



Classification of Free Movement Papua as Unlawful Belligerent

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ABSTRACT

In recent years, the Free Movement Papua (in Indonesia called Organisasi Papua Mer has carried out a massive movement in attacking and killing civilians in Papua. This action was deemed appropriate because of the OPM's position as a legal subject in accordance with international law. The aim would measure how much far OPM's position as for fulfil elements as a subject of international law based on international treaty and customs international. This article categorized as normative legal research whose using positive law. Normative legal research using secondary data consisting of from primary law including national regulations nor international law including international treaty and customs international related about OPM as unlawful belligerent. The Indonesian government classifies the OPM as armed criminal groups with the label of a terrorist group. IHL subjects need to meet certain conditions to be counted as combatants. OPM does not meet the specified conditions so that it is counted as unlawfully belligerent. This condition makes the OPM unable to enjoy treatment like a combatant during an armed conflict.

Keywords: Belligerent, Papua, Unlawful,

1. Introduction

Papuan Province or known Papua by geographical is the westernmost island in Indonesia that borders with other countries like Papuan New Guinea. Papua has mountains, seas and wealth source abundant power but is one poorest province in Indonesia. The Government of Indonesia had given special treatment for this province. Circumstances this make Indonesia give autonomy special. Identification typical from special autonomy this with give changes to structure politics and government locale consisting from, the Papuan People's Council (MRP), gave precondition for becomes head area province mandatory native Papuans (OAP), and with give position parliament through Provincial People's Representative Council (DPRP) (Tryatmoko et al. 2021). Granting special autonomy status is also an effort for give even distribution to in development for Papuans. Granting special autonomy is a solutions to destabilize the Republic of Indonesia. The heated political upheaval, years of armed violence that led to the death toll of both civilians and security forces, as well as huge moral and material losses, and alleged human rights violations, must be resolved for togetherness as a nation. The pattern of settlement through the realization of a welfare approach, as well as a legal approach that is just and harmonious, through long and binding reconciliation, is in turn able to agree on special autonomy (Tengah et al. 2018). Special autonomy for Papua was explicitly regulated for the first time within Law Number 21 of 2001 concerning Special Autonomy for Papua Province (Suharyo 2016). The Indonesia Government's efforts in granting special autonomy status to Papua are considered only as a way to reduce the conflict in Papua (Ayunda 2021).

Background behind presence The Free Papua Organization (OPM) can saw from approach its history. Indonesia declares Papua to be a unified state. The Dutch hold a different view stating that Papua has the potential to be rich in natural resources and must not be let go. President Soekarno launched program Tri Komando Rakyat (TRIKORA) to make the Papua region not separated from Indonesia (Mishael et al. 2016). History OPM's birth begins from Soeharto have occupied government. Since the reformation era start from Habibie, Gus Dur, Megawati Soekarnoputeri and Susilo Bambang Yudhoyono the OPM struggle for give demands independence always

happened. In point of view, OPM always looked Indonesia Government colonized Papua which is has many natural resources (Suropati 2018).

The experience of the Papuan people when adapting to the Indonesians, according to the 1962 New York agreement, is relatively very different. From the beginning, Papuans witnessed the behavior shown by the military and Indonesian civilians at that time. During the relatively short period of the United Nations Temporary Executive Authority (UNTEA) (October 1962 to April 1963) UNTEA was unable to realize the development policies that had been scheduled (Suropati 2018). OPM presence begins from a number of Pro Papuan elites who provide desired training and education struggle for liberate self based on Determination Opinion of the People (PEPERA) at once refuse Agreement between Indonesia and Netherlands in 1962 in New York. The basis reason of OPM because existence of human right principles. The human rights principles that every human being has are basic rights that are universal and lasting which are protected, respected, maintained and may not be neglected, diminished or seized by anyone, they have rights and positions (Sulaiman 2017).

The First movement, which started from Manokwari, was led by Serma Permenas Ferry Awom, a former member of the Papua Volunteer Battalion (Papua Vrijwilligers Korps) formed by the Netherlands. The OPM moved to carry out attacks due to communication limitations, especially in the political sense. During the Dutch colonial period, the education of the Papuan people was very limited, thus affecting the lack of quality of the communication process with the Indonesian government was hampered (Yambeyapdi et al. 2018). Another opinion says that due to the birth of OPM presence two group big. First led by Asotec Demotekay and second group led by Terianus Aronger. Activity group move in a manner politics and military. Activity political useful for get support from strange country when military invasion was carried out in a manner aggressive. Movements resistance present as struggle split self from Indonesia. kindly ideology, the OPM argues only Papuan people in authority for determine fate them and a sense of nationalism them. Every people which joined with OPM try for liberate self from Indonesia however based on background behind political that actually Papua is not could independent because promise sweet invaders Dutch caused by obstruction by the Agreement between Indonesia and The Netherlands initiated by the United Nations (UN) (Nufus et al. 2020).

Indonesia government make some effort with give autonomy special to Papua for muffle the OPM movement. The view of democracy in Indonesia is that the highest authority in our country is the people, both in the political and economic fields (Kusuma 2022). This democracy is proven by decentralization. Through Law Number 21 of 2001 concerning Autonomy Special for Papua states effectiveness regulation autonomy special can be a suggested instrument settlement conflict among government with Papuans. Giving special treatment including gift authority government, honour Papuan identity, protection rights political and social as well as culture, and solutions violation right basic human rights (human rights).

Action from OPM inside do movement military in a manner massive take lives from civilian. A number of year final OPM 's existence in do movement military get attention from the world. OPM with the movement try build argumentation and perception world community. Throughout year 2022 attack from OPM consuming many casualties from public civilian and also military. March 2022, OPM attacks and a family in the Yalimo Regency. OPM also does torture with do cutting finger to a child after kill his parents (CNN 2022). In April 2022, OPM launched attack to Indonesian National Armed Forces (TNI) which is patrol around Kali Kote. From this OPM success killing 2 people from the Indonesian Army. OPM attacks that caused casualties also occurred at the beginning October 2022 to inhabitant moderate civilian work for the construction of the Trans Papua Road. During attacked by OPM 4 residents civil died as a victim (Tempo 2022).

OPM always considers himself as belligerent or people or civil society whose fight for its independence. As for with this condition then OPM will considered as subject of international humanitarian law (IHL). In IHL, built on base 2 subjects law that is combatants and civilians. Combatants have right for down to in war. Combatants get privilege for no treated as a criminal when caught though combatants do murder during war. While civilians get protection from HHI because weak position because be a victim of showdown between combatants (Watkin 2003). In the other hand, Government of Indonesia make different position whose make OPM as criminal.

Many presumption this make a debate about what is OPM's position? Fulfil element as subject law international. When OPM placement as subject law international will make will placing OPM as a country, an organization international or subject law international. Where subject law international have ability for act because base sovereignty. As for sovereignty owned by the State, then a country has authority for form binding regulations subject laws, objects and events law in force in its territory (Kasih et al. 2021).

International law introducing some subject of international law. Beside state and international organizations also known belligerent. International Humanitarian Law (IHL) as more specific than public international law about law of war. In IHL, during war every actor not given actions whose make the other actor suffer. Or every action in war not violating human rights. In IHL also using distinction principle. This principle separated combatant and civilian when military conflict happened. Distinction principle granted every actor must protected children, refugee, woman, medic and spiritualist (H. Simarmata 2018).

This article has written with aim will measure how much far OPM's position as for fulfil elements as a subject of international law based on international treaty and customs international. This article also written for given discussion systematic related materials as well content from writing this and have connection with roots of the problem about OPM. As for formula problem consists from first, does OPM comply classification as unlawful belligerent in international law. Second, how the consequence when OPM position as unlawful belligerent.

2. Method Research

This article written and classified normative legal research whose using positive law. Normative legal research using secondary data consisting of from ingredient primary law including national regulations nor international law including international treaty and customs international related about OPM as unlawful belligerent. The data collection technique used in this legal research is inventory secondary data in the form of existing legal materials (Supriyanto 2020).

The method used is literature study (Mezak 2006). The main focus is on the norms and regulations governing OPM as Unlawful Belligerent. The composition law secondary will obtained from ingredient complementary from ingredient primary law. Then ingredient law tertiary as ingredient supporting data. Secondary data this becomes source main in study normative law. Beside that, this article also written with statue approach and conceptual approach (Benuf et al. 2020).

3.1 OPM classification as Unlawful Belligerent

From many years the development that has occur change international armed conflict. Previously war between one state to other state. However, change occur no only the state but also the other international law subject. Especially, belligerent as subject international law categorized as medium nation fight for independence present because exists desire from something group public for give resistance to something regime government. The presence of belligerent can also be caused because exists desire for release self from a sovereign country. One of the most famous group of belligerent who has legal capacity is The Palestine Liberation Organization (PLO). This organization until capable attend and convene at the UN for fight for its independence (Robert A. Fisher 1975). The conflict between Indonesia and the OPM is classified as a non-international armed conflict. It is worth distinguishing between non-international armed conflict and international conflict. That international armed conflict occurs between state and state (Bílková 2014).

This is same thing what to try done by OPM because presumption history no part from Indonesia. Sefriani classifies 4 elemental indicators that must be met to get recognition as belligerent, namely: a. organized neatly and orderly under clear leadership, b. must use clear identification indicating his/her identity, c. must have controlled a part, effectively part of the territory so that the territory has actually been under his control and d. must have the support of the people in the territory it occupies (Sefriani 2003).

Searching the fundamental regulations from belligerent must need look from regulation in Article 1 of the 1907 Hague Convention IV concerning Laws and Customs War (KDH IV 1907) on land that belligerent is mandatory fulfill requirements as following : 1. Led by a commander who have responsibility; 2. Has a special distinguishing symbol that can be recognized; 3. Carrying weapons openly; and 4. Conduct its operations in accordance with the

laws and customs of war . Become interesting question for look if OPM complies the criteria referred to in KDH IV 1907.

First, the development of the OPM Movement was able maintain movement separatism and always renew his leadership. OPM has composed structure from parts like government, field defense, finance, build connection with other countries, education and health. At outposts depend on movement in the field education, production food and training base for new members of OPM (Malcolm, 1987). (Gault-Williams 1987) For this moment currently OPM is led by the brave Benny Wenda announce West Papua State Declaration from domiciled in England (Martianto and Isnaini 2021).

Second, OPM has symbol the Morning Star as a sacred entity is meaningful for Papua's struggle towards prosperity and peace. The embodiment of this entity becomes a symbol of the process of establishing the state. The Morning Star symbol is even used in the life of the Papuan people, such as clothes and other attributes. Later, the use or raising of the Morning Star flag was banned because it was associated as a form of resistance and secession from Indonesia. In addition, Article 6 paragraph (3) Law Number 77 of 2007 concerning Regional Symbols provides the main requirement that a regional symbol may not contain elements of a separatist movement. This means that it is absolutely forbidden to try to make the Morning Star a regional logo or flag (M. Yusuf Samad and Poppy Setiawati Nurisnaeny 2022).

Third, OPM always use weaponry in do the action. Weapons used covers rifles, pistols and weapon sharp when conflicted with Indonesian army. Although also, OPM did action guerrilla in do attack. Fourth, elements final here it is elements that are not OPM fulfilled. In a number of OPM events do conflict with soldier nor police. However many events, victims who become OPM 's target is inhabitant civil even women and children who are not is combatants. OPM should not can targeting children and women or resident civil other in conflict armed. In other words, OPM with no fulfilled belligerent element then OPM is classified becomes only considered as movement separatist. OPM is considered as movement attempted separatists detach a territory from its parent territory as principles used in international law that a territory of a new country came from the jurisdiction of the ruler before (Kusumawardhani and Afriansyah 2020). Because first all of Indonesia including Papua is the territory of control Netherlands. Duly the whole region Becomes part of the Unitary State Republic of Indonesia (NKRI). With no its fullest element from Belligerent then The Indonesian government provides designation Group Criminal Armed Forces (KKB) for mention for OPM.

Action the Indonesian government is classified very appropriate with give no mentions OPM as belligerent. Look in the mirror from case movement Another separatist in Aceh is the Free Aceh Movement (GAM). At the moment that, the Indonesian government indeed no classify GAM as belligerent. If the rebellion cannot be put down immediately by the central government, and the rebels have grown stronger, are able to de facto control a fairly lever territory, have self-government, then in the literature of international law there is known recognition (Sefriani 2003). However, the Indonesian government did Memorandum of Understanding (MoU) with GAM in Helsinki on 15 August 2005. Representative the Indonesian government was represented by Hamid Awaludin and GAM represented by Malik Mahmud. Of course still occur debating until now is action the counted from agreement international or no. However, it is necessary look conditions from agreement international that something agreement international can done among subject international law. So if Helsinki MoU position seen so classified that has occur agreement international between the state and belligerent.

Failure fulfillment belligerent elements can make becomes unlawful belligerent. For look ratio the so can take example from Taliban insurgents in Afghanistan. Lee A. Casey, David B. Rivkin, Jr. & Darin R. Bartram provides that requirement to classify combatants or unlawful combatants. First, that there needs to be an organizational structure in the command system. This is very important to pay attention to because in every attack or armed contact that occurs, command accountability and command structures are required. In this condition, the Taliban in every attack is managed by local commanders who are not clearly classified as combatants or non-combatants (Casey and Rivkin 1942).

Second, the symbol of the uniform as a combatant's identity. This is necessary as a combatant marker. This symbol is used to identify all war equipment, tanks, planes, ships and other vehicles. The Taliban are also questioned as having used marker symbols to mark friends or foes in armed conflict. Third, that it is obligatory to open weapons openly so that they can be identified. This claim has also been questioned because of the tough requirements to meet in an openly armed society (Casey and Rivkin 1942).

With no fulfilled defined elements then the Taliban are classed becomes unlawful belligerent. If associated with view from Lee A. Casey, David B. Rivkin, Jr. & Darin R. Bartram so actually OPM is almost similar with the Taliban. The terms specified then OPM can too classified Becomes unlawful belligerent. so OPM doesn't can equated with position subject law international other.

3.2 Consequence when OPM Position as Unlawful Belligerent

During ongoing armed conflict, parties to the conflict must obey IHL. Principle base humanity international law is principle humanity requires that even in situation conflict values humanity honoured height and conflict armed permanent in limit humanity limitation. This principle required that all effort or action violence with use weapon or action the done until level some do not needed for armed conflict forbidden (Bunga and Tukan 2019).

Need noticed that confession of unlawful belligerent with *leeve en masse*. Rebellion in a manner spontaneously by the people civil for oppose group attacker. *Leeve en mass* originate from Revolution French and is tool political for called out for lift guns, fine in a manner literally for rally French spirit for oppose anti-revolutionary army. Main idea of *leeve en masse* delivers very influential for military Europe. *Leeve en masse* as legal combatants and not criminal organized. Position *leeve en masse* is as someone soldier with patriotism and love his homeland as well struggle for carry out duty maintain land his birth from threat invaders (Law 2010).

If look from meaning and elements *leeve en masse* then there is OPM presumes it will belong becomes *leeve en masse*. See also elements for maintain land his birth then OPM can also be categorized have desire for maintain Papuan land. However, there is element from *leeve en masse* its not owned by OPM that presence because spontaneity. OPM inside history its formation in a manner organized. Action *leeve en masse* for chase away invaders while Indonesia is not nation colonialists in Papua. So, by line big OPM isn't it including *leeve en masse*.

The aim of the government is to protect the entire of Indonesia's people and promote general welfare as mandated by the constitution. In fact, the obligation to provide safety and protection for all citizens, including protection for their citizens (Salam 2018). Indonesia delivers special treatment to OPM with labeling as a terrorist. Categorization of OPM make difference treatment to captured OPM members. IHL provides one fundamental principle for obeyed that is principle distinction. This law principle when conflict armed occur warring parties must differentiate treatment for combatant and non combatant (civilian). The principle of IHL must ensure the implementation of the principle of non-discrimination. During war, no one can deny the rights of another person because of external factors, such as race, color, sex, language, religion, political or other opinion, nationality, property, birth or other status. The prohibition of discrimination is an important part of the core principles of human rights (Noor, Wicaksono, and Sa'adah 2020). Every parties must put first for protect resident civil or not can make object of target armed conflict. The essence of principle distinction oppose idea war indiscriminate blind, and purpose from principle distinction as following (Prasetiawan and Hastuti 2020):

1. Protect combatants and residents civil;
2. Deliver human rights guarantees that are very fundamental;
3. Prevent happening war without no limit humane.

Based on Article 4A of the Convention Geneva III On Prisoner War (Convention Geneva III) gives requirements for prisoner consisting war from : a. Members force war from disputing parties, members militia or corps voluntary which is part from force war it ., b. Members militia others, including movement organized virginity (organized resistance movement), c. Members _ force regular war declared loyalty to something government or power that is not admitted by the retaining country, d. Accompanying people force war without with actually becomes member from force war, e. Crewman boat trade including skipper , pilot sea, cadet as well as crew aircraft

fly civil from disputing parties who do not get more treatment good according to provisions whatever in law international, f. Residents of areas that have not occupied, which when enemy close up, up his will alone and with simultaneously lift weapon for oppose arriving troops raided.

Distinction treatment will applied to combatant, at points (a), (b), (c) and (f) will classified becomes combatants. Meanwhile points (d) and (e) are categorized to non-combatants. Combatants will get protection as prisoner war because submit to IHL. If unlawful combatant will get consequence more laws heavy compared to combatant if caught because no counted as prisoner war (Hamda 2005). An unlawful combatant doesn't enjoy the benefit of lawful combatant advantages yet chooses to take active part in hostility (Mohammad Ali Hasab 2023).

In 2021, the Government of Indonesia will classify OPM as Group Criminal Armed Forces (KKB) makes OPM as group terrorist. Base thinking idea this far more appropriate because keep away all effort for make subject international law. This point of view is also more good look past conditions that were not regard GAM as belligerent but Indonesian still doing and signing agreement with GAM. Best way and solution this given for prevent and refuse OPM's opinion is *belligerent* so that counted becomes combatants.

Thus, all efforts will be enforced by the government to resolve the terrorist act itself, which is increasingly affirmed in Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism. The definition of terrorism is as stated in Article 4 that any act that uses violence or threats of violence that creates an atmosphere of widespread terror or fear that can cause mass casualties, and / or cause damage or destruction to strategic vital objects, the environment, public facilities or international facilities with ideological, political or security disturbance motives. So that actions carried out by OPM such as violence, terror, destruction with political motives and security threats become objects of criminal acts of terrorism (Sinaga 2021).

OPM by law classified becomes unlawful combatant. With condition this such, OPM does not could enjoy all granted rights and obligations from Convention Geneva III. When in conflict armed happened OPM not could made as prisoner of war. Law enforcement is a process of efforts to maintain or carry out legal norms as a guideline for traffic behaviour or legal relations in the life of society and the state (Ode and Ali 2023). So when the OPM was caught so will imposed enforcement as a terrorist. OPM members will processed based on law national about terrorists and will processed in the Criminal Court (PN) accordingly perpetrator criminal other. Because the reason OPM is acting like combatant but is not one and a person act like civilian and a combatant at the same time.

4. Conclusion

IHL subjects are necessary for fulfill conditions certain for counted becomes *combatants*. As for condition the consists from led by a commander. Has a special distinguishing symbol that can be recognized from a distance far. Carrying weapons openly; and conducts its operations in accordance with the laws and customs of war. OPM doesn't fulfill conditions that have determined so that counted as *unlawful belligerent*. Condition this make OPM not could enjoy treatment as a combatant when conflict armed happened. If the OPM is caught no can equated with prisoner war. Since early OPM has been classified Becomes group terrorists by Indonesia. The position that makes OPM will positioned as perpetrator criminal when caught.

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References

- Ayunda, Rahmi. 2021. "Dampak Rill Implementasi Status Otonomi Khusus Di Provinsi Papua, Indonesia: Kajian Hukum Perspektif Good Governance." *Jurnal Komunikasi Hukum (JKH)* 7:387–402.
- Benuf, Kornelius, Muhamad Azhar, Staf Badan, Konsultasi Hukum, Fakultas Hukum, Universitas Diponegoro, Penelitian Hukum, and Masalah Kontemporer. 2020. "Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer *Jurnal Gema Keadilan Jurnal Gema Keadilan*." 7:20–33.

- Bilková, Veronika. 2014. "BELLIGERENT REPRISALS IN NON-INTERNATIONAL ARMED CONFLICTS." *International and Comparative Law Quarterly* 63(January):31–65. doi: 10.1017/S002058931300047X.
- Bunga, Gerald Aldytia, and Elisabeth Nirmalasari Bota Tukan. 2019. "Legal Impact of State Defense on Indonesian Citizen in International Humanitarian Law Prespective." *Yustisia Jurnal Hukum* 8(2):164. doi: 10.20961/yustisia.v8i2.21604.
- Casey, Lee A., and David B. Rivkin. 1942. "U NLAWFUL B ELLIGERENCY AND ITS." 1–22.
- CNN. 2022. "OPM Klaim Tak Terlibat Pembunuhan Prajurit TNI Dan Istri Di Yalimo." CNN. Retrieved November 19, 2023 (<https://www.cnnindonesia.com/nasional/20220401084723-12-778736/opm-klaim-tak-terlibat-pembunuhan-prajurit-tni-dan-istri-di-yalimo>).
- Gault-Williams, Malcolm. 1987. "Organisasi Papua Merdeka: The Free Papua Movement Lives." *Critical Asian Studies* 19(4):32–43. doi: 10.1080/14672715.1987.10409792.
- H. Simarmata, Markus. 2018. "Pentingnya Prinsip-Prinsip Hukum Humaniter Dalam Undang-Undang Tindak Pidana Terorisme." *Jurnal LegisLasi Indonesia* 15(2):119–28.
- Hamda, Hanung Hisbullah. 2005. "Konsep Perlindungan Tawanan Perang Menurut Hukum Humaniter Internasional Dan Hukum Islam." *Jurnal Hukum IUS QUIA IUSTUM* 12(30):174–92. doi: 10.20885/iustum.vol12.iss30.art2.
- Kasih, Desak Putu Dewi, Ni Ketut Supasti Dharmawan, Made Suksma Prijandhini Devi Salain, and Putri Triari Dwijayanthi. 2021. "Kedudukan Negara Sebagai Pembeli Dalam Perspektif Hukum Perdagangan Internasional." *Jurnal Pembangunan Hukum Indonesia* 3(3):354–69. doi: 10.14710/jphi.v3i3.354-369.
- Kusuma, Andy Putra. 2022. "Nominee Arrangement Practices Performed by The Government of The Republic of Indonesia." *Jurnal Hukum Volkgeist* 6(2):196–203.
- Kusumawardhani, Indriati, and Arie Afriansyah. 2020. "Free Papua Organization: Belligerent, Combatant, or Separatist?" 130(Iclave 2019):311–19. doi: 10.2991/aeblr.k.200321.040.
- Law, T. 2010. "Sydney Law School." *Politics* 160(10):177. doi: 10.2139/ssrn.1699568.
- M. Yusuf Samad, and Poppy Setiawati Nurisnaeny. 2022. "Propaganda Penggunaan Bendera Bintang Kejora Terkait Isu Penolakan Pemekaran Daerah Otonomi Baru Papua." *Jurnal Lemhannas RI* 10(3):29–38. doi: 10.55960/jlri.v10i3.295.
- Martianto, Raden Wahyu Utomo, and Muhamad Isnaini. 2021. "Kontra Propaganda Deklarasi Negara Papua Barat Dalam Konstruksi Pemberitaan Tempo.Co." *Jurnal Kajian Jurnalisme* 5(1):48. doi: 10.24198/jkj.v5i1.31885.
- Mezak, Meray Hendrik. 2006. "Jenis , Metode Dan Pendekatan Dalam Penelitian Hukum." *Law Review* V(3):85–97.
- Mishaël, Georgy, Joko Setiyono, Soekotjo Hardiwinoto, Fakultas Hukum, and Universitas Diponegoro. 2016. "KEBIJAKAN OPERASI MILITER TENTARA NASIONAL INDONESIA TERHADAP ORGANISASI PAPUA MERDEKA DALAM PERSPEKTIF HUKUM HUMANITER INTERNASIONAL." *Diponegoro Law Review* 5(2):1–12.
- Mohammad Ali Hasab, Mohammad Inzamal Haque. 2023. "Should Unlawful Combatants Be Considered as Prisoners of War When Captured?" *Journal of Law & Legal Reform* 4(1):123–40.
- Noor, Ganis Vitayanty, Imam Wicaksono, and Nabitatus Sa'adah. 2020. "Jurnal Hukum Volkgeist The Impact of Accepting New Students with the Zoning System on the Right to Children ' s Education." *Jurnal Hukum Volkgeist* 4(2):100–107.
- Nufus, Achmad Busrotun, Sukron Mazid, Novitasari, Delfiyan Widiyanto, and Yasnanto. 2020. "Papua's Vertical Conflict in 2019: Existence of Free Papua Movement and United Nations Response." 436:1–5. doi: 10.2991/assehr.k.200529.001.
- Ode, La, and Bunga Ali. 2023. "Enforcement Of Criminal Law Against Abuse Of Immigration Permit According To Republic Of Indonesia Law No . 6 Of 2011 Concerning Immigration." *Jurnal Hukum Volkgeist* 7(2):51–56.

- Prasetiawan, Eno, and Lina Hastuti. 2020. "Penerapan Distinction Principle Dalam Perundang-Undangan Di Indonesia." *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 9(2):448. doi: 10.24843/jmhu.2020.v09.i02.p16.
- Robert A. Fisher. 1975. "FOLLOWING IN ANOTHER 'S FOOTSTEPS : THE ACQUISITION OF INTERNATIONAL LEGAL STANDING BY THE PALESTINE LIBERATION." *Syracuse Journal of International Law and Commerce* 1-34.
- Salam, Safrin. 2018. "Perspektif Politik Hukum Terhadap Perlindungan Dan Pembinaan Tenaga Kerja Luar Negeri Di Indonesia Oleh." *Jurnal Hukum Volkgeist* 3:89-103.
- Sefriani. 2003. "Separatisme Dalam Perspektif Hukum Internasional: Studi Kasus Organisasi Papua Merdeka." *UNISIA* (47):41-53.
- Sinaga, Melpayanty. 2021. *Dampak Pelabelan Teroris OPM (Organisasi Papua Merdeka) Terhadap Prospek Perdamaian Papua*.
- Suharyo. 2016. "OTONOMI KHUSUS DI PAPUA DAN ACEH SEBAGAI PERWUJUDAN IMPLEMENTASI PERANAN HUKUM DALAM KESEJAHTERAAN MASYARAKAT." *Jurnal Rechtvinding* 5(November):323-37.
- Sulaiman, Herlina. 2017. "TINJAUAN YURIDIS TERHADAP PEMENUHAN HAK-HAK ANAK DI LEMBAGA PEMASYARAKATAN KLAS I A MAKASSAR." *Jurnal Hukum Volkgeist* 2:47-57.
- Supriyanto, Hadi. 2020. "The Nature of Corporate Crime in Law Enforcement of the Criminal Justice System in Indonesia." 4(2):166-79.
- Suropati, Untung. 2018. "Solusi Komprehensif Menuju Papua Baru : Penyelesaian Konflik Papua Secara Damai , Adil Dan Bermartabat." *Jurnal Kajian Lemhanas* 37:73-89.
- Tempo. 2022. "Jenazah Prajurit TNI Korban Serangan OPM Di Papua Tiba Di Surabaya." *Tempo*. Retrieved November 19, 2022 (<https://nasional.tempo.co/read/1585461/jenazah-prajurit-tni-korban-serangan-opm-di-papua-tiba-di-surabaya>).
- Tengah, D. I., Fenomena Korupsi, Suatu Strategi, Penindakan Hukum, Jl H. R. Rasuna, Said Kav, and Kuningan Jakarta Selatan. 2018. "OTONOMI KHUSUS DI ACEH DAN PAPUA DI TENGAH FENOMENA KORUPSI, SUATU STRATEGI PENINDAKAN HUKUM." *De Jure* 18(740):305-18.
- Tryatmoko, Mardyanto Wahyu, Cahyo Pamungkas, Rosita Dewi, Luis Feneteruma, Anggi Afriansyah, Yusuf Maulana, Kedeputan Bidang, Ilmu Pengetahuan Sosial, and Dan Kemanusiaan. 2021. "Pembenahan Otonomi Khusus Untuk Penyelesaian Konflik Papua." *Policy Paper LIPI*.
- Watkin, Colonel K. W. 2003. "C OMBATANTS , U NPRIVILEGED B ELLIGERENTS AND." *Program on Humanitarian Policy and Conflict Research at Harvard University* 1-20.
- Yambeyapdi, Ester, Program Studi, Pendidikan Sejarah, and Fakultas Keguruan. 2018. "Papua : Sejarah Integrasi Yang Diingat Dan Ingatan Kolektif." *Indonesian Historical Studies* 2(2):89-95.