

# Military Operations Other Than War in Maintaining Security and Peace from Armed Separatist Criminal Group in Papua

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**ABSTRACT**--TPN-OPM as KKSBB in Papua aims to fight for independence and establish its state separate from the Republic of Indonesia. TPN-OPM carried out its movement through criminal acts as well as demand justice through international diplomacy. This study tries to analyze how MOOTW in maintaining security and peace from TPN-OPM in Papua by Kopassus TNI-AD. This study employs a descriptive analysis method with a specific data collection gained through interviews, observation, and library research with both method and source triangulation to validate the findings of this study. This study found out that MOOTW implementation by Kopassus obtained through an effective operation with various approaches such as social, humanity, political, economic, and educational to improve the welfare and equitable development of the people in Papua as well as solving the causes of separatist movement to the root. This study also examines the challenges that arise are the overlapping duties between Kopassus TNI-AD and National Police, to accelerate the national security from TPN-OPM threat, the government must have a clear legal framework for Satgas Kopassus TNI-AD to operate together with Polri.

**Keywords**-- Kopassus TNI-AD, MOOTW, TPN-OPM, Separatism, Development.

## I. INTRODUCTION

The Armed Separatist Criminal Group (Kelompok Kriminal Separatist Bersenjata (KKSBB)) in Papua, known as the TPN-OPM (Tentara Pembebasan Nasional Organisasi Papua Merdeka), is a separatist group that aims to fight for independence and establish its own country. This group caused various security threats in various fields such as development, economy, education, the operationalization of local government, and so forth. Therefore, it is necessary to take concrete steps that will involve all parties, especially the Local Government and Security Apparatus such as the Indonesian Army (TNI-AD) and the Indonesian National Police (Polri). Although for the Indonesian government, law enforcement is the main task of Polri, the character of the problems causes Polri to ask for support or assistance in security operations from TNI-AD.

Following the characteristics of problems in the field, this research will focus the study on the role of the Indonesian Army Special Forces Commander (Kopassus TNI-AD) as the field executive in security operations, as well as the role of local government in creating conducive security environment. This is important considering the problem of separatism in Papua has been going on for a very long time and has not shown signs of ending. Even in recent years, the KKSBB has carried out terror against many parties such as the murdering of Trans-Papua road

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construction workers, armed attacks on security forces, and is the mastermind behind several riots that occurred in some regency of Papua such as Wamena and Nduga (Kompas, 2018).

Another cause of the importance to this KKSB to be handled specifically and appropriately is the internationalization of the cases carried out by TPN-OPM which has the potential to create national disintegration and division. Until now, the local government of Papua together with the security forces cooperates with elements of the local community to create a conducive security situation and to enforce the law against those involved in the separatist movement to reduce the security instability caused by the KKSB activities.

The TPN-OPM was labeled Armed Criminal Group (Kelompok Kriminal Bersenjata (abbreviated as KKB)) by the National Police since they are armed and commit various criminal acts such as extortion, robbery, deprivation, and murder of everyone who is targeted. Meanwhile, by the TNI-AD, this organization was labeled the Armed Separatist Criminal Group (abbreviated as KKSB) because in addition to committing criminal acts, it also carried out armed movements to separating themselves from NKRI. This was stated by Brig. Gen. Ayub Waker, the head of the TPN-OPM in Tembagapura in May 2019 that their movement was not solely for economic gain, but also to fight for the independence of Papua. This clearly shows that the TPN-OPM movement threatens the sovereignty of the Republic of Indonesia.

The existence of the KKSB has been going on for a long time, however, the acceleration of the development in Papua under the government of President Jokowi has led this group to more aggressively conducting operations for fear of losing the attention and support of the people of Papua. In response to this phenomenon, the Commander of the Indonesian National Armed Forces, Air Chief Marshal Hadi Tjahjanto instructed his staff on the following matters, that are:

1. To immediately take strict steps to create security stability in Papua, especially in Puncak Jaya Regency;
2. To mobilize the power of Kopassus in small, strong, effective, efficient, and powerful relations to restore the strategic values of Papua (the historical betting, the internationalization of cases, multinational, abundant natural resources, and one of the richest provinces in Indonesia).

Subsequently, in 2018 a Special Task Force for Law Enforcement (abbreviated as Satgassus Gakkum) was formed and centered on the strength of the TNI and Polri based on a warrant from the Commander in Chief of the TNI and Kapolri. The formation of the Satgassus Gakkum is a continuation of the TNI-Polri Integrated Task Force that was formed and succeeded in the liberation operation of 1,300 residents of two villages held by KKSB in the November 2017 incident in Tembagapura District, Mimika Regency (Sindonews, 2018). Some of the important tasks of the Satgassus Gakkum task force are:

1. To maintain the integrity of the country through various Military Operations Other Than War (MOOTW);
2. To take care and protect the people in Papua from various terror and intimidation by the Armed Separatist Criminal Group (KKSB); and
3. To maintain security stability in the Papua to ensure the continuity of the implementation of development programs to improve the welfare of the people of Papua.

The law enforcement operations are carried out in the form of integrated action such as searching, chasing, and arresting TPN-OPM leaders and members to be justed. As this operation is the main task of the Polri, the TNI plays a role as the supporting sector. From the TNI side, the core force assigned to this law enforcement operation was the Kopassus TNI-AD.

The handling of the TPN-OPM is often carried out with security operations approaches, both by the army and the police by considering the context of law enforcement. Some strategy models have so far been able to overcome these movements, but some have also failed. Apart from security operations, some handling strategies are also carried out through dialogue and diplomacy approaches, both domestically and abroad.

There has been some research related to the separatist movement in Indonesia. One of them was research by the Research Team of the National Legal Development Agency at the Ministry of Law and Human Rights of the Republic of Indonesia in 2008 under the coordination of Suharyo. The study entitled "Interaction of National and International Law in the Prevention and Eradication of Separatism in Indonesia" succeeded in digging up data and information that the separatist movement was mostly built by the dissatisfaction of local communities over ineffective central government policies, or even ignoring the existence and basic needs of the people in the province.

Following the various facts and problems that have been revealed above, we conclude the research question into this following sentence, "How the Military Operations Other Than War (MOOTW) implementation in ensuring the security of the territory from the disruption of the Armed Separatist Criminal Group (KKSB) in Papua by the Indonesian Army Special Forces Commander Task Force (Satgas Kopassus TNI-AD)?" This study aims to provide an understanding and to analyze the implementation of MOOTW by the Satgas Kopassus TNI-AD in ensuring the national security and stability from the disruption of KKSB in Papua. This research is expected to provide benefits in understanding security studies through the MOOTW framework, specifically the development of concepts and strategies in dealing with separatist movements in Indonesia.

## II. LITERATURE REVIEW

### *a. Criminal Acts*

Criminal acts are all kinds of actions that are economically and psychologically damaging and violate laws, social, and religious norms (Kartono, 1999: 122). In this narration, the KKSB named TPN-OPN in Papua is a group that has done things that threatening or violating the economy, the law, social, cultural, religious, and public order, thus they labeled as a "Criminal Group".

Sutherland, et.al. (1960: 45) argue that criminal behavior is a behavior that violates criminal laws, so that this behavior is called crime. Eling, Fingers, and Gall (2019: 2) explains that criminal acts occur due to physiological psychological factors where physical-spiritual degeneration occurs or by retrograde or deterioration of psychological and physical elements. In line with this, Marro, as cited by Sutherland, et. al., (1960: 46), argues that criminal acts are caused by nutritional damage to the nervous system in the central brain, resulting in malfunctioning of the mechanisms of human control and self-control.

A criminal act is juridically a form of behavior or act that is contrary to the moral of humanity (immoral), harms the community, is asocial, and violates the law. In the Indonesian Criminal Code (KUHP) it is stated that crime is all forms of acts that meet the formulation of the provisions of the Criminal Code. It was concluded that the criminal act is an act or behavior that violates the law, harms the victim and the community, and disturbs peace and order.

***Kartono (1999: 130-136) divided the types of crimes into:***

1. General crime: robbery, gangsterism, fraud, gambling, extortion, threat to publicize scandal, manipulative act, theft, and lawlessness.
2. Crime according to the way it was committed: the crime that uses devices (such as shotgun) and one that does not use devices.
3. Crime according to the object of law they attacked, namely:
  - a. Economic crime
  - b. Political and defense crime
  - c. Crime against morality and decency
  - d. Crime against person and property.

The factors that caused criminal acts according to Lopa (2001: 64) came from within and outside the perpetrator. The factors from within commonly derived from heredity and psychiatric condition (such as mental illness), including:

1. Biological factors from genotype and phenotype.
2. The nature of the perpetrator.
3. Age factor where the tendency to do crime increases while still in school and peaks between the ages of 20 and 25, then gradually decreasing.

(Hurwitz, 1986: 36)

Factors from outside the perpetrator are environmental factors, both stationary (permanent) and temporary (impermanent) environments. Kinberg (1935) states that the influence of the previous environment is more or less present in one's personality today. Within certain limits, it happens vice versa, where the environment that has surrounded a person for a certain amount of time affected by their influence. That is, nature and environmental factors are both dynamic factors that work and influence each other.

### ***b. Separatism***

Anwar (2004: 213) explained that separatism has a close relation to the formation of a new state. Some separatist movements have a long history of hatred towards the central government and the dominant ethnic or religious groups in their state. In Papua separatist movement, historically it has lasted for a long time, taking a large number of casualties and properties. Therefore, the separatism in Papua classified as a movement that threatened the integrity of Indonesia. Renaires (2005: 119) complements that separatism is generally an ethnic or identity group movement to separate itself from a legal state or government to form a self-govern state due to cultural, religious, or linguistic differences. Separatism can also happen as a political movement that fights for the liberation of a certain territory and inhabitants of a state.

In Indonesia, separatism is regulated in article 106 KUHP which states that treason (*aanslag*) are actions to conquer the territory of a state altogether or partially under a new government; or to separate a part of the territory. This act punishable by imprisonment for a lifetime or temporarily imprisonment in twenty years. (41, 35, 87, 1 10, 128, 130 etc., 140, 164 KUHP).

### ***c. Law Enforcement***

Law enforcement is an effort to create legal ideas and concepts that are expected by the people to become reality. Soerjono Soekanto (1983: 32) argues that law enforcement is the activity of harmonizing the relation of values that are set out in rules or views of values that are steady and manifest in behaviors and actions as a series of translation to the final stages of value to create, keep, and maintain peace in the social life.

Law enforcement is an effort to bring the ideas of justice, legal certainty, and social benefits into reality. Thus, law enforcement is essentially a process of embodying ideas. Concerning criminality (violation of criminal law), Goldstein, et.al. (1974) distinguishes criminal law enforcement into 3 types, namely:

1. Total enforcement
2. Full enforcement
3. Actual enforcement

Meanwhile, the implementation of the law can be viewed from 3 dimensions, namely:

1. The implementation of the law as a normative system: the implementation of the entire rule of law that describes social values supported by criminal sanctions.
2. The implementation of the law as an administrative system: includes interaction between various law enforcement apparatus which constitute the judicial sub-system above.
3. The implementation of criminal law as a social system: in defining criminal acts must also follow the process of considering various perspectives of thought that exist in the layers of society.

Furthermore, the factors that influence law enforcement divided into five, namely:

1. Legal Factors
2. Law Enforcement Factors
3. Supporting or Facilities Factors
4. Community Factors
5. Cultural Factors

(Soekanto, 1983: 42)

#### *d. Security Studies*

Buzan, Waever, and De Wilde (1998: 35) propose three types of units of analysis in security studies, namely:

1. Referent Object: something that is seen as an object that is threatened and has a claim of legitimacy to survive.
2. Securitizing Actors: the actors who declare all objects that are threatened, then securitizing the threat.
3. Functional Actors: every actor that influences the dynamics of a security sector, but is not an actor who is the object of a security referent, and is an actor with an interest in the object of a security referent.

Furthermore, Mutimer (2008:35) proposed four basic questions about the concept of security which are: What is security? Whose security are we talking about? What counts as a security issue? and, How can security be achieved?. These questions will lead to the background of various concepts of security that empirically have many more specific dimensions and types.

Hobden & Jones (1997) explain critical security is an approach that combines Gramsci's and critical theory which emphasizes aspects of peace. This study also called alternative security studies. In short, critical security questioning the dominance of the state as a natural object of security, that the state can be part of the security issue

itself, and not only as a security provider. The scholars of critical security studies place humans at the center of the analysis with emancipation as the aim.

This literature review will be used as an approach to holistically analyze the issue discussed where the Papua seems as a province that has potential for the conflict to various interests, especially to economic, political, and security issues. The Free Papua Organization (OPM) roles as an organization that aims to separate its province from the Republic of Indonesia, attempted both movements in raising international support, as well as various armed criminal acts in Papua such as extortion, robbery, and murder.

The existence and activities of the TPN-OPM, the Armed Separatist Criminal Group in Papua, greatly threatening yet domestic security and stability as well as poses threats to the sovereignty and integrity of the Republic of Indonesia. Thus, an optimum plan is needed both at the strategic and tactical levels to handle the existential threats. Otherwise, foreign powers could also play a role in this crisis, making it even more difficult for the Indonesian government to handle it.

The terrain in Papua is so heavy that it is difficult for the police to conduct operations on their own. Therefore, the National Police need to be assisted by the army to carry out law enforcement operations against TPN-OPM. The activities of these two elements are contained in the form of a Special Task Force for Law Enforcement (abbreviated as Satgassus Gakkum). In this case, the army plays a more important role in pursuing, searching for, and arresting TPN-OPM leaders and members to be legally processed by the National Police.

### **III. RESEARCH METHOD**

This study employs a qualitative method with a descriptive analysis approach, data collected through observation and interviews. Informants were decided by purposive technique. Research informants: the commander of Brimob Polri (the Mobile Brigade Corps of Indonesia), the commander of Kopassus (Special Forces Command of Indonesia), the local government in Papua, and community leaders. The observation was carried out for 2 months in Papua, Indonesia, through participatory observation. Researchers also used references from book literature, data, regulations, legislations, journals, and information through other internet and printed media related to the subject matter with this study. These techniques were chosen since they can complement and explain one another. To ensure data validity, a method and source triangulation will be carried out. Thus, all the data obtained serves to validate the findings of this study.

### **IV. DISCUSSION**

#### ***a. Assessing Force Structure***

The conflict between Indonesia and KKS in Papua spearheaded by TPN-OPM continues to flare up to separate themselves from the Republic of Indonesia and create a state of Papua. The existence of the KKS is getting stronger as it is influenced by several factors including the existence of discrimination in economic and development, also the marginalization of the people in Papua. TPN-OPM continues to carry out separatist acts by provoking violence against civilians as well as provocations against TNI and Polri in Papua.

KKS is not a small threat as it does not only local impacted but also at the national level, where the acts by TPN-OPM have led to the disintegration of the nation of the Republic of Indonesia. To handle this, a total of 600

joint TNI and Satgas Kopassus TNI-AD from the Makassar Kostrad III Division and the 8<sup>th</sup> Makassar Zeni Tempur Battalion have been assigned and placed in villages where the power base of KKSBB Papua stands. One kind of efforts undertaken by the army is to cut the KKSBB Papua weapon's logistics flow to reduce the pace of the separatist movement. This decisive action was taken by the Central Government also aims to expedite the development process in Papua which has been constrained by the KKSBB separatist movement.

The army personnel assigned have controlled at least 70% of the Nduga regency in Papua which was originally controlled by the KKSBB, this is a testament to TNI success in carrying out the mission of maintaining the national security from KKSBB disruption. This success is good news for all parties, but it cannot be considered an absolute success as KKSBB still has the potency to carry out terror and threats at a later time. Therefore, the Army and all authorities must take a serious effort to ensure that KKSBB Papua is no longer able to carry out its actions.

Another main priority of Satgas Kopassus TNI AD in mapping the opponent's strength is by mapping the places where KKSBB distributed their weapons. All this time, the distribution or smuggling of weapons used by KKSBB came from Papua New Guinea and the Philippines. Weapons like firearms and traditional weapons are used to attack residents and even members of the army. When the opponent's strength map is already known, it is easier for Satgas Kopassus to cripple TPN-OPM so that the government closer to the goal of ensuring the security of the territory of Indonesia from Papuan separatist disturbance.

#### ***b. Define Appropriate Roles and Mission***

The existence of Kopassus TNI-AD in Papua in the context of handling the KKSBB as assistance to the Indonesian National Police to maintain the security of the territory is very appropriate. So far, the handling of KKSBB is still the domain of Polri because almost all acts by KKSBB pose criminal acts and must get punishment under statutory regulations (UU KUHP). Even so, Satgas Kopassus saw that the KKSBB Papua had not only committed a criminal act but also lead to separatism aimed at separating itself from Indonesia. From the perspective of this domain, the TNI should take part in solving the KKSBB problem. Thus, Polri and TNI must work together to take part in solving the problem to the root.

The Law of the Republic of Indonesia No. 5 of 2018 concerning Eradication of Terrorism which regulates the involvement of the TNI in eradicating acts of terrorism defines armed criminal groups in Papua are not just ordinary crimes but have become extraordinary crimes so the Satgas Kopassus as an assigned army can take a systematic role with the capability of its members in handling acts of terrorism. The Law of the Republic of Indonesia No. 34 of 2004 concerning the TNI explains the role of TNI in combating terrorism was concluded in the Military Operations Other Than War (MOOTW) so that the task of eradicating KKSBB was not only the domain of Polri but also the TNI's.

The laws above also explain terrorism as an act that causes many fatalities in a mass manner by depriving freedom of life or eliminating the lives and property of others. Besides terrorism can cause damage to strategic vital objects, the environment, or public facilities so that TNI has a significant function in this crisis. KKSBB caused many obstacles in the process of equitable development in Papua, one of which was the murderer of Trans Papua project workers.

The Commander of the Indonesian National Armed Forces, Air Chief Marshal Hadi Tjahjanto argued that in the moment of facing separatist movements in Papua, not always necessary for TNI to do violence. In MOOTW

in Papua, the TNI carries out two operations namely combat operations and non-combat operations wherein non-combat operations the TNI can use more subtle methods such as winning the people's hearts so that they do not follow KKSBB that threaten the state's sovereignty.

The right mission can make MOOTW by Kopassus TNI-AD accepted by the community. When the community feels safe and secure, they will prevent themselves to participate in separatist movements. MOOTW there ensuring the security of people and land from KKSBB threats, their operation can also be filled with natural and human development activities such as social services, social activities, health activities, agricultural counseling, and so forth. If this activity continues to echo in Papua, the people will gradually feel safe and secure with the presence of the Satgas Kopassus TNI-AD. However, as reliable troops, if there happens a rebellion carried out by KKSBB, Satgas Kopassus TNI-AD already standby and will swiftly counteract it.

This mission carried out a cultural and community approach that is also aimed at the welfare of the people. It serves with an understanding of the importance of living in harmony and peace. This way is expected to create a harmonious and peaceful life in all communities that lead to mutual respect among them. This way is also expected to minimize their participation in KKSBB. Another important mission of Satgas Kopassus TNI-AD is holding discussions with the public figures such as the Tribal Chief, Community Leaders, Youth Leaders, Religious Leaders, and Women Leaders in Papua. KKSBB followers are those who are incited by people who want to free Papua from the Republic of Indonesia because they were disappointed over poverty and underdevelopment. If the cultural and community approaches are carried out sustainably and help their welfare, it does not rule out the possibility of KKSBB realize the rebellion was contrary to the solidarity of a nation and gradually will leave the movement.

Another approach used is the humanist approach that believes that the people in Papua need to be cared for and protected as well as the people in other provinces. Papua needs to care for more than ever as a province that has abundant natural resources, the welfare of its people is inversely proportional because most of them are less prosperous and overall have a high poverty rate.

This state of irony resulted in social jealousy with other provinces. This vulnerability will be easily targeted by some parties to provoke Papua to oppose the government as to how OPM aims to demand prosperity. Therefore, the Government in the era of President Joko Widodo intensified a large and sustainable national development project for the province of Papua aimed at leveling development so that the people of Papua could feel the effects of development itself. During his reign, the priority of development carried out on the construction of the Trans Papua road, health development, and education development. This step was carried out in the hope of making the province of Papua a developed province with a high level of welfare.

The Central Government believes that the sustainable development program that intensified on a large scale in Papua will be able to catch the development up and become a developed province. Many educational scholarships provided by the local government are also expected to be a step towards achieving qualified human resources. If these programs run as expected, separatist movements such as TPN-OPM will automatically diminish where this movement is based on a lack of understanding of the Central Government to make the province of Papua as developed and welfare as another province, if everything works as expected, there will be no more cases poverty, poor nutrition and so on.



### *c. Establish Units with Specific Capabilities*

TPN-OPM threatens peace and security by terrorizing civil society and law enforcement such as TNI and Polri as Satgassus Gakkum (Special Task Force for Law Enforcement) in Papua. There is a different interpretation between the Indonesian National Police (Polri) and TNI-AD between which terms TPN-OPM is, while Polri agreed to classified TPN-OPM as Armed Criminal Group (KKB), the army considered they are should be classified as Armed Separatist Criminal Group (KKSB) as the aimed of their movement are to be separated from Indonesia. Seeing this threat, TNI considers that eradicating the OPM is not only the duty of the Polri but also theirs as this threat leads to the disintegration of the nation.

Kopassus TNI-AD has special capabilities and experiences in which the police have not had to handle KKSB in Papua, so this is the right time for the government to pay special attention to separatist issues in Papua as if it continuously happening it could threaten the integrity of the Republic of Indonesia. The government must be able to respond to problems in the field by changing the status of the Armed Criminal Group (KKB) to the Armed Separatist Criminal Group (KKSB) so that later there will be no overlapping of duties between the police and the army which are assigned in this crisis.

Satgasus Kopassus TNI-AD was deployed to deal with an increasingly heated situation led by TPN-OPM in Papua. The capability of Satgasus Kopassus TNI-AD is undoubtedly well-known internationally by the various operational tasks that have been carried out, where all of them finished impressively. This all achieved by their hard work and continuous training as well as supported by various forms of modern and sophisticated weaponry.

Kopassus TNI-AD is always involved in various operational tasks, ranging from handling and arresting terrorist acts to rescue the hostages. In Papua, Satgas Kopassus was deployed to maintain the stability of national security from TPN-OPM so peace of people could be maintained. Kopassus assigned as they have special abilities to deal with separatist and terrorist acts such as moving quickly in every field, shooting on target, reconnaissance, and anti-terrorism skills. In 2017, they successfully evacuated 104 men, 32 women, and 14 children number from the conflict in Kimbely Village. In the same year, Kopassus TNI-AD also evacuated 153 men, 31 women, and 10 children from the conflict in Longsoran Village. These are evidence of the impressive work which directly appreciated by the President.

Kopassus also has a special unit of Battalion 751/ Raider with an undoubted ability to handle separatist movement in Papua. This unit is already proved in overcoming previous separatist movements in Indonesia. One thing needed by the Central Government to deal with KKSB in Papua is to state a clear law related to the assignment of Kopassus TNI-AD in handling TPN-OPM. This statement will solve the overlapping assignments between TNI-AD and Polri. It also faster the process to the realization of eradicating the separatist movement in Papua.

## **V. CONCLUSION**

The implementation of the MOOTW in maintaining national security from TPN-OPM for the sake of state stability carried out by Satgas Kopassus TNI-AD obtained with various approaches such as social, humanity, political, economic, educational approaches. These are chosen on the experiences of the inability of military approaches in overcoming separatist movements in Papua which have reduced Indonesia's credibility on the

international stage, as well as reinforcing separatist movements that won sympathy from the people in Papua and the international community.

The separatist movements in Papua cannot separate from the interference of foreign parties. Thus, MOOTW implementation should also directly handling the ideological influences that often be the beginning of a shared awareness which develops into an organized movement. In Papua, the issues of independence are becoming crystallized and if not manage immediately can reinforcing the community to support TPN-OPM. Following the previous impressive work of Kopassus, it is expected they will carry out effective operations and accurate momentum with no fatalities that the separatist movement fails to utilize it to gain sympathy nationally and internationally.

In any case, TPN-OPM still needs to be watched out as its movement often through international diplomacy which threatens Indonesia's image on the international stage. The strategies that need to be taken by the government are to solve the issues that been used by TPN-OPM such as human rights violations, justice, colonialism, and generalize the wishes of the people in Papua to be separate from Indonesia. The government needs to understand that some separatist movements aim to convey the message to the government that many things still need to be corrected by the government, there are many injustices and inequalities in development. This needs to be noted by the government that social and economic inequality requires immediate management to avoid dissatisfaction from the community that led to separatist movements. As a suggestion to accelerate the improvement of the situation, the government must construct a new strategy by assigning and make a legal umbrella for Satgas Kopassus TNI-AD to operate together with Polri in eradicating TPN-OPM with no overlapping duties.

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