

Time to See the Forest for the Oil Palm Trees in Riau Row

By **Dessy Sagita** on 09:19 pm May 11, 2015

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Riau province in Sumatra has more than seven million hectares of forest but less than two million hectares remain intact, thanks largely to oil palm plantations. (Antara Photo/FB. Anggoro)

Tembilahan, Riau. It was almost 10 a.m. when a group of men rowed their kayaks along the lush and narrow swamp to a peat land forest located an hour away from their village in Pungkat, Indragiri Hilir, Riau.

The men have heard an oil palm plantation would be built in the forest despite their outcry.

The resistance had, just a few months ago, triggered a clash in which 21 villagers ended up behind bars charged with damaging the oil palm company's property.

The site the men were headed to was a canal newly built by the company to dry out the peat land. The canal had polluted the main source of drinking water in the area.

Upon arriving, the men were unpleasantly surprised to see the new canal.

Trees, including the rare *gonystylus bancanus*, known locally as Ramin, have been cut and felled. Ramin trees are now so rare the government has issued a ban on cutting them down.

The forest near the canal has disappeared. Dead trees and logs are lying around on the vacant peat land.

"Oh my God!" Rasidi, one of the villagers exclaimed in English in utter shock. "It's all gone, our springs, our livelihood has been destroyed."

The villagers got off their kayaks to inspect the newly bulldozed peat land. Two excavators were parked but no operator was in sight.

"They knew we were coming, maybe they are hiding nearby right now, they will be back doing their jobs when the night comes," another villager said.

The villagers have been voicing their opposition to the palm plantation operation over fears of forest destruction.

Growing frustrated, the villagers even wrote a letter to President Joko Widodo, asking him to take an action to stop the palm oil companies from destroying the environment.

Land dispute

Pungkat village, reached from Riau's capital of Pekanbaru after a seven hour drive and two hours on a speedboat, has been entangled in a dispute with Setia Agrindo Lestari, or SAL, a palm plantation company and subsidiary of First Resources, which has been listed on the Singapore stock exchange since 2007.

The conflict began when villagers were made aware of SAL's plan to open a palm plantation stretching over 17,000 hectares of peat land in several villages in the Gaung subdistrict where Pungkat is located.

Locals argued that the land was inside the moratorium area where no production activity is permitted. The community was concerned the palm oil plantation would destroy their livelihood. More than 80 percent of villagers make their living making wooden boats — and the forest is the source of raw material.

Asmar, a boat maker, said the villagers have been making boats since 1940 but there had never been a problem with the ecosystem until the company has started the land clearing.

Villagers began their protest by sending their complaint to the local government and legislators, to no avail.

The locals complained that not only had the SAL operation has made it difficult for them to find the wood needed to make the boats, it also polluted the river, forcing the community to rely on rain water to drink.

The district head of Indragiri Hilir, H.M.Wardan, issued three letters ordering the temporary suspension of SAL operations until the dispute about the permit and legality could be settled. His warnings were ignored and SAL continued the project.

Tensions escalated as angry villagers took matters into their own hands in June of last year. Dozens of Pungkat villagers torched heavy equipment and excavators used by SAL to bulldoze the land.

Villagers claimed they were provoked as the company had refused to comply with the government's instruction.

One early morning in August, 240 police mobile brigade officers stormed into the village and raided dozens of homes. Those involved in the arson were lined up in a field and 40 men were arrested.

"We deeply regretted the arrest, not only because it was done only a week after Idul Fitri but also the procedures were flawed," Riko Kurniawan, the executive director of Riau chapter of the Indonesian Forum for the Environment (Walhi).

Riko said the police did not bring any warrants for the arrests.

"They [the police] read an SMS text and those whose names were in the text were arrested," Riko said.

After the arrest, the whole village was closed for 10 days. Schools and mosques were closed because the villagers were too scared to go out in case the police returned to arrest more people.

The police released 19 men after days of questioning but 21 men were declared guilty and sentenced to nine months in prison, including Rasidi, who was recently released on probation.

Rasidi said he was lucky to be treated well while in prison. Some other villagers claimed the police abused them during the investigation.

Asmar, who was detained for four days before he was released said the villagers resorted to arson because they were desperate after their numerous protests remained unheard.

"Why didn't those officials pay any attention? What made us even more furious is that there was no talk about it, suddenly the company invaded our village," Asmar said.

"Our forest has been robbed, our environment has been polluted," he said.

Asmar said some people have sold the land and made a deal with the company on behalf of the villagers. He refused to name the person but other villagers indicated the perpetrator was the village head.

Riko said the whole operation of SAL in the area was problematic. The concession permit for the company was issued by former Indragiri Hilir district head, Indra Mukhlis Adnan a month before his tenure ended in 2013. Indra issued 27 land concession permits despite the forest moratorium still in effect.

"Even though the permit was issued by the former district head, the current district head could put the brakes on it if he wants to," Riko said.

To ease tensions after the attack, the district head issued another instruction for SAL to halt its operation on October. The order was once again ignored as SAL is still operating to clear the land.

The village, assisted by Walhi and several other environmental groups such as the Riau Forest Rescue Working Network (Jikalahari) reported the case to the National Commission on Human Rights (Komnas HAM).

Riko said SAL did not have the right of cultivation, or HGU, the final permit required of commercial oil palm planters and only has the location permit.

SAL has not obtained the necessary permit from the Environment and Forestry Ministry to begin work on the land, said Riko.

The land belonging to SAL overlaps with land owned by companies Mutiara Sabuk Khatulistiwa and Bina Keluarga.

Walhi has expressed its intention to bring the dispute between Pungkat village and SAL to the next Roundtable on Sustainable Palm Oil (RSPO) summit.

"RSPO has expressed its commitment to fight against forest fire and First Resources is a RSPO member," Riko said.

SAL spokesman Thomas did not respond to the Jakarta Globe's repeated attempts to contact him for comment.

However, during the trial held for Pungkat villagers, Thomas was summoned to testify and told the court that SAL never received any letter from the district head ordering the company to stop its operation. He claimed that SAL only received the instruction after the arson incident.

His statement was promptly refuted by the villagers' lawyer who showed the judges the evidence that the instruction letters had come before the attack.

The dispute issues in Riau has attracted much attention as the province has the largest peat land in Sumatra. More than 50 percent of Sumatra's peat land area is found in Riau.

In the past few years, the province has been the target of massive criticism for frequent forest fires which send a severe haze over several neighboring countries and causes respiratory problems in Riau.

The province has more than seven million hectares of forest but less than two million hectares remain intact.

Forest and peat land use moratorium

Riko said the rampant violation of the land concession permit has proven that the forest use moratorium, first imposed by former president Susilo Bambang Yudhoyono in 2011, must be extended.

The moratorium was first imposed until 2013 and was extended for another two years until May 12 this year.

"Forest destruction in this country is unimaginable, the forest management is so messy and moratorium gives nature a time to breathe," Riko said.

The forestry minister, Siti Nurbaya, last week announced the moratorium would likely be extended for another two years in the near future.

Riko said the government must implement a stricter regulation by announcing the moratorium extension with a presidential regulation (Perpres) instead of presidential instruction (Inpres).

"If the country wants to make a regulation, it has to be accompanied by a strict sanction when a violation happens, we have a concern that if the moratorium is announced with just an Inpres, it will be the same as before," Riko said.

Siti however has said that the legal basis of the new moratorium would still be an Inpres, not a Perpres.

Riko said the government should not limit the forest use moratorium to a period of a few years.

Many activists have said that the short forest use moratorium could not save the environment if the government continued issuing forest use permits for major corporations which would be valid for decades. Some companies even managed to obtain a permit that is valid for 100 years.

"Moratoriums should not be limited to a yearly period, it must be regulated based on the specific intention because every place has a different problem," Riko said.

Jikalahari activist Muslim Rashid said the moratorium use should also be strengthened by providing more access to the public for active involvement in the forest protection schemes.

"Social forestry and traditional forest schemes can be a basis for the public's right to be actively involved and it will strengthen the moratorium itself," he said.

It can be done

Allowing the locals to implement their local wisdoms to protect forests has proven successful for Rimbang Baling wildlife reserve, located some 90 kilometers from the capital of Pekanbaru.

The sanctuary stretches 136,000 hectares between Kampar and Kuantan districts and is home to several rare species including the endangered Sumatran tiger and 170 species of rare birds.

Unlike many forest in Riau which have been damaged by palm plantations, Rimbang Baling is relatively untouched.

The Worldwide Fund for Nature (WWF) noted that more than 80 percent of the forest area in Rimbang Baling remains in a good condition even with some possibility of illegal logging.

In Muara Bio village, located within the wildlife reserve, the cultural leaders (*ninik mamak*) play a very important role to preserve the environment. According to local custom, villagers are not allowed to cut or fell trees within the protected forest area.

Although no sanction has been imposed, no violations has been found because the community pay the utmost respect to the leaders.

Not far from Muara Bio, in Tanjung Belit village, the locals have embraced the forest protection spirit and stipulated it into a village regulation.

“Catching fish using a bomb is prohibited and those who violate it will be fined Rp 10 million [\$759], the regulation applies to both locals and visitors,” said Guntur, the Tanjung Belit village head.

The village is currently drafting another regulation to protect the forest by declaring a forbidden forest area in which all forest clearing is banned.

“We will make the traditional forest into a forbidden forest so people who wish to have an ecotourism activity should look for another place to visit,” Guntur said.

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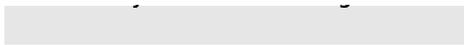
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