

KAOEM TELAPAK'S STATEMENT

CONDEMNING THE BRUTAL ACTIONS OF THE POLICE FORCE THAT CAUSED THE LIVES OF THE INDIGENOUS COMMUNITIES IN BANGKAL, SERUYAN DISTRICT, CENTRAL KALIMANTAN, INDONESIA

Kaoem Telapak condemns the violent action followed by allegedly live bullets shooting carried out by Seruyan District Police and Central Kalimantan Provincial Police against the people of Bangkal Village, Seruyan Regency, Central Kalimantan, Indonesia on October 7th 2023. This shooting incident resulted in one person being shot dead and two (2) people in critical condition, as well as the arrest of a number of Indigenous community members while protesting the palm oil company violations.

Shooting with live bullets was a form of repressive action and excessive violence allegedly carried out by police officers to deal with mass demonstrations by the people of Bangkal Village in Seruyan. Protests by the majority of the Dayak Temuan and Dayak Kuhin Indigenous communities have been going on since September 16th 2023, to demand their rights from PT Hamparan Masawit Bangkit Persada (HMBP) I, an oil palm plantation company which is part of the BEST Agro Group.

PT. HMBP I is currently unwilling to implement its promise of providing plasma plantations covering 20% of the total area of Cultivation Rights (HGU) as demanded by the community. The requirement for palm oil company to provide plasma land to the community is an obligation regulated in Article 58, Law No.11 of 2020, regarding Job Creation, which replaced Article 58, Law No.39 of 2014 regarding Plantations, and Article 15, Paragraph (1), Minister of Agriculture Regulation No.98 of 2013.

The protests by the community were also caused by PT's actions. HMBP I illegally carried out land clearing in community-owned plantation areas outside the company's Cultivation Rights (HGU) permit. The community demanded that these lands be returned to them, and PT. HMBP I to stop their expansion which was an unlawful act.

Violations committed by PT. HMBP I regarding community rights, and the repressive actions of the Seruyan District Police and Central Kalimantan Provincial Police have triggered a prolonged tenure conflict which ended in this humanitarian tragedy.

Based on this, Kaoem Telapak demands as follows:

1. Kaoem Telapak strongly condemns the arrogance and brutality of the Police authorities who are suspected of using tear gas and firearms with live bullets against the community mass demonstrations. This action is a direct violation of Article 7 Paragraph (1) of the National Police Chief's Regulation No. 16 of 2006 regarding Guidelines for Mass Control which strictly prohibits police officers from carrying sharp weapons and live bullets when dealing with mass actions.
2. Kaoem Telapak urges the Indonesian government to thoroughly investigate this case. We call on the National Commission for Human Rights (Komnas HAM) to form a fact-finding team regarding this tragedy and to ensure that the perpetrators of the shooting can be processed accordingly.
3. Kaoem Telapak urges the National Police Chief to evaluate and improve its crowd and mass control approaches to prioritise respect for human rights. We also ask for the unconditional release of the community members who were arrested and detained due to their participation in the protest and to end the criminalisation of the Indigenous community.
4. Kaoem Telapak calls on the Government at the Regency, Provincial and National levels to resolve the long-standing tenure conflict by fulfilling the demands and rights of the Indigenous community. Apart from that, it is necessary to evaluate permits and investigate allegations of the violations by PT. HMBP I.

5. Kaoem Telapak urges the Indonesia Sustainable Palm Oil (ISPO) Committee to order:
 - To suspend the ISPO certification of PT HMBP while the conflict continues;
 - To examine the Certification Body namely PT. Mutu Indonesia Strategis Sustainable (PT. MISB) that issued the ISPO certification to PT. HMBP I;
 - To conduct a special audit against PT HMBP I.
6. Kaoem Telapak calls all parties to continuously monitor the handling of violence and human rights violations that takes place in Bangkal village, Seruyan District of West Kalimantan so that justice can be upheld and tenurial conflicts can be resolved in a peaceful manner that guarantees the fulfilment of the rights of the Indigenous Peoples.

Bogor, October 8th 2023

Mardi Minangsari

President of Kaoem Telapak