Social conflict, abuses and intimidation in the Jambi region, Indonesia
- a chronology of pulp industry actions and events -

Tension is increasing around global paper giant Asia Pulp & Paper (APP) pulpwood concessions in Indonesia. Lately, Indigenous communities have been facing recurrent acts of intimidation, criminalisation and episodes of violence have escalated, contributing to a climate of insecurity and constant threat.

Despite a commitment taken back in 2013 to respect local communities land rights, to implement Free, Prior and Informed Consent (FPIC) and to resolve social conflicts, in recent months a row of abuses against local communities suggest that the company is turning back to its pre-commitment attitude.

The latest case was recorded in the Jambi province, where an APP controlled plantation company, PT Wirakarya Sakti (WKS), used drones to spray herbicides on villagers' gardens in disputed land. In the following days, the company also intimidated the villagers with the support of army officers who fired guns in the air, and mounted (yet another) SLAPP suit against one of the villagers.

The abuses in the Jambi region are not isolated cases. A recent mapping and analysis done by EPN, together with a coalition of Indonesian NGOs, revealed that APP’s affiliates or suppliers are involved in conflicts with 107 communities in Indonesia, over around 350,000 hectares of disputed land.

Back in 2013, APP and its affiliates committed to a “responsible resolution of conflicts.” Since that commitment seven years ago, APP has done too little on the ground to resolve these conflicts.

As APP’s “Forest Conservation Policy” (adopted in February 2013) indicates, the company has also formally committed to “respect the rights of indigenous peoples and local communities, including recognition of customary land rights.”
However, the latest case presents three major violations that clearly signal a return of APP to the past history of violence and abuses.

The Drones
On March 4, 2020, in the village of Lubuk Mandarsah (Jambi province, Indonesia), an APP controlled plantation company, WKS, sent drones flying over the community’s crops, spraying herbicide over villagers’ gardens in disputed land. The drones killed villagers’ crops in the middle of COVID-19 crisis. This case sets a dangerous precedent, as it is the first time a drone has been used to destroy local communities’ gardens on disputed land. This technology is precise, flexible and it can be easily deployed on a large scale. Other companies in the future may decide to follow APP’s disputable leadership and send drones to destroy local communities gardens in order to grab their land.

The SLAPP suit(s)
A few weeks later, on March 31, WKS denounced to the police Mr. Ahmad, a villager, accusing him of encroachment and deforestation (Law number. 18, year 2013), despite the fact that he was gardening on the community’s customary land.

This is not an isolated case. Six weeks later, on May 18, in a different Indonesian province, the court of the Bengkalis district, in Riau, sentenced 58-year-old Mr. Bongku, from the Sakai indigenous tribe, to one year in prison and ordered him to pay 200 million rupiah ($13,800) in fines for clearing less than half hectare of acacia and eucalyptus plantation managed by PT Arara Abadi, another subsidiary of APP, on his ancestral land. He planted cassava, a traditional food crop usually planted and used by the Sakai tribe. The Bengkalis court decision is based on the same accusations brought by APP against Mr. Ahmad, indicating that, when reporting Mr. Ahmad to the police, APP was well aware of the likely consequences.

In its statement on the Bengkalis court case, APP clearly wrote that it will defer to “the proper authorities any matters that cannot be resolved through direct negotiation and mediation” - which in practice means that the company will report any case where the villagers are not ready to accept APP’s conditions. This is exactly what’s happening in Jambi too: APP tries to trigger a SLAPP suit as a means to manage its social conflicts.

In the same statement, APP also claims that the concession land is “owned and governed by the Government of Indonesia.” This was APP’s narrative before its commitment to respect community land rights. Meanwhile, in 2013 the Indonesia’s Constitutional Court recognised Indigenous rights to customary forests, that leaves APP’s overruling of customary rights no legal basis.

The shooting
On April 26, WKS executives went to the local community gardens accompanied by an army officer who intimidated the villagers by shooting in the air. Fortunately there were no casualties, but the shooting indicates that APP is once again resorting to the methods adopted in the 90s,
when its idea of how to manage social conflicts to expand its plantations consisted in intimidating local communities. The shooting episode is a worrying development, which brings back memories of the brutal murder of a young farmer activist carried out by WKS security back in 2015 (see below).

In May, a coalition of 90 NGOs sent a letter to APP investors and buyers to expose the case, encouraging buyers and investors to avoid any business linked to APP and its related companies until it is proven and verified that they have made meaningful changes across their business operations, and to take a strong position in relation to the latest incident.

In June, a petition signed by more than 100,000 people invites investors to stop doing business with APP, its subsidiaries and suppliers until the company makes radical improvements along its entire production chain.

APP issued a statement distributed to customers and business partners, claiming that “drones to deliver herbicide are part of regular silviculture practice in its own plantations”, when the spraying happened on cultivated community land, and that “the issue has been resolved through mediation”, when actually there has been no mediation or negotiation, and the land conflict is simply not resolved, as confirmed by a chronology put together by the local community.

APP also accused the NGO WALHI Jambi (Friends of the Earth regional chapter), that supports the local Indigenous community, of twisting “the truth just to accommodate their preferred narrative”.

While spreading misinformation, on top of blatantly violating its own policy, APP is cheating its business partners, who trust the company’s commitment to a responsible resolution of conflicts, abusing their good faith and affecting their reputation.

It is not the first time that APP has broken its own 2013 public commitment, while misleading its business partners, as this happened previously in 2004 and 2006. The latest cases of abuse and violence show that unfortunately APP hasn’t changed, and continues resorting to violence and intimidation in its interaction with local communities.

A detailed chronology of events follows, put together by local community representatives.
Chronology of social conflict, abuses and intimidation perpetrated by APP in the Jambi region
Summarised by the local community of Lubuk Mandarsah Village, Tebo - Jambi, Indonesia

In 2007, APP’s affiliate WKS evicted the villagers of Lubuk Mandarsah, in the Jambi province of Indonesia, from 1,500 Ha of their community land, some of which were cultivated. As a result, the community suffered losses from the destruction of paddy fields, rubber gardens, and other livelihood crops that were converted by PT WKS into acacia plantation to feed the mills of its mother company, Asia Pulp & Paper.

In 2013, part of the community of Lubuk Mandarsah Village joined the Sekato Jaya farmer union (Kelompok Tani Sekato Jaya) to claim back their land and plant it as community gardens. Gradually, they planted rice, vegetables, rubber and other plants to support the community’s livelihoods. PT. WKS reacted by intimidating the villagers to prevent them from planting on their land.

In February 2015 Indra Pelani, a farmer and activist was tortured and killed by WKS security guards.

According to the investigation carried out by WALHI Jambi together with an NGO Coalition, the death of Indra Pelani was a premeditated murder carried out by WKS Security. Following the murder, five Security employees of the security company working for WKS were arrested and sentenced to prison, but the authorities did not acknowledge the company’s responsibility.

In a letter to WALHI Jambi and APP on June 5, 2015, the National Human Right Commission revealed that in the incident of Indra Pelani, the security of PT. WKS did not follow the working protocol as regulated by the Head of National Police Regulation Number 24, year 2007. APP has been linked to two similar deaths in the past. In 2010, the police killed a farmer during a rally protesting about land that was taken over by APP in 2001. In 2012, a man was found dead in a canal in an area owned by an APP supplier company.

After Indra Pelani’s death, because of international pressure, APP "strongly condemned" the violence but nonetheless their subsidiary WKS continued to intimidate and abuse the community of Lubuk Mandarsah Village.

The latest surge of tension occurred between February and May 2020.

On February 3, 2020, Mr. Samidi, a villager, found 100 oil palm plants missing from his garden, as well as a number of not yet planted seedlings. In order to prevent a dispute, Mr Jais, the leader of the Sekato Jaya Farmer Union, on February 14 communicated with the company manager Mr. Pomo Kariyawan via SMS, but there was no answer. On February 19, a group of community representatives went to meet the WKS workers harvesting acacia in the plantation
bordering the damaged field to discuss what had happened, and make sure the company would not conduct activities within the community lands.

On February 28, two WKS employees, Mr. Yulianto and Mr. Azis, threatened the villagers, while an Army officer with a rifle intimated Mr. Samidi, a villager, to give up the disputed land to WKS within 3 days.

On March 3, another argument broke out between the community and WKS representatives, on the land planted by Mr. Mamad, another villager, but with no consequences. The day after however, the villagers found their palm seedlings uprooted. The villagers didn’t react and planted their fields again. Again, a company representative, Mr. Yulianto Rekan, came accompanied by an Army officer, intimidating the villagers to force them to stop planting.

The local farmer union leader invited Mr. Yulianto Rekan to his home to discuss the situation, and the WKS representative reiterated the intimation to stop planting on that land, claiming it as company’s plantation land.

The same day another villager, Sami Yahya, found the company’s drones spraying pesticide over the community’s fields. The company had even built a security post close to community land.

Mr. Halim, and other community representatives, said that the drone had damaged 2 hectares of community gardens planted with oil palm, banana, jengkol, chili and sialang honey trees (*Koompassia excelsa*), with more than 50 plants in an area of 1,500 Ha.

On March 31, WKS denounced Mr. Ahmad, a villager and member of the Sakato Jaya Farmer Union, to the Tebo Police Station accusing him of encroachment and deforestation (law number 18, year 2013).

On April 6, the Tebo District Police summoned Mr. Ahmad. At the police station, Mr. Ahmad, accompanied by other villagers, was asked about his rights over the land and had to respond to allegations about security disturbance. He explained that the 1,500 ha of land were actually community customary land he was rightfully planting, and that the community had been very responsible, never disturbing WKS activities, and that it was the company who had been intimidating the community and damaging the gardens.

On Saturday 11 April, representatives from the Tebo Police Office invited the Leader of the Tebo Tani Farmer Union, Mr. Martamis, to a meeting at the Police station to be held on 15 April. It was an informal invitation to a friendly meeting, extended to the villagers.

In its statement, APP claimed that "The issue has been resolved through mediation, and the parties have accepted the mediated outcome."
In reality there was no mediation at all. Community member Mr. Martamis indicated that, because of the Covid 19 pandemic situation, the Tebo District Police verbally invited the residents to attend and meet with the new Tebo Police Chief. The meeting was also attended by WKS representatives and several other community groups in conflict with the company. During the meeting, the Police Chief of Tebo invited the residents to dialogue and responsibility and, given the Covid-19 pandemic, asked all to refrain from gatherings and riots. During the meeting, the company committed to not disrupt community gardens and both sides committed to communicate better. The meeting at the Tebo Police Station was an encouragement to dialogue, but not a conflict mediation meeting.

Abdullah from the NGO WALHI Jambi, who attended the meeting at the Tebo Police Station, confirmed that the meeting was not a mediation to resolve conflicts between WKS and the community, but only a friendly meeting and introduction to the new head of police. The police chief’s initiative to invite the community was indeed based on the PT. WKS report against members of the Sekato Jaya Farmer Union. The meeting was held in order to create a conducive situation on the ground and also to explain how to prevent the spread of COVID-19.

"The results of the meeting at the Tebo Police Station were agreed in the minutes", added Fransdodi, Jambi Regional Coordinator of the Consortium for Agrarian Reform (KPA). "That meeting was organised to discuss the Covid-19 situation, inviting parties to keep safe and to avoid gatherings. During the meeting, the Police Chief also invited to ponder the use of drones that would damage community plants and the health of the local community. The Police Chief also invited both the community and the company to dialogue. But after the meeting, WKS continued to intimidate villagers and destroy community gardens."

After the meeting at the police station, the community stopped planting activity. WKS, however, kept expanding its activities in the community land.

“Community concerns are always taken very seriously” says APP’s statement. In fact, WKS did not even try to implement the commitments made during the meeting at the Tebo Police Station, and in the following days the company continued to damage community gardens by sending its employees to spray herbicide.

On April 26, three company representatives, Mr Yulianto, Mr. Yul and Mr. Pohan were again inspecting villagers' land.

On April 28, three WKS representatives, accompanied by two officers from the army, intimidated Mr. Agus, a villager who was looking after the garden of a colleague. The Army officers questioned Mr. Agus about his identity, and during the interrogation one of the two officers shot twice in the air, towards the West and the East. The distance between Mr. Agus and the Army officer firing upwards was around 8 meters, the second shot was 6 meters.
Mr. Agus was intimated to stop working on the land that was claimed by the company, despite APP’s claims that “(it) continues to engage directly with the local community group in Jambi to render assistance and maintain a healthy and constructive relationship.”

Since then, there have been more meetings which lead nowhere. The company has been offering jobs as a means of conflict resolution, which the community refused because they consisted of working for the company’s plantation encroaching on local community’s land. WKS has been refusing categorically to give up the disputed land, and has continued to spray herbicide on community cultivated land, ignoring villagers’ pleas to stop it.

Contact person
Sergio Baffoni (Indonesia EPN WG) sergio.baffoni@environmentalpaper.org +49 162 3812528
Karen Vermeer (Pulp & Finance coord.) vermeer.karen@gmail.com +316 39424524

Local contact persons:
1. Andriyan: 0823-8341-6428, Lubuk Mandarsah community, Sekato Jaya Farmer Union)
2. Abdullah: 0852-6670-3201 (WALHI Jambi)
3. Fransdodi: 0823-7142-5487 (KPA Jambi Regional Coordinator)