

Indonesia (Human Rights): Environmentalists face greater risks amid development drive

Human rights defenders, labor activists and women's activists are also still facing the same risks

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Indonesia is an increasingly dangerous place for people defending the environment and their land, activists have claimed, with recent data showing environmentalists being the most persecuted activists over the past four years.

According to Protection International Indonesia data, about 80 percent of cases of human rights violations against activists and rights defenders from 2014 to 2018 involved environmentalists, many of whom have been sent to jail on what activists believe are dubious or legally flawed charges.

During this period, the group recorded at least 104 cases of rights violations involving environmentalists and people defending their lands. By comparison, only 10 cases involving antigraft activists were recorded during the same period, and only 11 cases involving environmental defenders from 2010 to 2013.

Activists have pinned the blame for this spike on the ongoing development drive, including in infrastructure, of President Joko "Jokowi" Widodo, saying that the President's development policies lack environmental and human rights perspectives.

The Jokowi administration has allocated 410.4 trillion (US\$28.2 billion) for infrastructure development this year. The figure is more than twice the budget allocation in the 2014 state budget (about Rp 177 trillion) under President Susilo Bambang Yudhoyono's administration.

Jokowi, who is seeking reelection next year, has also been touting infrastructure development in his election campaigns.

Protection International Indonesia recorded that at least 89 environmentalists were imprisoned for their activism during the last four years, making alleged criminalization by state actors the most common form of human rights violation against activists.

This number includes four residents defending their lands in Kulonprogo, Yogyakarta, against the development of an international airport compound and six others in West Java also fighting for their land against another airport development. Six people from Mount Kendeng in Central Java who have been fighting against cement factories are also in the list. The 14 people from the three different cases all faced criminal charges as a result of their protests, the list shows

Another recent example was the sentencing of Heri Budiawan, also known as Budi Pego, to four years in prison for spreading communism.

The activist was arrested in September 2017 for allegedly displaying a banner with a hammer-and-sickle logo during a protest against gold mining activities in Tumpang Pitu, a mountainous area in Banyuwangi, East Java, that is believed to be prone to environmental degradation.

Tumpang Pitu had been designated a protected forest area, but on Nov. 19, 2013, then forestry minister Zulkifli Hasan, now the People's Consultative Assembly (MPR) speaker and National Mandate Party (PAN) chairman, issued a decree changing the status of 1,942 hectares of protected forest to production forest in Tumpang Pitu, paving the way for mining operations to begin.

Other than being criminalized, environmentalists have also been facing intimidation and violence.

In September 2015, a 52-year-old farmer named Salim, or Kancil, was beaten to death by a group of people in Selok Awar-Awar subdistrict, Pasirian district after co-arranging a protest against invasive sand-mining in his village. The protest halted the quarrying and blocked dozens of trucks transporting the sand.

Protection International Indonesia director Damairia Pakpahan said economic development that disregarded environmental aspects was the main reason behind violations of the human rights of environmentalists.

"They only pursue profits without caring about the environmental rights," Pakpahan told The Jakarta Post on Saturday.

She argued that neither the government nor corporations followed universal human rights standards in development, as the nation had yet to draft a legal instrument to outline such standards.

"Our law enforcement officials have no clue about environmental rights, let alone have an awareness about human rights," she said.

Other than environmentalists, human rights defenders, labor activists and women's activists are also still facing the same risks. Protection International Indonesia has recorded a total of 145 violations against those activists since 2010.

"There are some names like Eva Bande, Mama Aletha Alomang, Mama Aletha Baun, who are women's human rights defenders and also environmentalists."

Pakpahan said that clear legal policies regarding activism were badly needed. At the very least, she said, the government should educate officials about the rights of activists as stipulated in the current legislation.

"For example, there is already legal protection for environmentalists as stipulated under Article 66 of the 2009 Environmental Law. However, criminal charges against environmentalists still occur in Indonesia."

National Commission on Human Rights commissioner Beka Ulung Hapsara said that the policies should not only protect activists, but also citizens who fight for their rights.

"Citizens who fight against these [abuses] have also experienced various violations. Law enforcers also play a role in this because they often make accusations without looking at the context," he said.

With regard to the environmentalists, he said the government should formulate a national standard of business and human rights as a reference for law enforcers and developers, including state-owned enterprises.

The commission also suggested that the government establish a special agency to resolve agrarian conflicts—which often lead to human rights violations—to better protect both citizens and environmentalists.

“The law enforcers should be on the same page as us [...] so that violations against them will not happened again in the future,” Hapsara said. (ggq)

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