

Grabbing land locally, changing climate globally:

the winners and the losers in West Papua's plantation boom

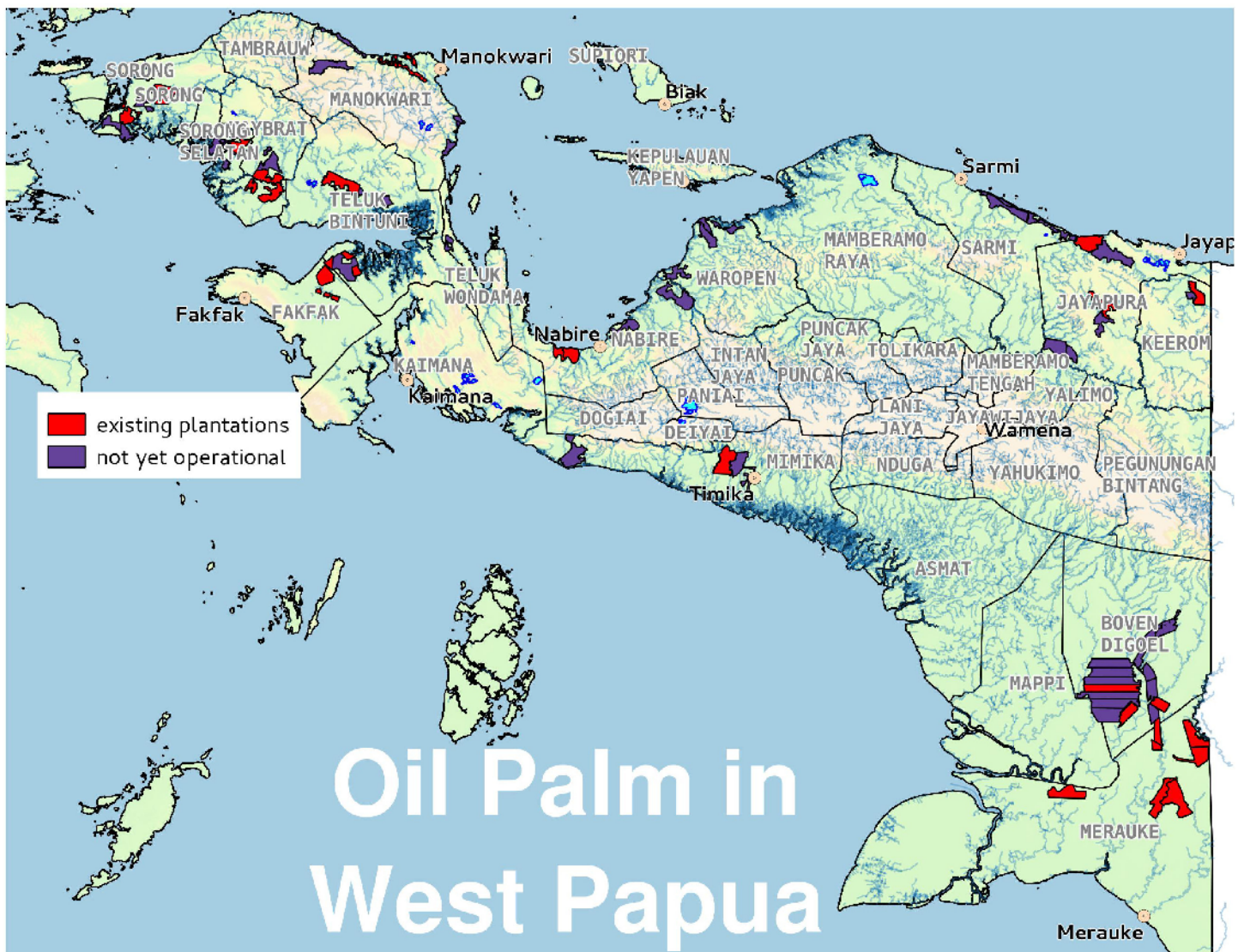


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by Selwyn Moran

Since climate change has become acknowledged as a major threat to nature and human society, two distinct political approaches have emerged of how to conceptualise it. The dominant discourse favoured by the world's government and business leaders is to understand climate change as a technical challenge of reducing the concentration of greenhouse gases in the atmosphere. Social movements around the world have challenged this interpretation, arguing that it is equally as important to understand climate change as an issue of justice. At its simplest, the world's poor, who played a disproportionately small part in causing the problem, will be the first to suffer from its consequences, whether sea level rise, drought, food insecurity or increased conflict.

For the rural poor, and indigenous peoples in particular, the system which causes climate change brings other specific injustices: they often face severe negative impacts from the extractive industries that contribute to climate change, without seeing any real benefit. Sometimes even the schemes proposed as a solution can cause further problems (eg. when indigenous rights to use their forest are curtailed under a REDD scheme).



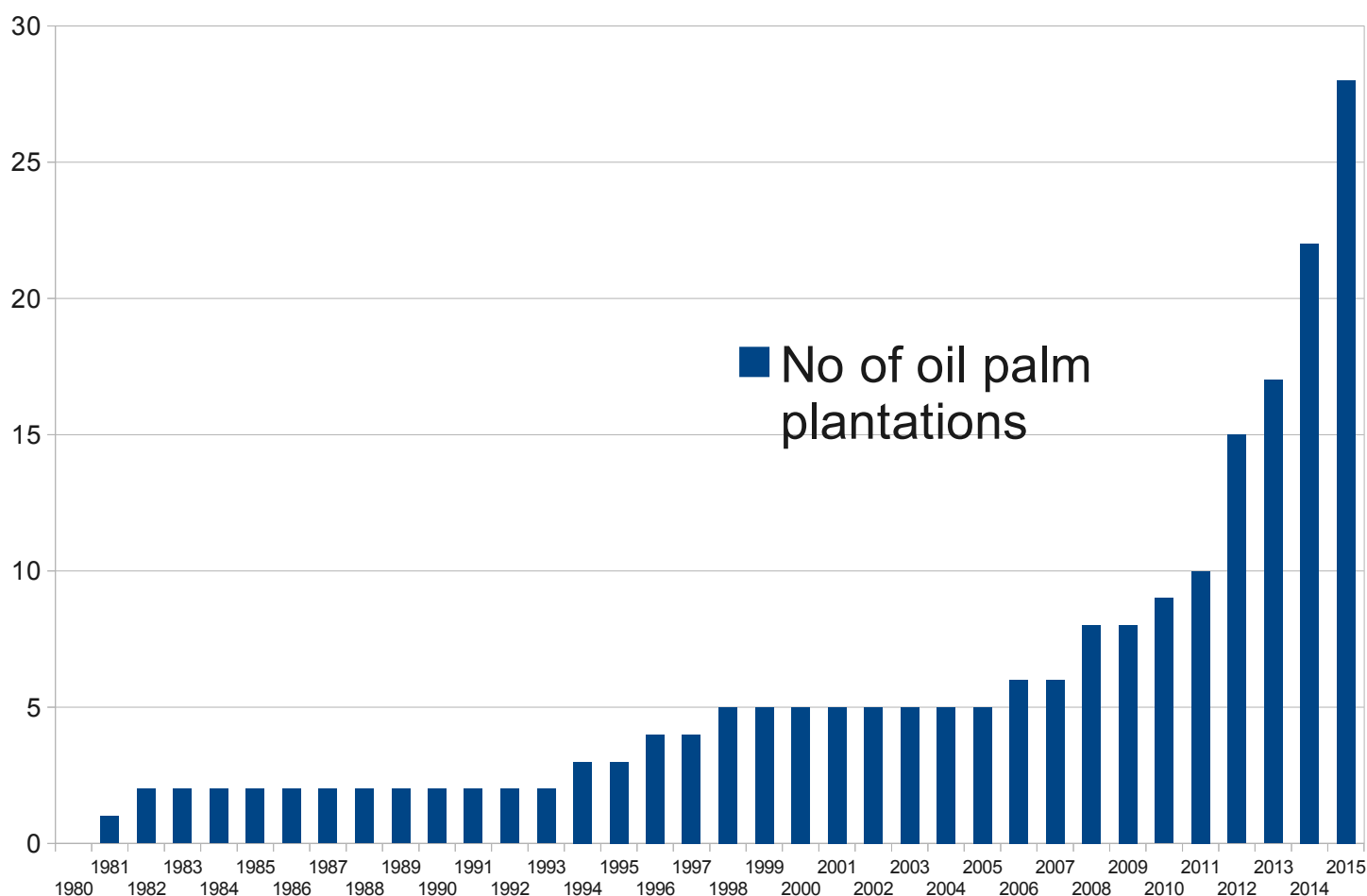
Oil Palm in West Papua

This pattern of injustice is plain to see in West Papua. As low lying island communities around the Pacific fear that climate-change induced sea-level rise could inundate their homes within decades, indigenous forest communities in the lowlands of West Papua are seeing their ancestral lands grabbed by multinational companies and Indonesia's business elite. The native forests they have looked after for many generations and depend upon for subsistence are cleared to be replaced with oil palm plantations, which, as a major contribution to climate change and biodiversity loss, are also a global problem. 'Land-grabbing' is a strong term to use, but appropriate, since in most cases indigenous people have not given their Free, Prior, Informed Consent, and often much of the community is in opposition.

In recent years, Papua has seen an alarming expansion of forest conversion for plantations - mostly oil palm. There are currently 28 oil palm plantations operating around Papua, two-thirds of which have only started clearing land since 2010. A main reason for this sudden increase is that companies have been looking to Papua for expansion as unexploited land becomes increasingly difficult to find in the established plantation areas of Kalimantan or Sumatra.¹ Aside from other environmental and social issues, forest conversion for oil palm is a disaster for the climate: deforestation in Indonesia has already made it the 5th largest greenhouse gas emitter globally when land use changes and forestry are taken into account,² a far higher level than other countries with similar levels of GDP.

¹ *West Papua Oil Palm Atlas*, Pusaka and awasMIFEE, April 2015, <http://awasmiffee.potager.org/uploads/2015/04/atlas-sawit-en.pdf>

² Or the sixth largest emitter if EU emissions are grouped together. *6 graphs explain the world's top emitters*, World Resources Institute, 25/11/2014, <http://www.wri.org/blog/2014/11/6-graphs-explain-world%E2%80%99s-top-10-emitters>



This paper will argue that this industry, an important driver of climate change, has been forcibly imposed on indigenous Papuans. By dissecting the dynamics and identifying the actors which have permitted these land-grabs to happen, it becomes clear that this is a process which benefits certain interest groups while marginalising indigenous Papuans at the local level. This can also help to understand the wider systematic injustice towards the Papuan people as a whole.

Papua, the frontier economy

Papua is a zone of rich natural resources. One of the world's largest copper and gold mines has been run by Freeport Mc Moran since the 1960s. There is also a significant logging industry and exploitation of oil and gas reserves. Exploration activities are ongoing for other as-yet untapped mineral resources such as coal, gold and nickel, and the main reason that there are still few working mines is that poor infrastructure raises costs of an operation and resistance and conflict creates significant risks for investors.

Land is an asset which represents major growth potential for this resource economy. The lowlands of Papua are still almost entirely forested - even close to the large cities few areas have been developed for agriculture. Currently this forest is inhabited by hundreds of different indigenous groups, and all land in Papua is considered the ancestral land of one of these groups,³ which in principle gives them a form of collective title to the land, known as *ulayat* rights.

The actual and potential income from the resource industries helps to aliment an frontier economy in which money is expected to circulate rapidly. Prices are higher than elsewhere in Indonesia and a

³ Ulayat rights are recognised 1960 Basic Agrarian Law and their validity in Papua is described in the 2001 law on Papuan Special Autonomy. Although there is no agreed map to regulate boundaries between different clans or tribes, local indigenous people are in most cases clear about where boundaries lie.

successful entrepreneur running their own business can expect to make more than in almost anywhere else in Indonesia. Wages are also higher. For this reason the population of migrants from the rest of Indonesia continues to increase. From less than 4% in 1971, the percentage of non-Papuans living in the island had risen to 51% in the 2010 census, and is projected to rise to over 70% by 2020.⁴

However, indigenous Papuans are almost entirely excluded from this economic boom. In the cities, nearly all enterprises are run by non-Papuans, and Papuans also struggle to find stable employment in resource extraction industries. This creates the paradox that although wages are higher in Papua than anywhere else in Indonesia except the capital,⁵ Papua and Papua Barat provinces also continue to top the rankings for indicators of poverty.⁶

Conflict is never far from everyday life in Papua. Police and armed forces have repressed the West Papua independence movement since the territory was incorporated into the Indonesian state in the 1960s, but also often also use arbitrary lethal violence against young Papuan men who are perceived as troublemakers, or who are simply drunk.⁷ Papuans' underlying resentment against the state and non-Papuan newcomers frequently boils over into spontaneous violence in the cities, often in response to an aggression towards a Papuan, or another incident such as careless driving a traffic accident. This creates a permanent tension between Papuan and non-Papuan communities, which alimments racist myths about Papuans amongst the non-Papuans (Papuans are unpredictable, don't want to work, can't take a drink).

Jakarta's reaction to all this is to disregard the advice that they are given about the need to address these structural injustices,⁸ and instead convince themselves that more money, improved infrastructure, and investment will solve the problem. One of President Joko Widodo's main strategies in the region has been to fast-track infrastructure development, and encourage investment.⁹ In January 2016, the government gave a clear display of its priorities by including three Papuan plantation companies in a government initiative to support job creation in Eastern Indonesia.¹⁰ Although they will create thousands of jobs, mainly for non-Papuans, the three companies chosen have all faced resistance from Papuan villagers who don't want to lose their land.

Nine ways indigenous people lose out due to plantation industry.

Although some communities, or individuals within communities, may welcome the employment opportunities that come with a new plantation, for many the problems far outweigh the benefits. The social, economic and cultural upheaval indigenous Papuans experience as plantations move in is complex, and varies depending on the local context. However some common threads do emerge in

4 *West Papuan Demographic Transition and the 2010 Indonesian Census: "Slow Motion Genocide" or not?* Jim Elmslie, September 2010,

https://sydney.edu.au/arts/peace_conflict/docs/working_papers/West_Papuan_Demographics_in_2010_Census.pdf

5 Provincial minimum wages give an indication of this: http://papua.bps.go.id/website/brs_ind/brsInd-20151001153210.pdf

6 *Keadaan Kemiskinan di Provinsi PapuaMaret, 2015*, Badan Pusat Statistik, http://papua.bps.go.id/website/brs_ind/brsInd-20151001153210.pdf

7 *Sejak insiden Paniai berdarah, 18 remaja Papua ditembak aparat keamanan*, *Tabloid Jubi*, 25/09/2016, <http://tabloidjubi.com/artikel-340-sejak-insiden-paniai-berdarah-18-remaja-papua-telah-ditembak-aparat-keamanan.html>

8 Amongst others, one important critic has been the Indonesian Institute of Sciences (LIPI), which has developed a 'Road Map' towards real peace in Papua: *Peneliti LIPI: Masalah Papua Bukan Cuma Masalah Duit*, *LIPI*, 29/11/2011, <http://lipi.go.id/berita/single/Peneliti-LIPI-Masalah-Papua-Bukan-Cuma-Masalah-Duit/5918>

9 *Jokowi fails to bring peace to restive Papua*, *Jakarta Post*, 14/10/2016, <http://www.thejakartapost.com/news/2016/10/14/jokowi-fails-to-bring-peace-to-restive-papua.html>

10 *Presiden Resmikan Program Investasi Tahap iii Rp 12,5 triliun*, 23/01/2016, *Berita Satu*, <http://www.beritasatu.com/ekonomi/343954-presiden-resmikan-program-investasi-tahap-iii-rp-125-triliun.html>

accounts of Papuan activists and affected community members and local NGOs which do advocacy work with them. Here is a summary are some of the negative impacts most commonly reported:

- **Loss of Livelihood**

Conversion of forest into plantations destroys the subsistence economy. Indigenous Papuans' capacity to survive from hunting, gathering, and forest gardens is greatly reduced. Even in cash terms, the income that can be made from selling forest products (e.g. hunted meat, individual logs, medicinal plants, fish, sago) can be much higher than precarious work for the company.

- **Food Insecurity**

Shifting cultivation is not possible when the forest is gone, animals run far from the plantations or are hunted by company workers, even the staple food, sago, found in forest groves cultivated by the ancestors, is replaced by monoculture. The new alternatives offer less security: company wages, but only for those who can find work, a share of the compensation given for timber while land is still being cleared, the government rice-for-the-poor programme (if it ever reaches the village). Cases of malnutrition have been observed in Medco's industrial timber plantation¹¹ and PT Nabire Baru's oil palm plantation.¹²

- **Work insecurity**

Indigenous Papuans living near plantation areas have no guarantee of economic stability. Companies often promise employment to Papuans when seeking approval for plantation plans, but in practice Papuans are often only employed as day labourers without monthly contracts, and are often eventually replaced with non-Papuan migrants who are viewed as more reliable or more skilled.¹³

- **Demographic Changes**

A huge influx of newcomers into an area not only places pressure on forest resources, it also brings cultural change and limits the power local Papuan communities have to push for development that is in their interest. At a Papua-wide level, this translates to a reduced possibility to imagine meaningful political change that addresses the totality of injustices suffered by Papuans, leaving indigenous Papuans a voiceless, oppressed and economically marginalised minority as their land is developed.

- **Horizontal Conflict**

Tribes and clans have collective land rights, but what happens when some want to resist, but others are enticed by company promises and sign the document they are presented with, allowing the company to claim it has obtained community consent? These trust-destroying conflicts within communities are often traumatic, and even more so when a belief in black magic causes fear that the opposing side will use it to kill their opponents. Mysterious deaths that have occurred in Merauke, have been attributed to this, bringing fear and suspicion which divides communities.¹⁴ Other horizontal conflicts occur between two villages when there are

11 PT Medco menguras hutan Kampung Zanegi: Rakyat Tersingkir dan Menderita Lapar di Lumbang Pangan, Pusaka, June 2013, <https://awasmiffee.potager.org/?p=358>

12 Busung lapar ancam dua warga pemilik ulayat kebun sawit PT Nabire Baru & Sariwana Adi Perkasa, Nabire.net 11/10/2014, <http://www.nabire.net/busung-lapar-ancam-dua-warga-pemilik-ulyat-kebudu-sawit-pt-nabire-baru-sariwana-adi-perkasa/>

13 An example is PT Selaras Inti Semesta's industrial tree plantation in Merauke. In 2013 only 39 out of hundreds of workers were from Zanegi village, where the plantation is located. <https://awasmiffee.potager.org/?p=572>. One year later, only three people from the village were reportedly still working for the company, all as day labourers. <https://awasmiffee.potager.org/?p=802>

14 Testimony of Elizabet and Petrus Ndiwaen in "Profil Kasus, Temu Rakyat Korban Investasi Kehutanan dan Perkebunan Besar", an event organised by Yayasan Pusaka and other organisations in Waena, Jayapura, 4th- 7th November 2014.

questions about which village holds the land rights (e.g. land which used to belong to a village, but has let another village use it for many years).

- **Spiritual or cultural losses**

For many indigenous peoples, a forest is more than just plants and animals, topology and hydrology, their identity is bound up in names of places, traces of where ancestors once walked, totems which create a relationship with particular plants and animals, ghosts or magic.¹⁵ Sago groves, simultaneously part of the ecosystem and also shaped by the hands of generations of humans, are often sites of particular spiritual, as well as nutritional, importance. Even when companies agree to preserve these sites, they are often bulldozed, along with the rest of the forest.¹⁶

- **Pollution**

After six oil palm companies started to plant oil palm around the headwaters of the Bian River in Merauke, local people living downstream noticed fish and turtles dying and that children bathing in the river suffered skin and respiratory ailments.¹⁷ They are now dependent on buying bottled water.¹⁸ In Sorong, villagers near PT Henrison Inti Persada's concession now have to walk far to find clean water.¹⁹

- **Flooding**

Villagers living near the Wariori River in PT Medcopapua Hijau Selaras's concession²⁰ and the Yaro river in PT Nabire Baru's concession²¹ have both experienced major flooding in recent years, likely caused by the plantations. In Timika, flooding took place downstream from the plantation, requiring the evacuation of Miyoko and Aikawapuka villages.²²

- **Erosion of social cohesion**

Testimony from a villager in Ujungkia, where PT Tunas Sawaerma has operated since 2005: "Before the company arrived, people's lives were harmonious and all their needs were fulfilled. People used to say the Auyu Jair people were really kind. It's not like that any more, people start to be lazy to work, strong alcohol circulates freely, there's gambling, rape and domestic violence almost all the time."²³

- **Women's roles become tougher**

The transition from a subsistence hunter-gatherer lifestyle to dependence on a plantation can be especially harsh for women, who usually have no say in the decision of whether to accept a plantation company. If they work (always without a contract) for the company, they must also find

15 Marind Intellectuals oppose corporations, awasMIFEE, 23/06/2013, <https://awasmiffee.potager.org/?p=352>

16 A recent case of this is in PT Nabire Baru's plantation, where the Jarae and Manawari sago groves were cleared: Brimob dan Pembongkaran Dusun Sago Suku Besar Yerisiam Gua, Yayasan Pusaka, 13/06/2016, <http://pusaka.or.id/brimob-dan-pembongkaran-dusun-sago-suku-besar-yerisiam-gua/>

17 The Impact of MIFEE presence at Bian River and Maro River, Tabloid Jubi, 21/12/2012, <http://tabloidjubi.com/2012/12/21/the-impact-of-miffee-presence-at-bian-river-and-maro-river/>

18 The Mahuzes (video), Watchdoc Documentary Channel, September 2015, <http://watchdoc.co.id/2015/08/the-mahuzes-full-movie/>

19 Testimony of Bernadus Gilik in "Profil Kasus, Temu Rakyat Korban Investasi Kehutanan dan Perkebunan Besar", an event organised by Yayasan Pusaka and other organisations in Waena, Jayapura, 4th- 7th November 2014.

20 Kala Hutan Terbabat Berganti Sawit, Banjir pun Terjang Manokwari, Mongabay Indonesia, 08/03/2014, <http://www.mongabay.co.id/2014/03/08/kala-hutan-terbabat-berganti-sawit-banjir-pun-terjang-manokwari/>

21 Siaran Pers, Koalisi Peduli Korban Sawit Nabire, 25/03/2016, Konsorsium Pembaruan Agraria, <http://www.kpa.or.id/news/blog/siaran-pers-koalisi-peduli-korban-sawit-nabire/>

22 Korban Banjir di Mimika Tengah Butuh Bantuan, Tabloid Jubi, 07/10/2014, <http://tabloidjubi.com/2014/10/07/korban-banjir-di-mimika-tengah-butuh-bantuan/>

23 Testimony of Marsellus KesBoy in "Profil Kasus, Temu Rakyat Korban Investasi Kehutanan dan Perkebunan Besar", an event organised by Yayasan Pusaka and other organisations in Waena, Jayapura, 4th- 7th November 2014.

time to cultivate their gardens, go to the market and cook. Young children are brought to the plantation while their mother works, older children may be set to work.²⁴ Afterwards, if food is short, a mother will prioritise feeding her husband and children. If her husband has money from work or land compensation this may bring new problems, for example many women become infected with HIV which their partners pick up from sex workers.²⁵

Acts of no choice: How the plantation industry is imposed on indigenous Papuans.

In 1969, a council of 1025 Papuan representatives were selected to participate in a UN-sponsored plebiscite to decide if Papua should be independent or join Indonesia. After being subjected to threats, bribery, intimidation and detention, those representatives affirmed that West Papua should become part of Indonesia, even as anti-Indonesia rebellion raged across Papua.²⁶ The exercise, known in English as the "Act of Free Choice", is more often referred to as the "Act of no Choice" by Papuan activists.

Decades later, and on a smaller scale, more 'acts of no choice' are reproduced at a local level around West Papua. As customary landowners, the Papuan people supposedly have a legal right to collectively decide whether or not to accept development on their land.²⁷ Given the many negative impacts of plantation development, they might be expected to refuse in many cases, if given a genuinely 'free choice'. However, they are faced with the vested interests of certain parties who have no desire to honour these rights. The power of state bureaucrats, businesses and the police and military each play a part in making it harder to withhold consent for a plantation project. Papuan land rights become just another bureaucratic hurdle for oil palm companies - they just need a signature or thumbprint on a piece of paper, and manipulation, deceit, intimidation, withholding information or fomenting horizontal conflict are all tools which can be used for that.

Politicians and the permit process:

Over the last 15 years, there has been a trend to divide Papua into smaller and smaller administrative areas, which has resulted in villages being designated as regency capitals. The Bupati (Regency Head) is given the authority to issue certain key permits, and this is the person companies wishing to invest will need to approach.

While there have been no confirmed cases of corruption in issuing permits for plantations in Papua, it is generally accepted that this is a common, if not routine, practice. There is a near-total lack of transparency around these permits - no regency in Papua publishes the permits it issues online, and in many cases the data is near-impossible to obtain.

An example of how loose the system is can be seen in Boven Digoel Regency in Southern Papua, a

24 *Women and Oil Palm in an Investment Region, Down To Earth, October 2014, <http://www.downtoearth-indonesia.org/story/women-and-oil-palm-investment-region>*

25 *MIFEE dan perempuan adat Malind, Muntaza, Working Paper Sajogjo Intitute No 2/2014, 20/10/2014, <http://sajogyo-institute.org/wp-content/uploads/2016/05/Muntaza-2014.pdf>*

26 *The United Nations and the Indonesian Takeover of West Papua 1962-1969, John Saltford, <https://www.ipwp.org/wp-content/uploads/2016/04/Saltford.-UN-Involvement-1968-69.pdf>*

27 This right is reiterated in the 2001 law on Papuan Special Autonomy

remote area where twelve companies²⁸ have been engaged in the permit acquisition process since 2010 for a total of 339,515 hectares, and may soon be able to start work (one company is already clearing primary forest). However, any permits issued to these companies at the regency level are of questionable legality, as there was no clear authority to issue permits at the time. Soon after the 2010 election, the winner Yusuk Yaluwo was convicted on corruption charges unrelated to the plantation industry and sentenced to 4.5 years in prison.²⁹ Several accounts state that he continued to issue decrees from his prison cell in Java,³⁰ despite having been declared non-active by the interior minister,³¹ and the situation was not fully rectified until June 2014.³² It should be noted however, with accurate permit data and copies of permit documents hard to obtain, has not been able to confirm definitively whether any of these permits are problematic.

These permits often fail to comply with national regulations. PT Nabire Baru was issued a Plantation Business Licence in 2008, and started clearing forest in 2012. However, when work started the company had not carried out an Environmental Impact Assessment, despite this being a necessary condition for a plantation business licence to be issued. There are few possibilities to challenge these problematic permits: when the Yerisiam people challenged the validity of PT Nabire Baru's Plantation Business Licence at the State Administrative Courts in 2015, the judge eventually declared the case inadmissible as government decisions need to be challenged within 90 days. Of course, as local indigenous communities are not given notice of when a permit is issued, it would be exceedingly difficult for them to meet this deadline.

If the proposed plantation is on state forest land new plantation will also need a permit from the Ministry of Forestry at a national level, to release the land from the forest estate and reclassify as other use area. In theory, areas of primary forest in the forest estate with no existing permissions have been subject to a moratorium since 2011. However, many plantation companies have appealed this classification as primary forest, and the map of areas subject to moratorium has been changed to accommodate their plans.³³

At both local and national levels therefore, the current opaque and potentially corrupt system creates a systematic bias in favour of plantation companies. Government bodies could be taking the role of a mediator, ensuring that a company's proposals are made fairly without coercion. Instead, by nurturing a system where state authority is used to create mutually beneficial relationships between bureaucrats and companies, indigenous communities are left to fend for themselves, and it can seem like they have no choice than to accept a plantation.

Companies:

Five years ago, some of Indonesia's biggest plantation companies had large expansion plans for

28 PT Megakarya Jaya Raya, PT Kartika Cipta Pratama, PT Graha Kencana Mulia, PT Energi Samudera Kencana, PT Manunggal Sukses Mandiri, PT Trimegah Karya Utama, PT Usaha Nabati Terpadu, PT Visi Hijau Nusantara, PT Duta Visi Global, PT Wahana Agri Karya, PT Tunas Sawaerma (extension), PT Berkas Citra Abadi.

29 *Terpidana Korupsi, Bupati Boven Digoel Yusak Yaluwo Tetap Dilantik*, 08/03/2011, <http://infokorupsi.com/id/korupsi.php?ac=8689&l=terpidana-korupsi-bupati-boven-digoel-yusak-yaluwo-tetap-dilantik>

30 eg. *Meski Dipenjara, Bupati Digul Tetap Jalankan Pemerintahan*, *Jurnal Info*, 25/02/2014, http://www.jurnalinfo.com/berita.html?id=Meski_Dipenjara_Bupati_Digul_Tetap_Jalankan_Pemerintahan

31 *Korupsi, Bupati Boven Digul Dinonaktifkan*, *Viva News*, 8/11/2011, nasional.news.viva.co.id/news/read/208254-korupsi--bupati-boven-digul-dinonaktifkan

32 *Yesaya Merasi Resmi Jadi Bupati Boven Digoel*, 14/06/2014, <https://thebodipost.wordpress.com/2014/06/14/yesaya-merasi-resmi-jadi-bupati-boven-digoel/#more-1488>

33 *Oil Palm Companies Redraw Indonesia's Forest Permit Moratorium Map*, *awasmIFEE*, 25/05/2014, <https://awasmiffee.potager.org/?p=857>

Papua. "Everybody's eying Papua because of its huge land," a Sinar Mas managing director was quoted as saying.³⁴ However, the situation has changed a little in recent years, partly because of resistance from indigenous Papuans, but also due to pressure from major palm oil consumers who want to claim their products are deforestation-free. These two very different forms of opposition will be examined below.

Companies which have abandoned plans for mega-plantations in Papua include Sinar Mas, which in 2009 had plans for 1 million hectares of oil palm plantation in Papua,³⁵ but backed down from this plan, and eventually decided not to go ahead with an extension to its existing plantation in 2013.³⁶ Musim Mas had six plantation concessions in Jayapura and Sarmi regencies, but didn't apply to renew the location permits when it signed up to a no deforestation, no peat, no exploitation policy. Wilmar abandoned plans for 200,000 hectares of sugar plantations and a joint venture where it would buy 50% of two oil palm plantations.

This does not mean that the threat to Papua's forest has diminished. There are also many medium-sized plantation companies with ambitious expansion plans, who have identified Papua as an area of potential rapid growth. Examples of such companies include Austindo Nusantara Jaya, which has just 65,301 hectares³⁷ of established plantation outside Papua but has plans for 91,242 hectares of new oil palm plantation in Papua, and Indonusa Agromulia Group, with 8000 hectares planted elsewhere in Indonesia³⁸ but permits for a further 51,932 hectares in Papua.³⁹

Other players include logging companies who are converting their business from timber to focus more on oil palm concessions. Strong local connections built up in the wood industry give them an advantage to get the permits they need. Companies following this approach include Korindo, which has held forestry operations in Boven Digoel since 1993 (and a plantation since 1998), but which has expanded its landbank off plantation concessions in Papua to 148,600 hectares, of which 30,000 hectares was cleared between 2013 and May 2016,⁴⁰ or the Kayu Lapis Group, once the largest timber concessionaire in Papua, which has operated an oil palm plantation since 2008 and has permits for two more plantations.⁴¹

The other main category of companies seeking permits are speculators, who do not intend to operate oil palm plantations themselves, but go through all the messy business of obtaining the permits and then sell them on to another company later, in most cases when the suite of permits is more-or-less complete. These speculators typically tend to keep a low profile, they do not have a web-page, their offices in Jakarta have no nameplates. This lack of transparency is especially concerning from the point of view of indigenous communities given that it is usually these companies which do the

34 *Indonesia's Sinar Mas defends palm oil expansion*, Reuters, 20/03/2009, <http://www.reuters.com/article/us-palm-indonesia-sinarmas-idUSTRE52J2QW20090320>

35 *Up For Grabs, Deforestation and Exploitation in Papua's plantations boom*, Environmental Investigation Agency, November 2009 <https://eia-international.org/wp-content/uploads/up-for-grabs.pdf>

36 *Palm oil giant to forgo development of New Guinea Rainforest*, Mongabay, 06/11/2013 <https://news.mongabay.com/2013/11/palm-oil-giant-to-forgo-development-of-new-guinea-rainforest/>

37 Figures from 2015 Annual Report. Plantation sizes are the total concession size and therefore include planted area, areas set aside for conservation and as-yet-unplanted areas in the group's five non-Papuan plantations.

38 From the company website, which also refers to a 30,000 hectare landbank, presumably not including the Papuan concessions which far exceed this.

39 PT Internusa Jaya Sejahtera is planting oil palm in Merauke Regency, and PT Anugrah Sakti Internusa, PT Internusa Jaya Sejahtera and PT Persada Utama Agromulia have permits, including an in principle permit to release land from the state forest estate, in South Sorong.

40 *Burning Paradise, the oil palm practices of Korindo in Papua and North Maluku*, *aidenvironment*, 25/08/2016, <http://www.aidenvironment.org/wp-content/uploads/2016/09/2016-08-25-FINAL-Korindo-report-English.pdf>

41 PT Inti Kebun Sejahtera is operational, PT Inti Kebun Lestari and PT Inti Kebun Sawit have not yet commenced land clearing.

negotiations to use the land.

Profiles of some speculator companies and individuals:

<i>Name</i>	<i>Description</i>	<i>Number of actual oil palm plantations operated anywhere in Indonesia.</i>
Menara Group	Headed by businessman Chairul Anhar, and reportedly with ex Indonesian police chief D'ai Bachtiar on the board, this company has acquired permits for seven concessions in Boven Digoel, totalling almost 280,000 hectares, six of which have been sold to Malaysian companies.	0
Pusaka Agro Sejahtera Group	Thought to be owned by businessman Budi Yasa, this company has sold three concessions in South Sorong to Austindo Nusantara Jaya, and possibly another in Mimika to the Noble Group. It has also acquired permits for at least another three concessions in Mimika, Jayapura and Sarmi Regencies.	0
Mega Masindo Group	This company, owned by timber baron Paulus George Hung, who has logging operations throughout Papua, has focussed on Sorong and Mimika regencies, where it has acquired permits for three oil palm concessions. None are known to have been sold, and work has not started.	0
Jef Setiawan Winata	This Bandung-based businessman has operated a range of companies in the Fak-fak and Kaimana areas for years, from hotels to livestock businesses. He set up and obtained permits for PT Rimbun Sawit Papua and Pt Menara Wasior, both of which were sold to companies believed to be linked to the Salim Group.	0

Although they attract little attention, these speculators play a very important role in opening up the frontier to 'respectable' palm oil companies. Of the nineteen oil palm plantations which have successfully commenced operations since 2005, ten are believed to have bought the concession from a speculator or logging company with good local connections, and four others are operated by logging companies themselves

<i>Plantation Company</i>	<i>Parent Company</i>	<i>Location</i>	<i>Year Land Clearing Started</i>	<i>Former owner believed to be speculator company / individual</i>	<i>Link with logging company</i>
PT Tandan Sawita Papua	Eagle High Plantations	Keerom	2010		
PT Rimba Matoa Lestari		Jayapura	2013		
PT Nabire Baru	Goodhope	Nabire	2012	Iman Basrowi	
PT Sariwana Adi Perkasa	Goodhope	Nabire	2014	Iman Basrowi	
PT Medcopapua Hijau Selaras	Medco	Manokwari	2008		
PT Henrison Inti Persada	Noble Group	Sorong	2006		Formerly owned by Kayu Lapis

					Indonesia Group
PT Inti Kebun Sejahtera	Kayu Lapis Indonesia Group	Sorong	2008		Kayu Lapis Indonesia Group is itself a logging company
PT Subur Karunia Raya	Salim Group (unconfirmed)	Teluk Bintuni	2015	Bought in 2010 from unknown group	
PT Rimbun Sawit Papua	Salim Group (unconfirmed)	Fakfak	2015	Jef Setiawan Winata	
PT Permata Putera Mandiri	Austindo Nusantara Jaya	S. Sorong	2014	PT Pusaka Agro Sejahtera	
PT Putera Manunggal Perkasa	Austindo Nusantara Jaya	S. Sorong	2014	PT Pusaka Agro Sejahtera	
PT Varia Mitra Andalan	Eagle High Plantation	S. Sorong	2014		
PT Pusaka Agro Lestari	Noble Group	Mimika	2012	PT Pusaka Agro Sejahtera (suspected)	
PT Dongin Prabhawa	Korindo	Merauke	2011		Korindo itself is a logging company
PT Bio Inti Agrindo	Posco Daewoo	Merauke	2012	Owner before 2011 unknown	Close working relationship with Korindo
PT Papua Agro Lestari	Korindo	Merauke	2015		Korindo itself is a logging company
PT Internusa Jaya Sejahtera	Indonusa Agromulia Group	Merauke	2015		
PT Megakarya Jaya Raya	Pacific Inter-link	Boven Digoel	2015	Menara Group	
PT Berkat Citra Abadi	Korindo	Merauke	2012		Korindo itself is a logging company

State Security Forces:

Papua has been a zone of conflict since the 1960s. This has resulted in a strong military presence throughout the territory. Military outposts are found in many villages, and additional troops are stationed along the border with Papua New Guinea where many oil palm concessions are located. Police Mobile Brigade (Brimob), a paramilitary corps under the command of the national police, also maintain a strong presence in many areas.

The military facilitates the plantation industry in several ways. The first is just by being there. It is common practice for representatives of the police or military to accompany plantation companies on trips to the area, which means military personnel are present at the moment companies present their intention to use the land. This can be highly intimidating for indigenous communities, who are of course aware of the history of military violence in their area, and adds to the pressure to accept a

company's proposal.

When a plantation is established, the military or police often work for the company, as plantation security, meaning that in any dispute between a plantation company and indigenous communities or workers, the company will have the weight of armed state security apparatus on its side. This is the case in Nabire, where PT Nabire Baru has employed Brimob guards to secure its premises. Local communities have recorded a string of incidents, including beatings, house searches and arrests, often targeting individuals who are active in opposing the company.⁴²

In Keerom Regency, indigenous Papuans working for PT Tandan Sawita Papua (Eagle High Plantations) have faced serious repression when they have demanded better working conditions. In April 2014 Alexander Tnesi and Marthen Watory were imprisoned in a police station for two weeks after a demonstration protesting how the company had doubled the targets for casual workers, resulting in unmanageable workloads.⁴³ In December 2015, Marvel Doga was shot dead by military officers stationed near the company premises, after he went to demand his Christmas bonus.⁴⁴

Members of the military often supplement their salary with business sidelines. Military business was permitted and common during the Suharto dictatorship, but was supposedly outlawed by a law passed in 2004 (Law 34/2004) which stated that the government must take over all business activities owned by the military within five years. However, as the deadline approached in 2009, then-President Susilo Bambang Yudhoyono issued a set of regulations which would allow the military to continue to control businesses, as long as they were in the guise of co-operatives or foundations.⁴⁵

Some of these co-operatives and foundations are looking for links with the plantation industry. In 2010 PT Henrison Inti Persada, which has a plantation in Sorong signed an MoU with a co-operative linked to the military, Pusat Koperasi Kartika Cenderawasih, to develop 1000 hectares of oil palm located outside the company's concession.⁴⁶ The company has stated that the onus is on the co-operative to ensure that the indigenous landowners give their free, prior informed consent for this.⁴⁷ The current status of this project is unknown.

In June 2016, military officers involved in the Kartika Setya Jaya co-operative came to inform Augustinus Dayo Mahuze, who leads the Mahuze clan in Muting village, that it had a contract to clear land belonging to the tribe, which is part of PT Agriprima Cipta Persada's concession.⁴⁸ The Mahuze

42 *Empat Tahun, Brimob Sebabkan 15 Kasus Kekerasan di Area Kelapa Sawit Nabire*, *Tabloid Jubi*, 15/11/2015, <http://tabloidjubi.com/home/2015/11/15/empat-tahun-brimob-sebabkan-15-kasus-kekerasan-di-area-kelapa-sawit-nabire/>

43 *Buruh Tuntut Hak Berarti Diproses di Kepolisian*, *Fransiskan Papua*, 21/04/2014, <https://awasmiffee.potager.org/?p=850&lang=id> (article no longer available at original URL <http://www.fransiskanpapua.net/2014/05/1349/upah-buruh-menunggu-kebijakan-bupati-jayapura.php>)

44 *Kehabisan Darah, Karyawan Perkebunan Kelapa Sawit Tewas*, 22/12/2015, *Cenderawasih Post*, <http://www.cenderawasihpos.com/index.php?mib=berita.detail&id=8744> see also *Buruh Sawit Keerom Tewas Ditembak Oknum TNI*, 22/12/2015, *Pacific Pos.*, <https://www.pasificpos.com/headline/7087-buruh-sawit-keerom-tewas-ditembak-oknum-tni>

45 *Failure to End Military Business Activity in Indonesia*, *Human Rights Watch*, 11/01/2010, <https://www.hrw.org/report/2010/01/11/unkept-promise/failure-end-military-business-activity-indonesia>

46 Amended And Restatement Of The Memorandum Of Understanding No.014/2010 Dated 14 May 2010 Between PT Henrison Inti Persada And Pusat Koperasi Kartika Cenderawasih, supplied to EIA by PT Henrison Inti Persada

47 Summary of complaint from EIA against PT Henrison Inti Persada, PT Henrison Inti Persada response and clarifications, RSPO Complaint, 19/02/2014, http://www.rspo.org/file/CIJ-D14B19_Summary%20of%20EIA%20complaint%20and%20HIP%20responses%20%281%29.pdf

48 *Hentikan Bisnis Militer dan Hormati Hak Masyarakat Adat Papua*, *Koalisi Organisasi Masyarakat Sipil*, 22/07/2016, <https://awasmiffee.potager.org/?p=1440> (English Translation)

clan have been resisting the plantation for some time, erecting notices forbidding the company entry, which have been repeatedly torn down by the company.

In recent years, the military has been invited to take on roles normally conducted by civil agencies or the private sector. Soldiers have been tasked with bulldozing land throughout Papua to prepare for new rice production,⁴⁹ and road-building in remote areas of Papua.⁵⁰ No data has been found on how the question of indigenous land rights has been resolved in these recent projects.

Illegal military businesses also exist which have important adverse effects on local populations, including controlling alcohol and gambling, illegal logging and wildlife trafficking.

Resistance to the palm oil industry

Although the plantation industry in Papua is still rapidly expanding, it is being contested, both from resistance at the grassroots, and also at the top as a result of pressure on the industry to do something about the oil palm industry's catastrophic environmental record.

Resistance from below - direct action to keep the land.

Although Papuans taking action for political change find their space to act highly constrained as a result of state repression, there is a little more tolerance when they assert their economical rights. It is common for Papuans to use blockades as a form of direct action, which is known as *pemalangan* - from palang, a bar - to complain about diverse grievances. As land in Papua is supposed to be collectively owned by indigenous Papuans according to local customs, but their land rights are often denied them, disputes over land are frequently the reason for *pemalangan* actions.

In cities, the people who hold customary land rights on areas where a public building has been constructed will often demand billions of Rupiah compensation. In rural areas *pemalangan* is often linked to a customary practice common across Papua and Maluku known as sasi, which refers to any kind of customary law prohibition. Whereas previously sasi might have been used to prohibit others taking young coconuts because someone needed to harvest them fully ripe, or to ensure a river is not fished for some time to allow young fish to mature, now it also means not allowing a company to move into an area if the landowning tribe or clan has not given permission. Sometimes, when the forest has already been cleared, the objective of the action is to obtain fair compensation.

Pemalangan actions against oil palm plantations are widespread in Papua. In fact, there are reports of *pemalangan* actions having taken place at fourteen of the existing 28 plantations, and it is likely that similar actions have taken place elsewhere undocumented by the media or NGOs.⁵¹

49 The military could be deployed in rice field preparation in as many as 14 regencies across Papua *Gerak Cepat TNI Cetak Sawah*, *Tabloid Sinar Tani* 22/02/2016, [http://m.tabloidsinartani.com/index.php?id=148&tx_ttnews\[tt_news\]=3106&cHash=73f93b30d03f547c8a56d71dc04a842a](http://m.tabloidsinartani.com/index.php?id=148&tx_ttnews[tt_news]=3106&cHash=73f93b30d03f547c8a56d71dc04a842a)

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51 *Pemalangan* actions are known to have taken place in the following oil palm plantations in Papua:

- PT Tunas Sawaerma, Boven Digoel 2006, http://www.crisisgroup.org/~media/Files/asia/south-east-asia/indonesia/b66_indonesian_papua_a_local_perspective_on_the_conflict.pdf
- PT Tandan Sawita Papua, Keerom, 2009, <https://eia-international.org/wp-content/uploads/up-for-grabs.pdf>
- PT Sinar Mas, Jayapura 2011, <https://papuapost.wordpress.com/2011/06/10/tuntut-rp-50-m-warga-palang-pt-sinar-mas/>
- PT Henrison Inti Persada, Sorong, 2012, http://www.lenterapapuarat.com/front/index.php?option=com_content&view=article&id=895:sepatat-17-milyar-palang-di-kelapa-sawit-akhirnya-di-buka&catid=37:peristiwa&Itemid=53

In some cases organised resistance occurs before companies move in and start clearing land. In 2013 local communities in Western Merauke won a major victory against a group of sugar-cane companies which were intending to turn the whole area into an agro-industrial landscape. An agreement was made between all the villages in the area that no-one would give up their land, and different villages held sasi rituals and erected signs warning the companies they were not welcome. Following an incident when some villagers were forced to sign a document they didn't understand by Brimob police officers working for the company, Papuans from nearby villages living in the city occupied the offices of Mayora, one of the companies intending to invest.⁵² Mayora Group and Astra Group, another investment candidate, withdrew from the area shortly afterwards and haven't been back since.

Elsewhere in Papua, during 2016 a student movement called Kompekstram has been campaigning against oil palm plantations and transmigration in Maybrat Regency, West Papua Province, and have held demonstrations and lobbied government in anticipation of imminent new plantations in the area.⁵³

Pressure from within the industry itself.

It is also worth mentioning the other main dynamic which may act as a partial brake to oil palm expansion. As a result of pressure on major palm oil consumer companies such as Nestle and Unilever, several palm oil trading companies, who are also amongst the largest plantation companies, have declared that they will not deforest or cultivate on peatlands, and will not buy crude palm oil from companies which do. Several of these companies also have 'no exploitation' policies to exclude purchases from any companies which do not engage in a process of Free Prior Informed Consent with communities living near new plantation sites. International banks and finance organisations are also being pushed to divest from companies which clear forest.

At the time of writing, it is still unclear to what extent this initiative will succeed in transforming the industry. Several palm oil companies have been penalised for causing deforestation in Papua. Others have agreed to temporarily halt land-clearing in new plantations in Papua to ensure market access

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- PT Medcopapua Hijau Selaras, Manokwari, 2012, <http://www.jpnn.com/read/2012/11/12/146705/Perusahaan-Sawit-Arifin-Panigoro-Diduduki-Warga>
 - PT Varita Majutama, Bintuni, 2012, *Untitled report by Masyarakat Adat Sumuri Teluk Bintuni and LP3BH, Tofoi 20th August 2013.*
 - PT Agriprima Cipta Persada, Merauke, 2014, <http://pusaka.or.id/marga-pemilik-lahan-palang-pembukaan-hutan-pt-acp-di-muting/>
 - PT Inti Kebun Sejahtera, Sorong, 2014, <http://pusaka.or.id/masyarakat-tagih-janji-perusahaan-kelapa-sawit-pt-iks/>
 - PT Bio Inti Agrindo, Merauke, 2014, <http://pusaka.or.id/pt-bia-tidak-memenuhi-kewajibannya/>
 - PT Permata Putera Mandiri, South Sorong, 2015, <http://pusaka.or.id/warga-kampung-saga-masih-palang-jalan-pt-ppm/>
 - PT Putera Manunggal Perkasa, South Sorong, 2015, <https://www.youtube.com/watch?v=lcnsBQzvc-4>
 - PTPN II, Keerom, 2016, <http://regional.kompas.com/read/2016/06/06/07140371/merasa.ditipu.warga.blokade.perkebunan.sawit.seluas.50.000.hektar.di.keerom>
 - PT Nabire Baru, Nabire 2016, <http://suarapapua.com/2016/05/13/masyarakat-adat-yerisiam-gua-pertahankan-dusun-sagu-lawan-pt-nabire-baru-bagian-1/>
 - PT Agrinusa Persada Mulia, Merauke 2016, <https://pacepapushare.blogspot.fr/2016/02/pemlik-hak-ulayat-melakukan-pemalangan.html>

52 *Mayora's Latest Trick: Threatened with OPM stigma, Village Leaders Intimidated into Signing Document*, awasMIFEE, 07/08/2013, <https://awasmiffee.potager.org/?p=472>

53 *Impian PT ANJ Ditetnatma Masyarakat Adat Maybrat*, Pusaka, 26/06/2016, <http://pusaka.or.id/impian-pt-anj-ditentang-masyarakat-adat-maybrat/>

for their output from other plantations in the same corporate group.

<i>Corporate Group</i>	<i>Loss of Market Access</i>	<i>Loss of investment or banking services</i>	<i>Halt to land clearing?</i>
Austindo Nusantara Jaya	GAR, Wilmar and Musim Mas all suspended purchases in 2015 ⁵⁴		ANJ decided to temporarily halt land-clearing in PT Permata Putera Mandiri and PT Putera Manunggal Perkasa in August 2015. ⁵⁵
Noble Group		In 2014 the Norwegian Government Pension Fund divested from the Noble Group. ⁵⁶ Campaigners have recently been pressuring banks involved in a \$1 billion loan to the Noble Group. ⁵⁷	
Eagle High Plantations			The company has agreed to a moratorium on further development in PT Varia Mitra Andalan's concession. ⁵⁸
Korindo	Wilmar and GAR stopped sourcing from Korindo in 2016, and Musim Mas has a 3 month 'temporary stop purchase' ⁵⁹		On 9th August 2016 Korindo announced a 3 month deforestation in PT Tunas Sawaerma's concession (but not in its other concessions). ⁶⁰
Posco Daewoo		The Norwegian Government Pension Fund divested from the Korean multinational in 2015, because of deforestation in its PT Bio Inti Agrindo plantation. ⁶¹	

It is possible that the Indonesian Government will also take action to rein in the plantation industry in Papua. President Joko Widodo mentioned in April 2016 that he would enforce a five-year moratorium on all permits for new oil palm development. The Forestry and Environment Minister, Siti Nurbaya, has signalled that addressing the situation in Papua is one of the main aims of the moratorium, and said that not only will new applications be turned down, but that existing permits

54 *Palm Oil Revenue at Risk: Failure to meetbuyers' procurement policies results in lost revenue, June 2016, Chain Reaction Research*, <https://chainreactionresearch.files.wordpress.com/2016/06/suspension-analysis-crr-june-9-2016-final.pdf>

55 *PT Austindo Nusantara Jaya Tbk, Annual Report 2015*, http://anj-group.com/v2/wp-content/uploads/2016/05/ANJ_Laporan-Tahunan-2015-English-Version.pdf, page 7

56 *Council on Ethics 2014 Annual Report*, <http://etikkradet.no/files/2015/01/Council-on-Ethics-2014-Annual-Report.pdf>

57 *Council on Ethics 2014 Annual Report*, <http://etikkradet.no/files/2015/01/Council-on-Ethics-2014-Annual-Report.pdf>

58 *A deadly trade-off, IOI's palm oil supply and its Human and Environmental Costs, Greenpeace International, September 2016*, <http://www.greenpeace.org/international/Global/international/publications/forests/2016/Deadly-Trade-off-IOI-Report.pdf>

59 *A deadly trade-off, IOI's palm oil supply and its Human and Environmental Costs, Greenpeace International, September 2016*, <http://www.greenpeace.org/international/Global/international/publications/forests/2016/Deadly-Trade-off-IOI-Report.pdf>

60 *Burning Paradise, the oil palm practices of Korindo in Papua and North Maluku, aidenvironment, 25/08/2016*, <http://www.aidenvironment.org/wp-content/uploads/2016/09/2016-08-25-FINAL-Korindo-report-English.pdf>

61 *Recommendation to exclude Daewoo International Corporation and POSCO from the Government Pension Fund Global, Council of Ethics for the Government Pension Fund Global, 27/3/2015*, <http://etikkradet.no/files/2015/08/Recommendation-Daewoo-270315.pdf>

may be revoked where there is still good forest cover.⁶² However, the long-awaited moratorium has still not been officially enacted, reportedly due to differences in opinion between different ministries, and is not expected before early 2017, if further delays do not occur.⁶³

It is too early to say whether these initiatives from the industry and government will create the hoped-for change, but if they are seen through, they would be welcome attempts to place some limits on the uncontrolled growth of an industry which is a major driver of biodiversity loss and climate change. Since in the majority of cases, indigenous communities do not want large oil palm plantations, these corporate initiatives do converge with their interests to some extent. However, in many ways they remain peripheral to this process: in all the cases where oil palm growers have faced sanctions, the main reason given is deforestation rather than the exploitation of indigenous communities. For example, Goodhope, where the lack of Free, Prior Informed Consent and violent police repression on its PT Nabire Baru plantation have been reasonably well documented by the Yerisiam people, is still able to sell its palm oil.⁶⁴ Of course, deforestation can easily be proved in a few minutes by consulting satellite photos available online, whereas verifying allegations of land-grabbing requires a thorough investigation on the ground, and is likely to be contested.

Action on climate change means action for social justice – and a global perspective on local struggles.

From a climate justice perspective, the social element cannot be ignored. A fundamental principle should be that forest-dependent indigenous people should be able to freely and collectively decide how they want to live on their land. Why this is not happening needs to be understood and acted upon. For the Indonesian state which claims sovereignty over West Papua, this raises many questions. In some areas, it is possible to envisage practical changes which could bring improvements (reforming bureaucracy and creating mechanisms to aid transparency and close loopholes for corruption, sanctions against companies which manipulate consent, eliminate speculation in land and permits, get the military out of communities). Others would require a fundamental reappraisal of the Indonesian project in West Papua – addressing the inequality in economic participation between Papuans and non-Papuans, Jakarta's relationship with outlying islands, attitudes towards indigenous people throughout the archipelago and Papuans in particular. It is also difficult to imagine this being possible without action to address historical injustice, especially the history of human rights violations in Papua.

The destruction of the Papuan lowland forest for oil palm plantations is a political and deliberate act, with some at the top of the power structure (large corporations, Indonesia's bureaucratic and political elite and the military) grabbing the land and livelihood of some right at the bottom (indigenous Papuans). Through their resistance, a little of this power is taken back. However, climate change brings a new global perspective to the issue: if the forests of Papua are destroyed, every living being on this planet will be affected (some less, some more). The responsibility also becomes more diffuse – everyone who consumes palm oil is somehow implicated (again, some more, some less). By the same logic, those who defend their land are also defending the future of all of us: everyone who might some day be affected from climate change will benefit if in remote villages in

62 *Unprecedented steps taken to reinforce president's palm oil moratorium*, Forest Hints. News, 24/05/2016, <http://foresthints.news/unprecedented-steps-taken-to-reinforce-president-palm-oil-expansion-moratorium>

63 *Soal Moratorium Sawit, Begini Perkembangannya*, Mongabay Indonesia, 17/10/2016, <http://www.mongabay.co.id/2016/10/17/soal-moratorium-sawit-begini-perkembangannya/>

64 *A deadly trade-off, IOI's palm oil supply and its Human and Environmental Costs*, Greenpeace International, September 2016, <http://www.greenpeace.org/international/Global/international/publications/forests/2016/Deadly-Trade-off-IOI-Report.pdf>

Papua (or elsewhere) have the courage and tenacity to stand up to industries like this. Linking such local struggles in a broader global context of climate change is therefore a reminder of the linkages between different struggles, and of the importance of for solidarity between them.