

September 30, 2016

Mr. Fumiya KOKUBUN,
President and Chief Executive Officer,
Marubeni Corporation

Petition to Call for Prompt Resolution for Cawang Gumilir (Open letter to Marubeni)

We, Japanese Civil Society Organizations and individuals, are strongly concerned about the forced eviction of the community people of Cawang Gumilir, a sub village of Bumi Makmur which were forced to evict from the project area of PT. Musi Hutan Persada (hereinafter, "MHP"). MHP is a 100% owned subsidiary company by Marubeni Corporation after March 2015. In 2005 Marubeni had embarked on full scale participation in MHP's management.

WALHI Sumatra Selatan (hereinafter "WALHI Sumsel") is the South Sumatra Province chapter of the Indonesian Environmental Forum (WALHI) which deals with environmental and human rights issues in the province. According to WALHI Sumsel, MHP came with heavily armed forces from the army and the police and they destroyed Cawang Gumilir community's residence as well as their farmland of rubber gardens, cassava fields and etc.ⁱ. This occurred on July 7, 2015, just shortly after Marubeni Corporation completed acquisition of MHP. Following this forced eviction, officials of the Ministry of Environment and Forestry and staff members of WALHI Sumsel recommended MHP and District Forestry Department to stop vandalism and to have a dialog with people to seek for a resolution of the land conflict. But they did not accept the recommendation. The destruction of the farmland did last until July 17, 2015ⁱⁱ.

During this period, Director General of Sustainable Production Forest Management, Ministry of Environment and Forestry, proposed in the document dated July 10, 2015 that President of MHP should not take any repressive measures to seek for a resolution for the conflict. And the Minister of Environment and Forestry also stated in the document of July 14, 2015 to Governor of South Sumatra Province and Regent of Musi Rawas District that they should order MHP to stop their forced eviction of the community in Cawang Gumilir and persuade MHP to make efforts to have a dialog with the people.

However, there was far from enough communication between MHP and the evicted people. On March 17, 2016 MHP started again to destroy the farmland in Cawang Gumilir. In that time, written warning was posted on doorways by team members of Conservation Forest Restoration and Integration, saying that demolition of the houses in the community will be carried out no later than March 28, 2016. Destruction of the farmland such as rubber gardens, upland rice fields and cassava fields continued. All houses, primary school and solar power generation facility were completely destroyed by March 30, 2016 and only the mosque was left undestroyed. About 200 households totally lost their livelihoods and properties due to the destructionⁱⁱⁱ. Organizations including WALHI Sumsel released statements that the company should give the land back to the farmers and restore the destroyed houses and facilities in the community^{iv}.

In the mid of August this year our investigation team visited Cawang Gumilir community and found, about seventy (70) families were making a bare living in a shack that was built in Bumi Makmur, using the debris from the destroyed old houses. And the rest of them were sheltered with relatives or friends in near villages. They were leading the lives of refugees, only given simple harvesting jobs on a day to day basis and also receiving some food assistance from neighboring people. About fifty children used to be at primary school in Cawang Gumilir but now many of them are not able to afford the money to go to school in other places.

We are seriously concerned about this situation of the Cawang Gumilir community. In fact, people in Cawang Gumilir community settled into the area after MHP obtained their business license in 1996, but for the last decade, they have developed the basis of their livelihood with their hard workings over the years. District Government of Musi Rawas recognized them as residents of an official administrative unit (dusun). The people are issued Residential Identity Card (Kartu Tanda Penduduk) and Family Card (Kartu Keluarga) by Demography and Civil Registry Department of Musi Rawas District Government^v. These certificates are hard evidence to prove they are legal residents of Cawang Gumilir.

Though Ministry of Environment and Forestry demanded the company to seek an amicable resolution, MHP did completely destroy the basis of the community's livelihoods without any sufficient consultation. This vandalism can never be justified from an ethical manner or a humanitarian standpoint. This also breaches the company's plantation business policy which stipulates that "the land used for allocation is acquired by means which take into consideration the lives of local residents"^{vi}.

For the above reasons, we urge you to carry out the following;

1. **Please make sure that a dialogue takes place between MHP and the affected people as soon as possible as procedure in order not to cause further disadvantage to the people resulting from a prolonged resolution process.**

Shortly after April 7, 2016, a meeting for a resolution of the land conflict was held at a hotel in Lubuk Lingau among stakeholders including the affected people, MHP, Provincial and District Forestry Departments, NGOs and etc. The meeting was chaired by Director General of Social Forestry and Environmental Partnership (PSKL), Ministry of Environment and Forestry. At the meeting, the community did request MHP to take initiative to pursue dialogues for a resolution of the land conflict. However, since the meeting, the dialogue has not been organized yet. A prolonged resolution process could magnify serious damages to the community. Therefore, we request you as a responsible parent company to make sure that a dialog between MHP and the community occurs as soon as possible.

2. **Please guarantee and support the basic needs of the people until the conflict is finally resolved .**

Since March, 2016, the people have completely lost their basics to life and their farmland. They have also been forced to evacuate. So, we urge you to provide enough support of the basic needs for the people until a resolution is fully agreed with the consent of the people.

3. **Please respond to our request in written form.**

With regards to the points 1 and 2 above, please answer in written form how serious you consider this issue. Cawang Gumilir is just one from the many conflicts taking place inside MHP concession areas. So, we would also like to be informed of i) how MHP should solve the conflicts and ii) how you direct MHP to fulfil?

Your company has a significant influence as a leading company in the pulp and paper business. We believe that you have also a significant social responsibility. We therefore do expect you to perform appropriate responsible actions

Friends of the Earth Japan
Japan Tropical Forest Action Network (JATAN)
Network for Indonesian Democracy, Japan (NINDJA)

Contact:

Junichi MISHIBA

Friends of the Earth Japan (FoE Japan)

Tel: +81-3-6909-5983 / Fax: +81-3-6909-5986 / E-mail: mishiba@foejapan.org

Akira HARADA

Japan Tropical Forest Action Network (JATAN)

Tel: 03-5269-5097 / E-mail: info@jatan.org

ⁱ Cawang Gumilir community established in MHP project area in the mid 2000's. The community people are descendants of HTI transmigrants and people living around the area. They gradually developed the area. In 2013 the community was recognized as administrative unit (Dusun) in Bumi Makmur Village (Desa), Musi Rawas District, South Sumatra Province by District Government (based on an interview of Mr. S, former head of Bumi Makmur (August 16, 2016).

ⁱⁱ WALHI South Sumatra Press Release (Siaran Pers : Mengutuk Tindak Kekerasan dan pengusuran lahan yang dilakukan PT. Musi Hutan Persada (Marubeni Corporation) bersama aparat Kepolisian, TNI dan POLHUT, <http://walhi-sumsel.blogspot.jp/2015/07/siaran-pers-mengutuk-tindak-kekerasan.html>), Interview of WALHI Semasel' s representative Mr. H (August 11, 2016) and based on an interview of Cawang Gumilir community resident (August 12 and 13, 2016)

ⁱⁱⁱ Based on an interview of WALHI South Sumatra representative Mr. H (Aug 11, 2016) and an interview of a majority of Cawang Gumilir village residents. (August 12 and 13, 2016)

^{iv} Koalisi Masyarakat Sipil Sumsel. 2016. Pernyataan Sikap Bersama : Mengutuk Pengusuran pemukiman dan lahan Dusun cawang Gumilir yang di lakukan PT. MUsi Hutan Persada (Marubeni) (<http://walhi-sumsel.blogspot.jp/2016/03/pernyataan-sikap-bersama-mengutuk.html>)

^v Based on interviews of the majority of Cawang Gumilir community (August 12 and 13, 2016)

^{vi} Marubeni Corporation. 2010. Marubeni CSR Report 2010. (https://www.marubeni.com/ir/reports/csr_report/data/csr-10e.pdf)