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Implementation of Law No. 21 of 2001 concerning Special Autonomy for Papua in Gefido Village, Abenaho District, Yalimo Regency, Papua Province

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Abstract

The presence of Law No. 21 of 2001 is the government's answer to overcoming social inequality in Papua. This law contains special policies based on values which include protection and respect for ethics and morals, basic rights of Indigenous Papuans (OAP), Human Rights, supremacy of law, democracy, pluralism, and equality. population, rights, duties and obligations as citizens where the Papuan people can fight for their rights peacefully, because at that time they must be convinced by all components of Papuan society, especially indigenous Papuans, that Special Autonomy is the most appropriate choice. This research uses a qualitative approach with descriptive research methods. To discuss the problems contained in this research, a normative juridical and empirical juridical approach is used. This research was carried out in Gefido Village, Abenaho District, Yanlimo Regency. The Gefido Village Innovative Program (PIO) can be interpreted as one of the Yalimo district government's efforts to improve the welfare of the Gefido Village community by increasing the capacity of Gefido village in developing plans and implementing Gefido village development which focuses on 3 program targets including entrepreneurial development, increasing human resources, as well as providing gefido village infrastructure. The cooperation carried out by the Yalimo government through experts is basically that Gefido village is a source of economic strength. There is still a lot of hidden potential in Gefido village that needs to be explored together. Abundant natural resources and the number of skilled workers make Gefido village a place for very potential business development. If managed professionally, Gefido village can become the main driver of the economy.

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1. Introduction

Recently, this Special Autonomy status has started to become a topic of much discussion because its validity period will be extended by the central government. Many parties oppose this decision because based on implementation evaluations since 2002, the funds allocated by the government for the Special Autonomy system have not been able to significantly encourage growth in the Papua region. The presence of Law no. 21 of 2001 is the government's answer to overcoming social inequality in Papua. This law contains special policies based on values which include protection and respect for ethics and morals, basic rights of Indigenous Papuans (OAP), Human Rights, supremacy of law, democracy, pluralism and equality. population, rights and obligations as citizens where the Papuan people can fight for their rights peacefully, because at that time they must be convinced by all components of Papuan society, especially indigenous Papuans, that Special Autonomy is the most appropriate choice (Soekanto, 1983).

Basically, the term "autonomy" in Special Autonomy is defined as the freedom for the Papuan people to organize and manage themselves, as well as the freedom to carry out their own government. Lobubun et al., (2018) regulates the use of Papua's natural wealth for the greatest prosperity of the Papuan people without abandoning their responsibility to participate in supporting the administration of the central government and other regions in Indonesia which are indeed lacking. Meanwhile, the term "Special" is more interpreted as different treatment given to Papua because of its special characteristics. These specificities include things such as the socio-economic level of society, culture and political history. In practical terms, the specificity of Papuan autonomy means that there are basic things that only apply in Papua and do not apply in other regions of Indonesia, and there are things that apply in other regions that do not apply in Papua (Mutaqin, 2013).

Indonesia is really serious in responding to the challenge of secession carried out by Papua Kaisupy & Maing, (2021) by not just letting go because of certain interests. The government should be more serious in answering this because the Papuan people have their reasons, the Papuan people feel that they are not involved in the negotiation processes that discuss the future of their region. In the implementation of the Referendum (Perpera) in 1969, the Pepera was not implemented in accordance with universal principles which uses the One Man One Vote system (one person one vote). But through a representative system involving many Papuan community figures who were selected and determined by Indonesia in the Pepera Deliberative Council (DMP) and represented the population at that time. This gives rise to the possibility of manipulation and engineering of aspirations in the implementation of the Perpera which is not in accordance with the New York Agreement (One Man One Vote), so that in the end the legitimacy of the Perpera is doubted.

Seeing the dynamics and conditions of Papua which are changing very quickly, the People's Consultative Assembly of the Republic of Indonesia determined the need to grant Special

Autonomy status to the province of Irian Jaya through MP R RI Decree No. IV/MP R/I 999 concerning GBHN, namely: "policies in implementing autonomy regions, which among other things emphasizes the importance of immediately realizing Special Autonomy for Irian Jaya by taking into account the aspirations of the community" (Ismoyo et al., 2022). This is a rare positive start in building the trust of the Papuan people in the government, as well as a strategic step to lay a solid basic framework for . efforts that need to be made to completely resolve the problems in Papua (Rudiawan et al., 2021).

For this reason, the central government and the provincial government of Papua are taking concrete strategic steps to immediately realize the mandate of the Republic of Indonesia MPR Decree. The strategic step was to hold a meeting with a number of Papuan and religious figures in December 2000, while also asking the Chancellor of Cenderawasi University, Ir. Frans A. Wospakrik, M.Sc. to lead an independent team consisting of a number of academics, bureaucratic officials and Papuan intellectuals to immediately prepare the concept of Papuan Special Autonomy (Mutaqin, 2013; Reba et al., 2015). After going through a long and challenging process of preparation and discussion, both at the regional and central levels, finally on 20 October 2001 the Draft Law on Special Autonomy for Papua Province was passed by the People's Representative Council of the Republic of Indonesia, and on 21 November 2001 stipulated as Law No. 21 of 2001 concerning Special Autonomy for Papua Province. This law came into effect on January 1, 2002.

Many people are of the view that to be the masters of their own country are Indigenous Papuans who must occupy the positions of Governor, Deputy Governor; served as Mayor and Deputy Mayor, became Regent and Deputy Regent, received the positions of Chairman and Member of the People's Representative Council at the provincial, district and city levels, had the opportunity to become Regional Secretary, Assistant I, II, etc., Head of Service, Director, Head of Office, Head Section, Head of Sub Division and a Civil Servant in Provinces and Regencies and cities throughout the Land of Papua from Sorong and Merauke (Suryawan 2014). Or become the master of your own country by expanding as many provinces and districts as possible everywhere in Papua (Indrawan et al., 2017).

Indigenous Papuans become masters of their own country, this is a very wrong understanding and understanding (deviates) from the true meaning. This is not what it means to be master of your own country. Those mentioned above or those who are in the system are extensions and campaigners of the Republic of Indonesia government programs which are being implemented in the Land of Papua.

They are agents who secure and succeed the agenda and interests of the Center (Jakarta). They are an inseparable part of the chains of violence, impoverishing the native Papuan population. They are also the ones exploiting Papua's Natural Resources (SOM). Because they collaborate with the Center (Jakarta). The Papuan people are helpless people. Papuan officials were praised by Jakarta officials and given greetings and sweet smiles and gentle pats on the shoulders full of "deception and evil" that massacred Indigenous Papuans with the stigma of separatists.

Indigenous Papuans are paralyzed and create mental dependency by waiting for help from the government. Because of a system like this, the indigenous Papuan population has developed the behavior and character of permanent begging on their ancestral land. Indigenous Papuan officials and civil servants never realized that they were slaves of the Indonesian invaders and colonialists

on their own land. Based on the background of the problem above, problems were formulated, How to implement Law No. 21 of 2001 in Gefido Village, Abenaho District, Yalimo Regency, Papua Province.

2. Research Methods

This research uses a qualitative approach with descriptive research methods. To discuss the problems contained in this research, a normative juridical and empirical juridical approach was used. The normative juridical approach is an approach to problems by looking at and studying and also interpreting theoretical matters related to legal principles in the form of conceptions, regulations and legislation, guidelines, legal teachings and related legal compositions. This type of approach focuses on obtaining information in the form of legal texts related to the target being studied.

Meanwhile, the empirical juridical approach is the method and procedure used to overcome problems in research by initially reviewing secondary data and then continuing to carry out research on primary data found in the field. The application of empirical juridical methods in this research is the result of collecting and analyzing data and information through field studies in Gefido Village, Abenaho District, Yanlimo Regency. So that through this empirical juridical approach we can be expected to know about factual laws and regulations relating to Law No. 61 of 2001 concerning Special Autonomy for Papua. This research was carried out in Gefido Village, Abenaho District, Yanlimo Regency from January to July 2023

The types of data required in this research are primary data and secondary data. Primary data is data that comes from the original or first source. Primary data in this research was obtained through interview observations with community leaders in Gefido Village, Abenaho District, Yanlimo Yalimo Regency. Secondary data was obtained through books and brochures as well as articles on websites related to the problem in this research. Or also data from people or also known as data books that are obtained directly. This data supports solutions in research, so that the book sources or data obtained help to critically examine the research. In order to obtain this data, research uses books, websites and literature sources, as well as existing laws and regulations, especially those relating to the Special Autonomy for Papua.

3. Implementation of Law No. 21 of 2001 Concerning Papua's Special Autonomy In Gefido Village, Abenaho District, Yali Mo District

3.1 Positive Impact of the Special Autonomy Law in Gefido Village, Abenaho District

As we all know, most of the Yalimo district consists of five districts, within which Three Hundred and Forty Heads of Villages or Villages, the Yalimo Government pays great attention to economic development at 38 rural areas in Gefido village. Gefido village development continues to be carried out to improve the welfare of the Gefido village community. By implementing innovative village programs, it is hoped that every village in Yalimo Regency will become more advanced and independent. The government pays great attention to the welfare of village communities to improve village welfare, the central government provides village assistance funds which are not small in amount. Village financial assistance, whether sourced from the APBD, Regency or City in the form of Village Fund Allocation (ADD), financial

assistance from the central government in the form of village funds, must be managed and utilized properly for the welfare of village communities.

Utilization of financial assistance must be carried out effectively and on target (Suripatty & Ferdinandus, 2020). The financial assistance that has been disbursed can be used to implement innovative Gefido village programs that must be designed carefully. The program must be able to provide benefits to the community directly or indirectly. The Gefido Village Innovative Program (PIO) can be interpreted as one of the Yalimo district government's efforts to improve the welfare of the Gefido Village community by increasing the capacity of Gefido Village in developing plans and implementing Gefido Village development which focuses on 3 program targets including entrepreneurial development, increasing human resources, as well as providing gefido village infrastructure.

The main objective of the Gefido Village Innovative program is stated in POTT Village Ministerial Decree No. 48 of 2018 is to encourage higher quality, effective and efficient development of the Gefido village through various development activities and empowerment of the Gefido village community which are more innovative and sensitive to the needs of the Gefido village community so that in this case, this effort can encourage productivity and economic growth in the rural community. in a sustainable manner to improve the socio-economic welfare of the community and the independence of Gefido village.

Innovative village programs must be adapted to the circumstances and needs of the Gefido village. That is why one Gefido village program is different from the programs of other Gefido villages. Below are several examples of innovative gefido village programs as a result of the implementation of the Papua Special Autonomy Law. Micro hydro power generation program. Even though the number continues to decline, there are still many other villages that do not yet have access to PLN. Getting electricity services is protected by Law Number 30 of 2009. For villages that do not yet have electricity lines, they are encouraged to be innovative to meet the lighting needs in Gefido village, as well as other villages. The yalimo government looks to the community, for lighting. Or the village is programmed but the condition of the village is affordable for electricity services to be programmed so that it can receive and use access to electricity.

Forest conservation to maintain the flow of water sources and prevent landslides by preserving forests for the people of Gefido Village, article 39. Water resources are very vital. The people of Gefido village need clean water for their daily needs. However, so far the village program has not been realized. The village gefido.kama program of the village must collaborate with forestry parties to maintain and protect all forests or water sources in a unified manner in collaboration with related government agencies, Yalimo.

Independent Village BPJS Program As I know, everyone must maintain good health. Health is very important. Article 59 provides health services for the community or population. Because the cost of treating disease is not cheap. To overcome this, the Yalimo district government has facilitated and launched the BPJS health program. BPJS needs to be taken to register all Yalimo communities and then the relevant agencies go down to the community, this health section is very important for humans.

The Gefido village business development program in cooperation is carried out by the Yalimo government, through expert staff. Basically, Gefido village is a source of economic strength.

There is still a lot of hidden potential in Gefido village that needs to be explored together. Abundant natural resources and a skilled workforce make Gefido village a place for business development with great potential. If managed professionally, Gefido village can become the main driver of the economy. The work finance program in Gefido village must be supervised by staff in the field or in the community, and carried out regular supervision because often the funds are not monitored so that there are individuals or people who share them individually or in groups and then they are not realized in the community.

Children are the holders of the baton for national leadership. So that all children can get a decent education. The Yalimo government has also established a 12-year compulsory education program. But unfortunately, until now there are still many villages that do not have adequate educational facilities. It is not uncommon for children in Gefido village to have to walk long distances to receive an education. With the help of gefido village funds, we can program school activities, both kindergartens and elementary schools. The existence of a school will make it easier for children in Gefido village to get access to their basic rights, namely education system law number 20 of 2003. Quality education in Gefido village is a very good Gefido village program.

3.2 Negative Impact of Implementing the Special Autonomy Law in Papua

The existence of Papua's special autonomy not only brings blessings to the Papuan people but also has a negative impact on the Papuan people. Below are some of the negative impacts of implementing Special Autonomy in Papua, especially in rural areas, such as Village Fund Corruption. In Gefido village, Abenaho district, corruption in village funds occurs repeatedly every year in Papua and more specifically in Gefido village, Abenaho district. This behavior must end. Therefore, we from the community ask for punishment that can have a deterrent effect on the Village Head and Village Officials so that village fund corruption does not happen again in the following years. The author, who is a native of Gefido village, Abenaho district, hopes that the corruption in village funds that continues to occur in Gefido village, Abenaho district, must end so that the aim of the village fund policy, namely providing more benefits for the people of Gefido village, Abenaho District, can be achieved.

As previously reported, (Ditreskrimsus) Yalimo police are currently handling five cases of alleged misuse of village funds for the 2019 fiscal year. Investigators found state losses amounting to IDR 4.2 billion. The five districts include nine districts, including Yalimo district, director of Criminal Investigation, Yalirno police, Commissioner Ricko Taruna. Abuse of village funds is the largest among the nine districts. The development of Gefido Village, Abenaho District, requires support from all interested parties, including the government and the private sector. This was stated by PLT Gefido Village Dimeus Wandik when giving a speech at the second village meeting or (muskam) Gefido Village. "Let's work together to build Gefido Village, Abenaho District with heart, so that more advanced and better development can be achieved in accordance with the Vision and Mission of Gefido Village, namely independent, competitive and prosperous," said Dimeus Wandik as PLT Gefido Village.

4. Conclusion

The implementation of Law Number 21 of 2001 concerning Special Autonomy for Special Autonomy for Papua has had both positive and negative impacts. From the implementation of the Papua Special Autonomy Law in Gefido Village, Abenaho District, Yalimo Regency, positive impacts include the government's attention to economic development and community welfare, the realization of innovative village programs, such as micro hydro power plants, forest conservation, independent village BPJS, and business development. The program is designed to increase village capacity and encourage sustainable economic growth. However, on the other hand, there are negative impacts, especially related to corruption in village funds which hinders the effective use of funds for development and community empowerment. Overcoming corruption and monitoring village funds are important challenges to ensure the sustainability of development programs and community welfare in Gefido Village. Therefore, joint efforts from the government, community and related agencies are needed to maximize the positive benefits of Papua Special Autonomy while maintaining transparency and accountability in village fund management.

There is a need to conduct further research on the positive and negative impacts of implementing Law Number 200 I concerning Special Autonomy for Papua in villages, sub-districts and other regencies in Papua Province.

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