

## **Statemen Letter on the Violence in Palm Oil Plantation PT. Tunas Sawa Erma, Jair District, Boven Digoel Regency, Papua Province**

On May 16, 2020 , an Indonesian police officer, on behalf of police Brig Melkianus Yowei (MY), used physical violence against an indigenous Papuan civilian named Marius Betera (MB) to which resulted in MB's death. The location of the violence took place at the office of the oil palm plantation company PT Tunas Sawa Erma (TSE) Block A (often called PT TSE POP A / Camp 19, Jair District, Boven Digoel Regency, Papua Province.

PT . TSE POP A is a subsidiary of PT Korindo Group . Companies Korindo Group has six (6) subsidiaries in large scale oil palm plantations, two logging companies the, as well as an industrial timber plantation company, which operate in Merauke and Boven Digoel District, Papua Province.

The following is information gathered from family and witnesses. Initially the MB victim came to the office of PT TSE POP A in KM 19 with the aim of complaining about the clearing of his banana garden planted. PT TSE then contacted the perpetrator to come to the office and lead to violence against the victim. MY beat MB, leaving the victim in pain and eventually became unconscious several hours after the violence. Attached is the chronological information compiled based on the testimony of witnesses and the victim's family.

We view the company PT. TSE POP A has used a repressive approach to resolve problems that occurred and were carried out by means of violence, rather than deliberating to find the best solution for victims who felt aggrieved . The approach has lead to acts of violence against weak communities and often is used by large companies in various places to put pressure on the community , laborers and environmental human rights defenders .

The perpetrator being a police officers who helped PT . TSE has violated his duties and functions as a police. Various legislation has been laid out to limit the role, duties and functions of the police in Indonesia to strictly crime prevention and law enforcement. Based on the information from the community the perpetrator is not a member of the local police who served in the Jair District area where the company was located, but worked in another area. The actions of the perpetrator is assisting PT TSE are serious violations and must be investigated immediately.

The act of violence against leading to the death of the victim is a criminal offense that must be held accountable before the court.

We ask the leadership of the Provincial Police and the Papua Police Resort District Digoel , to undertake immediate action to catch the perpetrator and enforce the legal process through a trial of police ethics and a general court process, as well as passing a justifiable sentence.

We also ask the government of Papua Province and Boven Digoel district to immediately evaluate PT. Sawa Erma POP A and other large companies in the region to stop using the military and police officers, and enforce the companies to respect laws and regulations, and to respect the rights of indigenous peoples. Local governments must take firm action against companies that commit violations by providing strict sanctions ranging

from revocation of licenses to the restoration of the rights of indigenous peoples who have been violated.

We support and encourage the community and the bereaved family to remain consistent and not be afraid to demand justice for the victims and society.

This statement is intended to be disseminated.

Merauke May 17, 2010

Contact points :

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Declaration Signed By:

1. Sekretariat Keadilan dan Perdamaian Keuskupan Agung Merauke
2. Yayasan Pusaka Bentala Rakyat
3. Greenpeace Indonesia
4. TAPOL, UK
5. PapuaItuKita
6. Walhi National Executive
7. WahanaLingkungan (Walhi) Papua
8. Lembaga Bantuan Hukum (LBH) Papua
9. LP3BH Manokwari
10. Lembaga Studi Advokasi Masyarakat (ELSAM)
11. Lembaga Advokasi Peduli Perempuan (ELAdpper)
12. Aliansi Demokrasi untuk Papua (AIDP)
13. Rainforest Action Network (RAN)
14. Transformasi untuk Keadilan (TuK) Indonesia

# **Chronology of Violence in PT. Tunas Sawa Erma POP A, Asiki District, Boven Digoel Regency**

**Saturday, May 16, 2020**

Ca 09.00 am Papua time

1. The victim named Marius Betera and his wife went to visit their garden located in the Camp 19 area of the oil palm plantation company PT. Tunas Sawa Erma POP (Palm Oil Plantation) Block A.
2. The victim found their garden which was planted with bananas and other plants had been cleared and it was suspected that this was carried out by a company-owned excavator (PT.TSE), which took place the previous day.
3. The victim went back to the house and then went to the 19th Camp Post Police Station to complain about this problem. But the victim did not meet the Chief of Police, who was out of the office.

Ca10:00 am Papua time

4. The victim returned to the house (Barracks E No. 11), then went on his way to the office of PT. TSE POP A / Camp 19 to report this problem to the company.
5. In the office area inside and outside the office, there were employees and security guards of PT. TSE POP A. The victim met Mr. Andi Suparna (Planning Manager) in an office room and raised a complaint about the clearing of the banana garden which was carried out without any appeal and information to the residents. "Usually, the company issues an appeal to residents of the plantation owner, if there is land clearing and new plantations, then residents are asked to harvest and collect the produce, but this was not known by the victim. Citizens' right to take proceeds is impaired. The victim was angry and demanded compensation" told the Witness.
6. When the victim complained about this problem, Pak Andi allegedly contacted a local police member named Melkianus Yowei (MY), a Brigadier Police rank
7. MB did not get a response from the company and left the office. The victim took his gardening tools and hunting equipment, machetes, bows and arrows, which were placed outside the office and MB was intending to go home.
8. When the victim was about to leave the office, MY police officer, forcibly took the victim's bow and machete. Then MY suddenly struck the victim who was already on the motorbike using a crossbow to the victim's face. The victim got off the motorcycle and MY hit the victim barehanded several times (more than four times) on the neck and back of the ear and kicked the victim's stomach. According to the Witness, the victim felt pain in the neck and ear trunk. The Witness had put her index finger into the victim's ear and showed blood on the tip of the index finger.
9. The victim had asked MY Police to stop. The incident of violence was witnessed by Andi, a member of the company's security guard (named Andi) and an employee of PT.TSE POP A / Camp 19.
10. According to information, MY had served in Camp 19 Polpos PT. TSE. In 2019, residents of camp 19 protested against the violence of MY against an elderly woman (wife of AK) in 2019, so MY was transferred to the Tanah Merah Resort Police Station. But MY still often visits Camp 19, because his wife works as a

primary school teacher at Camp 19 and is still actively working in PT. TSE POP A / Camp 19;

Ca 11:00 am Papua time

11. The victim went to the Kapolpos at Camp 19 to complain about the problems and the violence experienced. According to the Witness, the victim conveyed that he wanted to meet with the Chief of Police to demand that the company compensate for losses due to eviction and punish MY Police for committing violence.
12. The victim did not meet the police chief because he was resting and returned home.

Around 1:00 pm Papua time

13. The victim felt unwell, then using a motorbike went to the PT. TSE POP A at Camp 19 to get checked. When he arrived at the security post, the victim could not control his body and fell. The victim was brought into the clinic and died.
14. As of tonight, MB's body is still in the Clinic of PT. TSE POP A Camp 19. The family is still waiting for the parents' and sister's family from Tanah Merah to discuss the handling of the victim's body and further legal steps.

### **Sunday, May 17, 2020**

15. The family of the victim (Okto Betera), conveyed the following requests and demands, namely: (1) The police chief to fire the perpetrator MY and to be witnessed by the family;
16. (2) The company to fire the Planning Manager and security officers who allowed the violence to occur; and demand customary fines.

Additional information:

- MB is planned to be buried in the village of Mandobo, Tanah Merah
- The victim MB was once a company security officer at PT. Tunas Sawa Erma (TSE) POP A. In August 2019, MB resigned as security for PT. TSE POP A.

This chronology was compiled by FS, based on information from witnesses and victims' families.

Image and video source:

<https://www.facebook.com/groups/224201701992949/permalink/288628135550305/?app=fbl>

