

Joint Statement:

For the struggle for labour rights of SBPKS-GSBI union in PT Sawit Mas Sejahtera
Kabupaten Lahat, South Sumatera, Indonesia.
Urge the PT Sawit Mas Sejahtera (SMS) and Sinar Mas Group Fulfil All Workers' Demands.

Salam Demokrasi !!

According to the plant union PTP. SBPKS-GSBI PT Sinar Mas Sejahtera, the company PT. Sawit Mas Sejahtera (SMS) Sinar Mas Group located in district Kikim, region Lahat, Province South Sumatera, Indonesia, has violated various normative labour rights such as; engage contract workers not according to the labour law, never calculate and paying overtime work, *(for 49 workers based on the note of inspection of the South Sumatera Provincial office of Manpower and Transmigration that excess working hours and its unpaid salaries by the company vary from 5 years to 6 month latest with total of IDR 7.740.326.906,-)*, dismiss workers without reason during contractual end, never paying out the severance payments, and many others. All these violations have been confirmed by the inspections note issued by the provincial office for manpower and transmigration in South Sumatra on the 22nd May 2017 and the recommendation of the regional office of manpower of Lahat on the 15th May 2017.

The violations taken place for a prolonged period, workers of PT Sawit Mas Sejahtera (SMS) gathered in the SBPKS GSBI PT SMS have put many efforts to demand for their normative rights starting with negotiation/ request discussion, mediation until workers actions in the working area of PT SMS. Despite of that, until yet PT Sawit Mas Sejahtera (SMS) and also Sinar Mas Group failed to show any good will to comply the workers demand, on the contrary is dismissed workers who raised the demands and were involved in the struggle for their rights.

The peaceful action in the company area was confronted with full armed military and police forces acted rude and intimidating, terrorized and seized workers in the middle of their peaceful action.

Learning to know the case and the incident, we are very concerned about the violations of the normative labour rights and the involvement of military force TNI and the police in the industrial disputes. This we call as a backwards step, and no matter how bad the company is, the violations of labour rights is a human rights violation itself. More ever on the international level and through the UN resolution and new policy about Business and Human Rights it is stipulated that every company has to respect and act according to Human Rights, something which in the PT Sawit Mas Sejahtera (SMS) and Sinar Mas Group has not been fulfilled thus many human rights violations takes place in the worst form.

In relation to the incident taken place in PT Sawit Mas Sejahtera (SMS) Kabupaten Lahat South Sumatera, we, the civil society organizations, are demanding:

- 1) Leaders of PT Sawit Mas Sejahtera (SMS) and Sinar Mas Group to refrain practising the contract and outsourcing working relation and immediately issue the instruction letter to recruit as permanent workers all contractual and outsourcing workers.
- 2) Leaders of PT Sawit Mas Sejahtera (SMS) and Sinar Mas Group to re-employ all workers who were dismissed under pretext end of contract.

- 3) Leaders of PT Sawit Mas Sejahtera pay off the overtime shortages to its workers (49 people, in amount of Rp. 7.740.326.906,- (507.000 Euro) according to the inspections note issued by the provincial office for manpower and transmigration in South Sumatra.
- 4) Leaders of PT Sawit Mas Sejahtera (SMS) and Sinar Mas Group must respect and comply all normative labour rights and existing laws.
- 5) Strongly condemn the involvement of TNI military force and the police in the industrial dispute, and urge the military and police to withdraw its troops from the working area PT SMS and refrain from intimidations, terror and violence towards workers.
- 6) Support utterly workers struggle in PT. Sawit Mas Sejahtera (SMS) and the SBPKS GSBI PT SMS.

Such was the case of the joint statement.

Jakarta, 11th July 2017

Sincerely,

1. Dewan Pimpinan Pusat Gabungan Serikat Buruh Indonesia (DPP.GSBI)
2. Linkar Borneo
3. Yayasan PUSAKA
4. Front Perjuangan Rakyat (FPR)
5. International League Peoples Struggle (ILPS) Capter Indonesia
6. Aliansi Gerakan Reforma Agraria (AGRA)
7. Perkumpulan Bantuan Hukum Kalimantan (PBHK)
8. Jaringan Masyarakat Gambut (JMG) Kalimantan Barat
9. WALHI Kalimantan Timur
10. PADI Indonesia
11. WALHI Kalimantan Tengah
12. Institute for National and Democracy Studies (INDIES)
13. Serikat Perempuan Indonesia (SERUNI)
14. Serikat Pemuda Dayak (SPD) Kalimantan Barat
15. ELSAM
16. Front Mahasiswa Nasional (FMN)
17. Lembaga Informasi Perburuhan Sedane (LIPS)
18. Liga Mahasiswa Nasional untuk Demokrasi (LMND)
19. Serikat Buruh Perkebunan Indonesia (SERBUNDO)
20. Keluarga Besar Buruh Migran Indonesia (KABARBUMI)
21. Sawit Watch (SW)
22. Trade Union Right Center (TURC)
23. Jaringan Advokasi Perubahan Indonesia (JAPI)
24. Federatie Nederlandse Vakbond Mondiaal (FNV-Mondiaal)
25. Serikat Rakyat Indonesia (SERINDO)
26. Rumah Tani Indonesia (RTI)
27. Trade Union Care Center (TUCC) Aceh
28. Jaringan Masyarakat Gambut (JMG) Sumatera Selatan
29. JIKALAHARI
30. Eknas WALHI

31. WALHI Jambi
32. Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI) Jakarta
33. Gerakan Mahasiswa Nasional Indonesia (GMNI)-Presidium
34. Indonesia Migrant Worker Union (IMWU) Hongkong
35. Indonesia Migran Worker Union (IMWU) Macau
36. Asosiasi Tenaga Kerja Indonesia (ATKI) Hongkong
37. TUK Indonesia
38. PILAR Hong Kong
39. Serikat Pemuda Jakarta (SPJ)
40. Liga Pekerja Migran Indonesia (LIPMI)
41. Gabungan Migran Muslim Indonesia (GAMMI)
42. Serikat Pengacara Hukum Progresif (SPHP)
43. Lembaga Bantuan Hukum (YLBHI-LBH) Bali