as lacking in various aspects that refer to bureaucratic reform.

The Papua Special Autonomy Policy has led to a tendency to increase public distrust of the government. The following is the identification of problems in the implementation of the Papua Special Autonomy that has been carried out so far, including (Huda, 2021):

a. The Papua Special Autonomy Law's definition of the content contributes to the long-running struggle between the Papuan people and the government. Consider the issue of utilizing regional emblems and flags. Although the Papua Special Autonomy Law permits the use of symbols and flags, the central government has been prevented from doing so in practice by the government itself; the practice of conflict resolution policies is more political than development efforts and improving the welfare of the Papuan people. Political goals such as growth, demonstration, restoration of special autonomy, and electoral agendas influence the special autonomy policy more. There are few ways to bridge the gap between the Papua area and other regions, and infrastructural upgrades to enhance the Papuan people's level of life. 3. The immediate distribution of special autonomy money is not followed by the use of special autonomy funds for the legal and political goals of special autonomy implementation. Since 2002, special autonomy funds have been distributed, although there is no unified legislative structure that assures the policy of employing special autonomy funds. Only three (three) years after the Special Autonomy Law was adopted was the Government Regulation on the Papuan People's Assembly (MRP) passed. Similarly, the Special Regional Regulation (Perdasus) was only released 6 (six) years after the Special Autonomy Law was enacted. In practice, the implementation of special autonomy is not supported by a strong legislative framework;

b. There is no in-depth and tiered evaluation process. Evaluation of the implementation of special autonomy is a formality so it is not able to present comprehensive improvements and views;

c. The implementation of special autonomy is not grounded because the people of Papua do not all understand the meaning of special autonomy. So community participation in the special autonomy policy is very low.

d. Human rights violations are an indicator of the failure of the national integration process in Papua. Governance that occurs in Papua with the central government is very limited. So that policies for fulfilling basic rights such as the environment, eradicating poverty, clean water services, access to education, the economy, and acts of violence that often occur are difficult to resolve immediately (Rochendi & Saleh, 2017).

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The demands of the Papuan people to return to Otsus which were heard in 2010, the establishment of a representative office for the Free Papua Organization (OPM) in Oxford, England in 2013, and several shooting cases have shown that there are still many parties in Papua who are not satisfied with being in the Unitary State of the Republic of Indonesia.

Following the issuance of the Special Autonomy Law, the Central Government issued a number of policies, including the establishment of a Papua Desk in each
The establishment of the Unit for the Acceleration of Development for Papua and West Papua (UP4B), and the addition of the infrastructure budget, which are still considered top-down policies. The policy is seen as coming from the Central Government, without regard for the true needs of the Papuans.

Therefore, in the current public policy perspective, a democratic policy model can be offered, namely, a model with the core that decision-making in formulating a policy must elaborate as much as possible on the voice of stakeholders. In reality, the Central Government, especially the executive, has shown that it has issued policies that do not listen to the voices of the Papuan people. This can be seen from the recommendations in the form of policies issued only to increase the infrastructure budget. Thus, it is certain that this policy will not work well. Why is that? So far, the infrastructure budget has been managed by the Central Government through Balai and Technical Implementation Units (UPT), which often do not see the needs of the Papuan people. The institution is considered to be hampering and limiting regional heads from managing their regions. As a result, there will certainly be less support for the implementation of this kind of policy.

The proposals put forward in the draft of the Special Autonomy Plus Bill are Papuan people's demands that should be discussed together with the Central Government. In the context of public policy, the central government's desire to study the Papua issue first without involving the community or local government is an inappropriate action. Thus, the policies that will be taken will also not hit the target.

The bill is aimed at improving the management of development for welfare in the Land of Papua; respecting the social order in the Land of Papua; respecting and developing the identity and basic rights of the Papuan people; respecting and enhancing the dignity and identity of the Papuan Indigenous People; and as the implementation of asymmetric decentralization as a manifestation of the provisions of Article 18 and Article 18B of the 1945 Constitution of the Republic of Indonesia.

The main materials regulated in this bill and at the same time as a form of strengthening the implementation of special autonomy in Papua, include a. wider authority to the Provincial Government in the Land of Papua; b. reconciliatory and peaceful politics, law, security, and human rights; c. fair and proportionate finances; and D. strategic development sectors, including tourism development, telecommunications and informatics, energy and mineral resources, forestry, marine, economy, cooperatives, agriculture, employment, education, trade, transportation and transportation, environment, youth and sports, public housing, land, science and technology, culture, health, social, agriculture and food security, and intellectual property rights.

Several provisions of the draft bill differ from the Special Autonomy Law, including: regulations concerning district/city governments, which are authorized to regulate and manage all government affairs except those under the authority of the central government; arrangements concerning the TNI on duty in Papua; regulations concerning customary courts as a form of recognition by the Central Government; and arrangements concerning the Papuan People's Awakening. In terms of regional finance, this law requires the Central Government and the Indonesian House of Representatives to consider the special character of the Land of Papua when developing and defining the APBN and to create a list of price-expensive indexes. Furthermore, this measure governs the allocation of money under the scope of Special Autonomy in great detail.
Conclusion

Papua’s special autonomy means that there is a hierarchical relationship between the provincial and district/city level governments, but at the same time each province, district/city, and village are autonomous regions that have their authority. The principle adopted is that authority needs to be given proportionally downwards, especially for various matters directly related to the community. The special autonomy policy in Papua has increased public suspicion and distrust. The implementation of special autonomy is felt to be grounded and poorly understood by the general public. This is because the government itself makes counter-productive policies that hinder the implementation of special autonomy. The pro-independence group and part of the community. From the perspective of public policy, the special autonomy policy in Papua province, the central government proposed a special autonomy bill plus by further enlarging the budget. This is considered not the right decision because the policy is certain to fail or run ineffectively, at least getting opposition from the Regional Government. A more comprehensive discussion is needed by involving all existing stakeholders so that public policies regarding special autonomy plus in the Papua province can achieve their goals.

References


Law No. 21 of 2001 concerning Special Autonomy for Papua Province


