



Forest Peoples Programme

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PRESS INFORMATION - FOR IMMEDIATE RELEASE

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Precedent-setting land deal in palm oil expansion zone in Borneo

PONTIANAK - A new oil palm plantation being developed in Indonesian Borneo (West Kalimantan) has relinquished community lands to which it had gained a government permit. The company PT Agro Wiratama, a member of the Roundtable on Sustainable Palm Oil (RSPO) and subsidiary of the giant Musim Mas group, agreed to relinquish more than 1,000 hectares of its 9,000 hectare concession back to the community, following interventions by community representatives and NGOs.

In the context of a pattern of development whereby millions of hectares of large-scale oil palm plantations have been established without consent on indigenous peoples' land, this is a breakthrough, said Marcus Colchester, Director of the international human rights group, Forest Peoples Programme. We spotted PT Agro Wiratama's plans to open up this area on the RSPO website and were able to alert our partners in Borneo.

RSPO's 'New Plantings Procedure' requires member companies to publicly announce plans to expand their operations. The aim of the new procedure is to ensure that the social and environmental requirements of RSPO are taken into account before new operations get going. In this case, the local Indonesian NGO Gemawan was able to alert the local people to what was being proposed, open up discussions with the local government, the company and the RSPO and then assist the community in its negotiations.

We are very pleased that our land is secure now, because we've now got a chance to make choices about our lives. We now ask all the other parties involved in this decision to respect our choice, said Kamarudin, one of the community leaders of the Kuayan community.

Laili Khairnur, Executive Director of the NGO Gemawan, noted that it required the assistance of several NGOs to ensure an equitable outcome. It required local level mobilisation, mapping of land use and land claims and a series of meetings with local authorities and company officials to get a result. Laili said:

Grassroots communities cannot be left alone in their struggle, as they lack the information they need about government and company plans. In this case the vigilance and support of civil society organizations was essential to the struggle of the communities. We hope that in other land cases other companies that are members of the RSPO will also respond as promptly when NGOs and communities raise such concerns.

The reduction of the concession area was made official by the local regent (*bupati*) and the community was informed of the details last week.

Our community has been trying very hard for so long to refuse admittance to palm oil plantation developers in our village. We believe that we already have enough with the rubber, timber and rice paddies that we already own, said Azim Kitung, the Head of Mekar Jaya Village.

According to Salman, Coordinator of KONTAK Rakyat Borneo, another Pontianak based NGO that assisted the community:

Of 19 palm oil plantations operating in Sambas Regency, 17 of them are members of RSPO, they are part of companies of Duta Palma, Gandaerah Hendana, Musim Mas, Wilmar International, Sampoerna Agro, Indofood Agri, Tanjung Rhu. We urge RSPO to apply the same procedures to these companies.

Under the RSPO's standards, companies are required to respect the customary rights of local communities and indigenous peoples and must not take over their lands without their 'free, prior and informed consent'. Unfortunately, Indonesian laws and land administration do not recognise most communities' land rights, so permits are routinely handed out to companies even though they overlap areas basic to peoples' livelihoods and important for biodiversity. According to the National Land Agency's own statistics there are some 3,100 land conflicts in Indonesia between palm oil developers and local communities.

Norman Jiwan, Head of Department for Social and Environmental Risk Mitigation Initiatives, in the national palm oil watchdog NGO, SawitWatch, noted:

Actually, what is needed is a reform of the laws so peoples' land rights are recognised and secured. In the meantime we are relying on voluntary standards to try to get peoples' basic rights respected, but the State should comply with international human rights norms rather than leave every situation to be argued out on a case by case basis. In this case Musim Mas has acted responsibly, once the concerns were raised, but unfortunately not all companies are so inclined.

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