

Sharing Local Stories

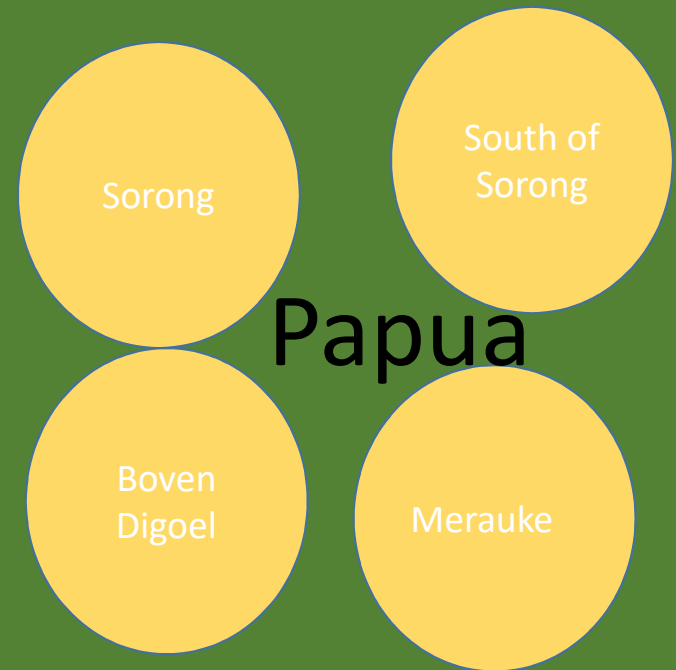
The 8th Regional Conference on Human Rights and Business
in South East Asia
Thailand, 7-9 September 2018

Prepared by:



**Working area that PUSAKA is
doing related to Human Rights
impacts of Business Activities**





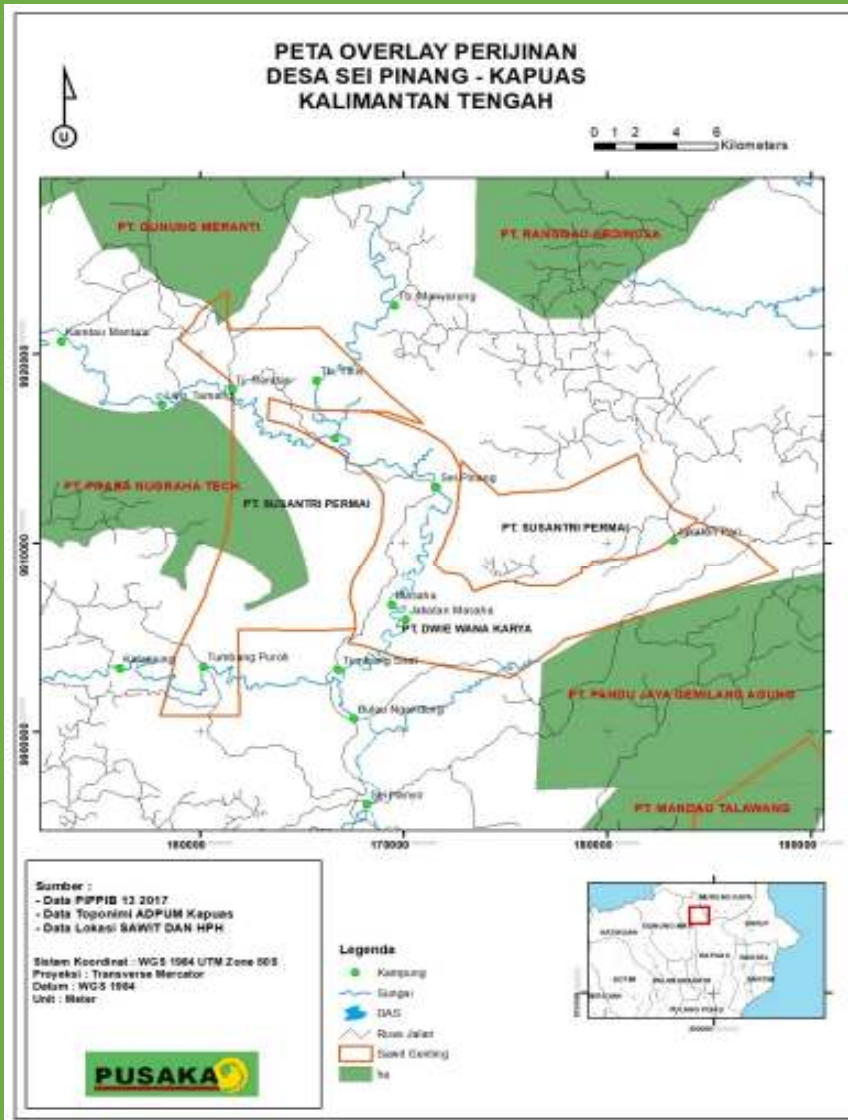
Pusaka works in 2 regions at present

A detailed illustration of a human hand, palm up, holding a small, vibrant green tree with a thick trunk and a rounded canopy. The background is a soft, out-of-focus gradient of light green and white. The text is overlaid on the left side of the image.

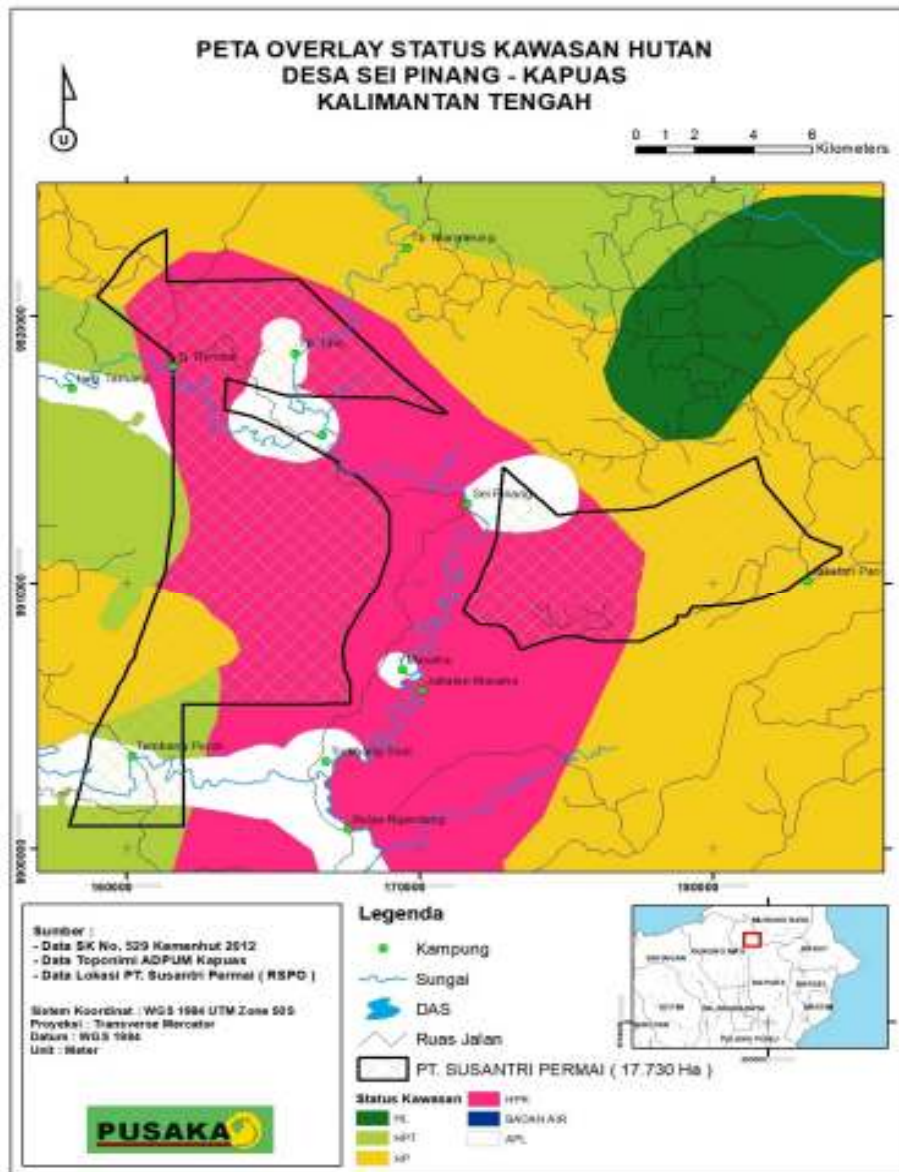
What PUSAKA is doing related to Human Rights impacts of Business Activities

1. The central and regional governments protect the rights and laws of indigenous peoples in accordance with laws and regulations.
2. Local governments review business licenses that are perpetrators of violence (not done by human rights principles).
3. The commitment of the regional government to support policies that protect, reduce the conflict between the Dayak tribe and the tribe in Papua.
4. Inviting indigenous peoples to dare to speak out and advocate for injustices experienced based on human rights principles.

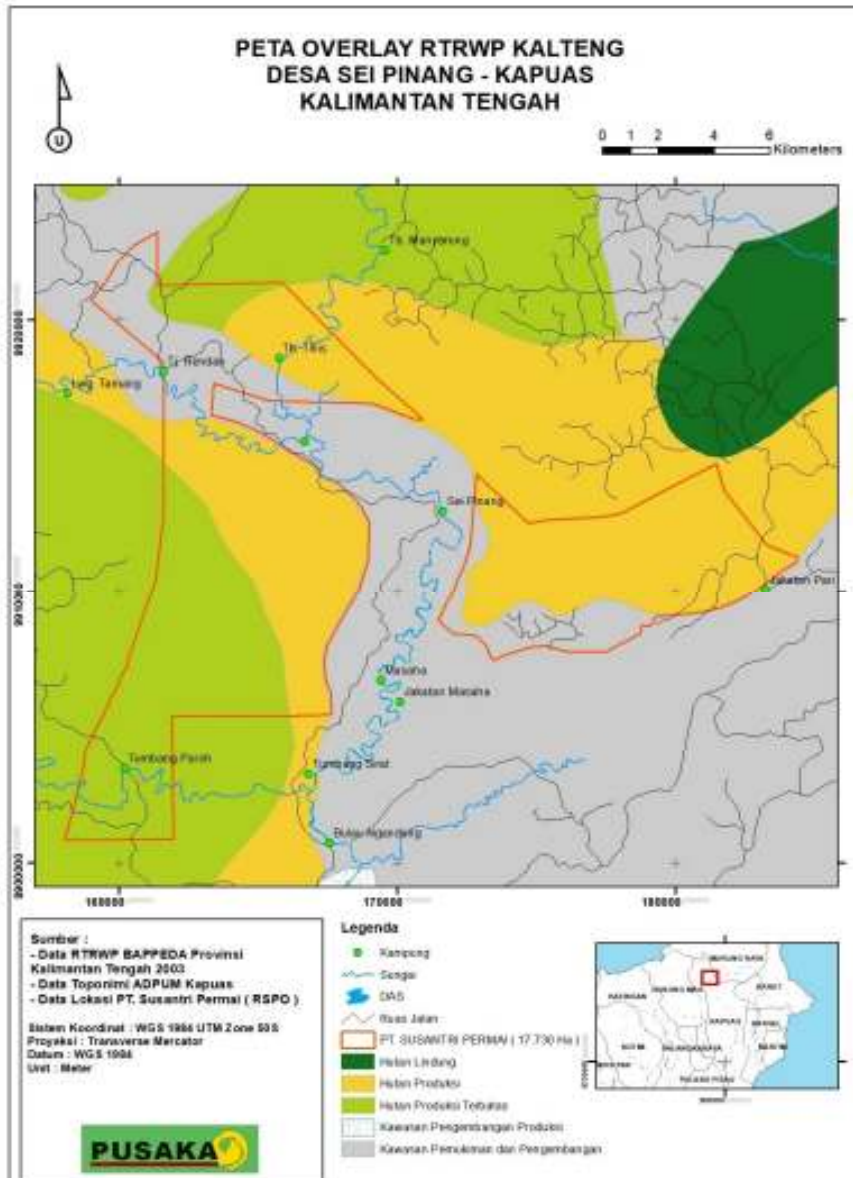
Central Kalimantan

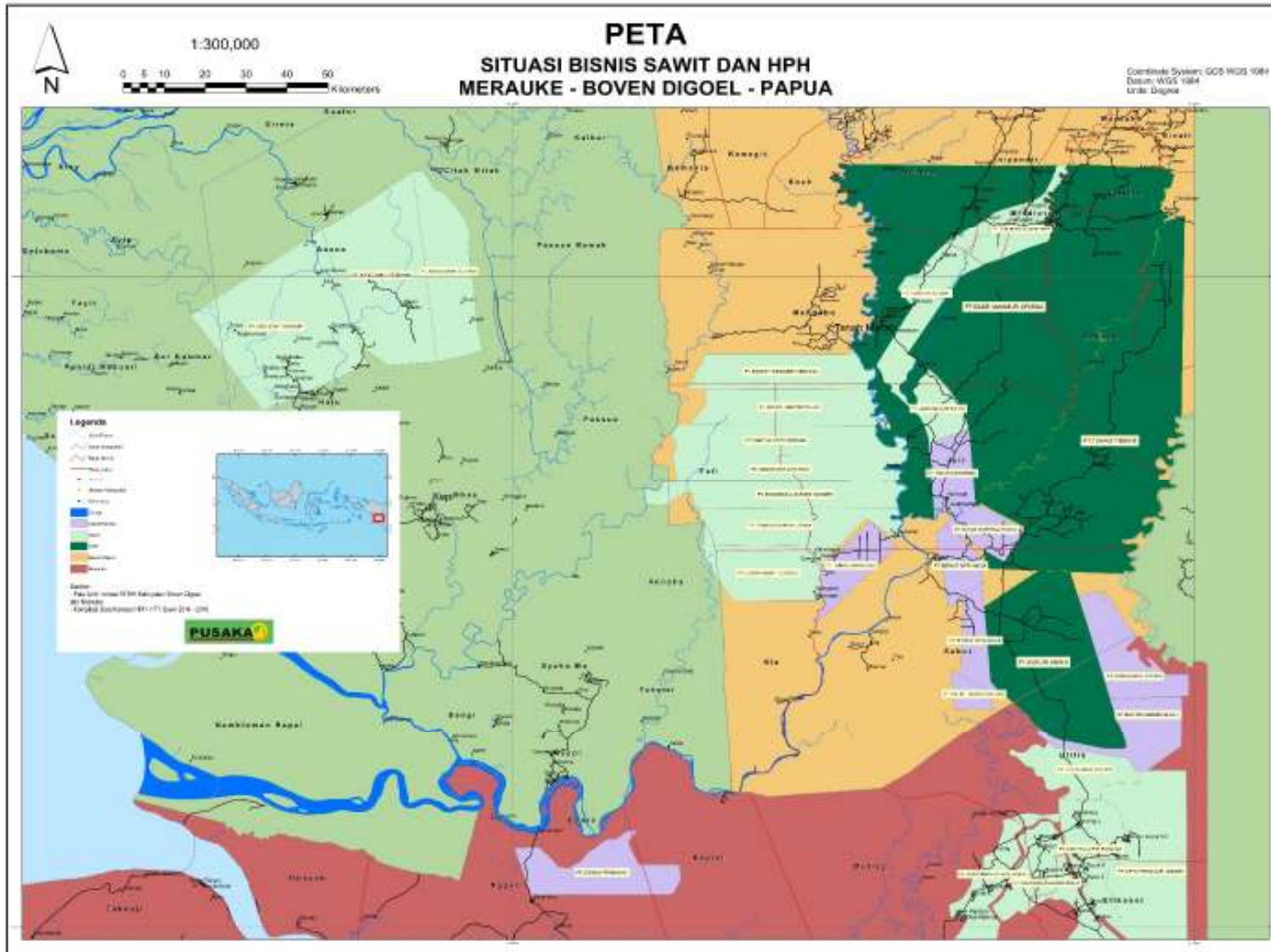


Central Kalimantan



Central Kalimantan





PAPUA

CASE
DT Bintuni Agro
Prima Perkasa
at
Papua



On January 25, 2009 the Constitutional Court of the Republic of Indonesia decided to test Law Number 56 of 2008 concerning the Establishment of Tambrau Regency in West Papua Province through a decision Number 127 / PUU-VII / 2009. In this decision, Tambrau Regency was formed from a part of the former territory of Sorong Regency and Manokwari Regency.

While some areas are still in the administrative area of Sorong Regency, on May 24, 2007 the Sorong Regent issued letter number 50/274 addressed to the Governor of West Papua Province to recommend Oil Palm Plantation to PT Bintuni Agro Prima Perkasa, with consideration of a letter to the Sorong district forestry service No 522._ _ 45/2007 dated 27 May 2007 which contained supporting the development of oil palm plantations.

On May 25, 2007 the Regent of Monokwari issued an oil palm plantation location permit on behalf of PT Bintuni Agro Prima Perkasa in Monokwari district with number 522.2 / 731 covering an area of 23,000 ha located in the Amberbaken and Kebar districts.

Permit expenditure continued until March 18, 2016 with the Regent of Tambrau sending letter number 522.1 / 124/2016 to the Indonesian environment and forestry minister regarding the change of palm oil commodity into a food crop cultivation business PT Bintuni Agro Prima Perkasa in Tambrau Regency.

After this letter there are still other letters which harm indigenous peoples

COMMUNITY EXPECTATIONS

The cessation of plantation expansion in the land areas of Ulayat Wasabiti, Amawi, Wanimeri, Arumi, Kebar, Ariks and the Sub Sub-Tribe of Mpur in Kebar Sheet.

PROBLEM

Is the palm / corn plantation permit process in Kebar Sheet compliant with the laws and regulations?

How is the validity of the release of the ulayat rights of indigenous peoples to the Company reviewed by written law and customary community law?


What advocacy efforts can be carried out by the Mpur Tribe?

CONCLUSION

1. The issuance of a business license without appropriate procedures (not having an AMDAL);
2. The Regent shall conduct an alleged violation of administrative law in issuing a breeding permit;
3. Alleged environmental crime is carried out by companies and regional officials;

What kind of advocacy efforts can be done by the Indigenous Peoples of the Mpur Tribe?

1. Reporting on maladministration carried out by the Regent on PT BAPP's business license;
2. PTUN lawsuit for cancellation of permission (see expiration of claim time);
3. Reporting on allegations of environmental crime committed by companies and regional officials;
4. Canceling the deed of customary rights through a default claim (studied more deeply);
5. Report objections to permits given by the Regent to the Governor, Minister of Home Affairs, President;

A close-up photograph of a human hand, palm up, holding a small, vibrant green tree. The tree has a thick, dark brown trunk and a dense, rounded canopy of bright green leaves. The hand is positioned in the lower half of the frame, with the fingers slightly curled to support the base of the tree. The background is a soft, out-of-focus gradient of light green and white, suggesting an outdoor setting. The overall image conveys a sense of care, growth, and environmental stewardship.

impact when business are investing from outside a country & therefor may be less able to be effectively regulated by government

1. permission is not controlled and threatens people's living space and ecology so it needs to:
 - a. strategic actions and policies;
 - b. service tenure and ecosystem policies, Spatial Planning (RTRW).
2. decent living space for the community is not yet available in a comprehensive and even manner by utilizing the services ecosystem

example

Commemoration of the days
of the world indigenous peoples in Papua
(Merauke, Manokwari, Jayapura, Sorong)

July 9, 2018

There are 5 recommendation / demands

Link : <http://pusaka.or.id/2018/08/trada-sejengkal-tanah-tra-bertuan-di-tanah-papua/>



Recommendation Semiloka Sorong

There was recommendation for:

1. Papuan Customary Law Society
2. Government
3. Coporation
4. Church Organization
5. CSO
6. Issues of Women Indigenous Papua

Link : <http://pusaka.or.id/2018/08/rekomendasi-semiloka-sorong-mendesak-perlindungan-aktivis-gereja-dan-pejuang-hak-asasi-manusia-di-papua/>

A close-up photograph of a human hand, palm up, holding a small, vibrant green tree. The tree has a thick, dark brown trunk and a dense, rounded canopy of bright green leaves. The hand is positioned in the lower half of the frame, with the fingers slightly curled to support the base of the tree. The background is a soft, out-of-focus mix of light and dark green, suggesting an outdoor setting. The overall composition is centered and balanced, emphasizing the theme of environmental care and growth.

Focus On Trans Border Impact



THANK

YOU

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thank you