

Petition

FOR THE STRUGGLE OF BUOL FARMERS FORUM AGAINST LAND GRABBING BY PT. HARDAYA INTI PLANTATIONS

The Buol community, like other indigenous communities in Indonesia, has lived on its ancestral land for many generations, over thousands of years. Land tenure is held communally, in groups, with the capabilities and distribution of agricultural products based on the needs of each family in each group. Control of land is owned and managed by the lineage group/clan.

To maintain soil fertility and get a good harvest, these farming communities practice shifting agriculture, allowing a plot to become doumi/Buni (young forest, overgrown with shrubs) before returning to farm it again. Indonesia's constitution acknowledges and protects rights to indigenous or communal land based on 1945 Constitution, Basic Agrarian Law No.5/1960, TAP MPR RI No. IX/2001 on Agrarian Reform and Law No.11/2005 on the International Convention of Economic, Social and Cultural Rights. These regulations guarantee the protection of indigenous community rights as part of the state's obligation to respect, protect and fulfil the citizen's human rights.

Since the arrival of PT. Hardaya Inti Plantations (PT. HIP) in 1993, there has been a continuous conflict over land between the community in Buol (united as the Buol Farmers Forum, Forum Tani Buol/FTB) and PT. HIP. The conflict has occurred since the company took over indigenous land in Hulu Unone, Hulu Biau and Hulu Umbadudu. This was productive agricultural land called *Buni agu Doumi* which consist of annual plants and *Apayo Lripu (Buol Sago Field)* in *Dusun (Village) Marisa Doka and Marisa Didi*. PT. HIP took over the land by force, backed by military, police, and the local government at that time. Now the area has been converted into oil palm plantations, office areas, camps for the plantation workers and a CPO (crude palm oil) processing factory.

Between 1993-1995, PT HIP cleared the area for palm plantation. During this time, the community lost all their fields and houses. People who tried to stop the eviction process were beaten and arrested by Momunu district police.

PT. HIP, through its main subsidiary PT. Citra Cakra Murdaya (CCM), requested a first location permit from the Forestry Ministry (Nomor Surat : 071/ INT – BS/XII/ 93) for 19,122 hectares on December 20, 1993, and a second one for 31,750 hectares on September 12, 1995 (Nomor Surat : 050/CCM – SHM/KS/09.95). Both requests for land in Central Sulawesi Province fall under the Bunobogu Regency, Bokat District and Momunu Regency in Buol Toli-Toli District.

It was not until 1998 that the company received its Land Use Rights (HGU) for 22,780 hectares through the decision of the Agrarian Ministry/Head of National Land Body (N0. 34/HGU/BPN/98). The company received two HGU Certificates from Buol Toli-Toli National Land Body for 16,434.388 hectares and 6,346.478 hectares for a term of 35 years which will end on August 28 2033.

PT. HIP has also illegally taken over 5,020 hectares of land that they received through bribing the Buol Head of District. This act led to PT. HIP owner Siti Hartati Murdaya being sent to jail for corruption.

Various efforts have been made by FTB to reclaim the farmers' land, ranging from lobbying, and seeking hearings at the provincial level house of representatives (DPRD), to negotiating with the company, and even peaceful actions – with one demand “GIVE BACK OUR LAND”.

On October 16, 2012, several delegates of FTB visited PT. HIP headquarters in Jakarta. At the meeting, it was agreed that: “The stakeholders will consider the historical process and will conduct a process of returning community land whose area will be determined according to guidelines set up and proposed by the community.”

On November 4, 2013, the Buol District declared Status Quo (i.e., there shall not be any plantation operation on this land) on PT. HIP's palm plantation located outside the HGU permit area, but until today PT. HIP is still actively working on that land.

Several agreements have been signed between FTB, PT. HIP and Buol District authorities, yet the company is still violating the agreements and controlling the land.

Through this petition, we, the Buol community united in the Buol Farmers Forum (FTB), ask for national and international support to put pressure on:

1.PT. HARDAYA INTI PLANTATIONS (PT. HIP) located in Jl. Cikini Raya No. 78 Jakarta Pusat - Indonesia Kode Post 10330,

2.Buol Head of District located in Kantor Bupati Buol Jl. Batalipu No. 03 Kelurahan Leok-2 Kecamatan Biau, Kabupaten Buol, Provinsi Sulawesi Tengah-Indonesia Kode Post 94564,

Demanding that PT. Hardaya Inti Plantations immediately return the land belonging to members of the Buol Farmers Forum (FTB); that the Buol District Government take immediate action to reclaim the contested land; that land outside the HGU permit be declared as the object of Land Reform; and the land be immediately distributed to members of FTB who have fought for many years to reclaim their rights over the indigenous land.

To support the petition, please send your name, organisation and e-mail address to

Sudarmin Paliba (sudarmin7paliba@gmail.com)

with copy to **Rahmat Ajiguna (agraindonesia12@gmail.com)**

Undersigned Organisation: