

**VERIFICATION REPORT ON GRIEVANCE THROUGH REPORT
'Lessons Learned from the Conflict, Negotiations and Agreement between
Senyerang Village and PT Wirakarya Sakti'
By FPP, Scale Up & Walhi Jambi**

VERIFICATION TEAM

FEBRUARY 2015

1. Background

On February 1 2013, APP through its Forest Conservation Policy (FCP) had committed to protection of High Conservation Value Forest (HCVF) and High Carbon Stock (HCS) Forest, sustainable peatland management, responsible social and community engagement, and ensuring that its third party fiber sourcing supports responsible forest management.

Forest People Program (FPP), Scale Up and Walhi Jambi are independent non-profit organizations that undertook a study to learn on conflict resolution process between PT Wirakarya Sakti (WKS) and the community of Senyerang village. The study, which report was released on December 19 2014, was undertaken to learn from the negotiation process and the resulting agreement, and as learning material for the improvement of mediation process in the future. The report can be accessed through the following link:

<http://www.forestpeoples.org/topics/pulp-paper/publication/2014/lessons-learned-conflict-negotiations-and-agreement-between-senye> .

The report discussed the history of Senyerang Village and various stages of the dispute and resolution efforts taken place until the case is resolved in 2013. The process was compared to APP FCP commitment.

Summary of issues raised throughout the study in relation with APP FCP commitments are as follows:

Issue 1: “The negotiations between WKS and Senyerang did not follow the policy commitments contained in the FCP. The object for the negotiations remained allotting two hectares per family (4,004 hectares), rather than addressing the community claim to all the lands of the Senyerang village (7,224 hectares).”

Issue 2: “A process of participatory mapping of all of the lands of Senyerang village did not take place.”

Issue 3: “The Senyerang community members that the authors spoke to were not aware that they had the right to choose their own institutions to participate in the negotiations,” And “APP and TFT had not informed the community that they had the right to request that the negotiations be undertaken with an independent mediator. This was confirmed by one of the community leaders interviewed by the authors.”

Issue 4: “The villagers were not consulted about High Conservation Value (HCV) and High Carbon Stock (HCS) assessments.” And “The land zoning proposals of the HCV and HCS assessments were not included in the negotiations, although these would be bound to have implications for which lands could actually be used both by the farmers and by the company.”

Issue 5: “The Senyerang negotiators had extremely limited access to independent advice before and during the negotiations with WKS.”

Issue 6: “the Agreement between WKS and Senyerang village is a first step towards resolving an outstanding conflict, it does not conform to the public commitments made in APP’s Forest Conservation Policy, and elaborated in APP’s Standard Operating Procedures.”

2. Verification Process

Before the report is officially launched, APP through its Grievance Committee has taken steps to verify the statements made within the report. The verification process continues after the official report is released.

The verification steps taken are as follows:

1. 29 October 2014: APP/SMF invited FPP to have a direct meeting with Senyerang community representatives who were actually involved in the negotiation with the company to verify the content of the report. FPP (Patrick Anderson) and Walhi Jambi (Rudiansyah) representatives attended.
2. 25 November 2014: APP meeting with FPP and Rainforest Action Network (RAN) to clarify conflict resolution process that has been implemented in the context of the Senyerang case.
3. 8 December 2014: APP meeting with Greenpeace to determine verification process on site.
4. 12 January 2014 and 15 January 2014: APP/SMF invited FPP (Patrick Anderson), ScaleUp (Harry Oktavian) and Walhi Jambi (Rudiansyah) by email twice to join the field verification and to ask for clarification regarding facts in the Senyerang report. APP did not get a response until the 9th of February 2015 from Patrick Anderson only which was after the field verification was carried out.
5. 22 – 24 January 2015: Field verification through meetings with Jambi Provincial Forestry Agency, Forestry Agency of Tanjung Jabung Barat District, and the community of Senyerang.
6. The result of the field verification in January 2015 is combined with assessment done in October 2014.

The following are detailed information on the Field Verification Implementation.

A. Field Verification Team

The Field Verification Team consisted of the following personnel:

1. Eko Hasan (SMF)
2. Berdy Steven (TFT)

B. Verification Timeline

Field verification was implemented on:

1. 29 October 2014 in Jambi
2. 22 – 24 January 2015 in Senyerang sub-district (Kecamatan) and Tanjung Jabung Barat district (Kabupaten)

C. Location

Field verification was carried out in Jambi, Senyerang Bertuah Cooperative’s Office in Senyerang village and the Office of Jambi Provincial Forestry Agency.

D. Verification Method

The verification involved collecting evidence from various sources such as documents, photos, interviews and field observations.

Development of recommendations within this report is based on materials gathered during the verification process, the content of report by FPP/ScaleUp/Walhi and referring to the related commitment APP made in its FCP.

3. Conclusions

The verification result from which these conclusions were drawn are presented in the annexes and attached to this report. The conclusions based on the verification activities are outlined below:

Issue 1: “The negotiations between WKS and Senyerang did not follow the policy commitments contained in the FCP. The object for the negotiations remained allotting two hectares per family (4,004 hectares), rather than addressing the community claim to all the lands of the Senyerang village (7,224 hectares).”

Documents that were cited by FPP as evidence of Senyerang community land rights over the 7,224 ha have been reviewed by the Grievance Verification Team. There are two documents:

- The 1st one is a letter dated in 1927 and signed by the head of the Senyerang village. The content of the letter is a permit for Hj. Abd Rahman bin Sair to use a land 150 depa (about 300 meter) to the right and left of Landak river, off of Pengabuan river. The permit is valid only for 1 (one) year.
- The 2nd one is a certificate (Surat Keterangan) dated in 1928 by the local administrative head representing the Dutch authority at the time (Head of Toengkal)¹. The content of which stated that the bearer of the certificate, Hj. Abdoer Rahman bin Zair, has a right to manage an area with the length of 300 depa (~600 m)² and width 150 depa (~300 m), which in total is equal to an area of about 18 ha, to be developed into coconut plantation. The northern boundary of this area is the Pengabuan river, which is about 5 – 6 km away from the northern boundary of WKS production forest concession³. When overlaid with the WKS concession area, this area sits outside of WKS concession boundary line.

¹ A certificate or Surat Keterangan, dated 27 May 1925 and signed by the head of Tungkal district (*De Demang van Toengkal*)

² Depa is a traditional unit of length that is the length between the tip of a person's finger from left to right when the arms are extended side to side at shoulder length. It ranges from 1.6 to 2 meters in length. For the purpose of this assessment 2 meters is used as conversion factor.

³ Map of Senyerang community's 7,224 Ha land claim. Appendix IV of this report

The Grievance Verification Team concluded that these documents, which were referenced by FPP in the report, are not sufficient to validate the 7,224 ha claim.

Conflict resolution process with the community in Senyerang has been through many stages where various relevant stakeholders are involved, including various level of government agencies, the organization that represent the Senyerang community, NGO mediators, supporting NGOs and the community representatives⁴.

Through the stages of negotiation process, various compensations and partnership schemes was offered and discussed with the Senyerang community in which other relevant stakeholders including government institutions and organization that represent the community were present.

The decision to allocate 4,004 ha of land was carried out by the Ministry of Forestry, the relevant authority for the area in conflict. It was based on the following:

- Inventory of conflict area and the related community in 2011 under the supervision of the Governor of Jambi has identified 2,002 families who are part of the Senyerang community who has land claim in WKS forest concession area⁵. In that letter the Governor also suggested that land allocation for the Senyerang community is based on 1 ha per family.
- The Ministry of Forestry reviewed the claim of the Senyerang community, the response from WKS and the suggestion of the Governor of Jambi. Based on these inputs, to determine the area to be allocated for the community inside the WKS production forest concession area, the Ministry of Forestry instead decided on a 2 ha per family⁶, which was more than what was recommended by the Governor of Jambi. Thus for a total of 2,002 families in Senyerang, the total area is 4,004 ha.

When the negotiation resumes with TFT as a mediator, TFT asked the Senyerang community representatives to clarify again the object of the conflict in a meeting on 20 Juni 2013. The community representative confirmed that the object of the conflict is the 4,004 ha land^{7,8}. So the negotiation continues with that as a starting point.

Based on the findings above, the Grievance Verification Team concluded that the process of finalizing the object of conflict with the Senyerang community to be 4,004 ha instead of 7,224 ha is in line with the policy commitments contained in APP FCP.

Issue 2: “A process of participatory mapping of all of the lands of Senyerang village did not take place.”

⁴ Chronology of Senyerang community conflict resolution process. Appendix I of this report.

⁵ Letter from Jambi Governor with letter number: 522.4/820/4-Ekbang&SDA, dated 9 March 2011. Available upon request.

⁶ Letter from Minister of Forestry to Governor of Jambi with letter number: 5.30/Menhut-VI/2012, dated 20 January 2012. . Available upon request.

⁷ Minutes of Meeting for meeting on 20th Juni 2013. Available upon request.

⁸ Open letter from Senyerang community dated 25th March 2015. Appendix III of this report.

The verification team identified that there have been participatory mapping process on the community land claim area. The mapping was carried out together by WKS and the Senyerang community after an agreement was struck between the two parties on the 2nd of July 2013 for an area of 4,004 ha in total^{9, 10}.

Issue 3: “The Senyerang community members that the authors spoke to were not aware that they had the right to choose their own institutions to participate in the negotiations,” and “APP and TFT had not informed the community that they had the right to request that the negotiations be undertaken with an independent mediator. This was confirmed by one of the community leaders interviewed by the authors.”

Interviews were carried out with the community members and leaders who were actually part of the Senyerang community’s negotiation team, once with FPP in attendance on the 29th October 2014 in Jambi before the report was published, and the other without FPP in attendance on the 26th to 27th of January 2015. During the interviews, the community confirmed that the selection of TFT is not forced upon them and that they are aware that they are free to seek other institution(s) to be involved in the conflict resolution process. They are not limited to only TFT as their mediator¹¹.

Furthermore, the community members and leaders who were part of the negotiation team questioned the source of the FPP report that made the statements that were different from what they experienced during the negotiation process: “There are about 15,300 people who can be called Senyerang community. Those who are part of the struggle with WKS are only 2002 families. Maybe when Mr. Patrick was there you met with people who were contrary to us which resulted in a rather different statement.”¹²

Therefore, the Grievance Verification Team concluded that the statements above by FPP are incorrect based on the findings above.

Issue 4: “The villagers were not consulted about High Conservation Value (HCV) and High Carbon Stock (HCS) assessments.” And “The landzoning proposals of the HCV and HCS assessments were not included in the negotiations, although these would be bound to have implications for which lands could actually be used both by the farmers and by the company.”

As a part of the HCV assessment process, public consultation was held at several levels. For Senyerang sub-district (Kecamatan) there were two public consultations carried in two different

⁹ Result of participative mapping between company and the community for the 4,004 ha land. Available upon request.

¹⁰ Open letter from Senyerang community dated 25th March 2015. Appendix III of this report.

¹¹ Open letter from Senyerang community dated 21 November 2014 and 25 March 2015. In appendix II and III of this report

¹² Transcript of video recording of meeting between Senyerang community, FPP, SMF and TFT on the 29th October 2014. Available upon request.

villages within the Senyerang sub-district: in Landak Village on 14 February 2015 and in Sungsang Village on 15 February 2015.

HCS assessment is used to identify natural forest area through the analysis of above ground carbon stock. The whole area under dispute with the Senyerang community is already plantation forest area, so HCS assessment is not relevant and was not carried out there. Therefore, consultation of HCS assessment with Senyerang community is also not relevant.

The Senyerang conflict resolution process with TFT as the mediator was conducted from September 2012 and an agreement on a resolution option is reached in June 2013. During the negotiation process, HCV and HCS assessments for the Jambi region were still in progress so there is no result/recommendation related to the land zone of the claim area that can be included in the negotiation. This was clarified to Patrick in several meetings before the report was published, including during the meeting with Senyerang community in Jambi on the 29th of October and Patrick of FPP confirmed that he is aware of these facts¹³.

Therefore, the verification team concluded that that these statements by FPP are irrelevant to the conflict resolution negotiation at that time and that the conflict resolution process in Senyerang is still in line with APP's commitment as stated in APP FCP.

Additionally, during meetings between FPP and APP to review the FPP draft report before its publication, APP has explained that if there are conflicting results/recommendations from HCS, HCV and social conflict mapping assessments for an area, there will be a process to resolve them through the Integrated Sustainable Forest Management Plan (ISFMP) development process. During ISFMP development process, the different recommendations will be prioritized in accordance to local conditions with the input of a wide variety of local stakeholder including local community representatives. This process will also include FPIC, wherein any recommendation that may impact communities with valid tenurial rights will not be carried out unless FPIC has been obtained from that community.

Issue 5: “The Senyerang negotiators had extremely limited access to independent advice before and during the negotiations with WKS.”

- From the early stages of the negotiation process (starting in 2010), the community of Senyerang was facilitated and represented by PPJ (Persatuan Petani Jambi/Jambi Farmers Union). The community issued an official mandate letter to appoint PPJ as their representative in this case. Once this letter was issued, WKS has involved PPJ in the conflict resolution process. PPJ continues to be involved after TFT was agreed by both community and WKS to be mediator.

¹³Transcript of video recording of the meeting between Senyerang community, FPP, SMF and TFT on the 29th October 2014. Available upon request.

- Throughout the conflict resolution process involving Senyerang community, other organizations were involved in meetings. For example, on the 7th September 2012 meeting with a new negotiating team for the company, in addition to PPJ, there were also representatives from Aliansi Petani Indonesia (Indonesia Farmer Alliance), Konsorsium Pembaharuan Agraria Indonesia (Indonesian Agrarian Reform Association), Jaringan Kemitraan Pemetaan Partisipatif (Participative Mapping Partnership Network), and Walhi¹⁴.
- In 2013, during the final negotiations, the community of Senyerang decided that they choose to negotiate directly with WKS themselves instead of through PPJ. Nonetheless, PPJ representatives were still always invited to observe the negotiation process.
- Interviews were carried out with the community members who were actually part of the Senyerang community's negotiation team, once with FPP in attendance on the 29th October 2014 in Jambi and the other without FPP in attendance on the 26th to 27th of January 2015. During the interviews, the community confirmed that they were never limited or restricted by the company to get input from other organizations such as PPJ, Greenpeace, WBH, etc. during the conflict resolution process¹⁵.
- Therefore, the Grievance Verification team concluded that the statement above by FPP is incorrect based on the facts above.

Issue 6: “the Agreement between WKS and Senyerang village is a first step towards resolving an outstanding conflict, it does not conform to the public commitments made in APP’s Forest Conservation Policy, and elaborated in APP’s Standard Operating Procedures.”

Based on the finding of the verification process for issues 1 through 5 above, the verification team found that:

- a. The process of coming to the agreed total area of land claim on 4,004 ha is in line with the relevant policy and SOPs of APP; it was done through collaborative approach. The final agreed object of conflict was decided with the input of the relevant authority (Governor of Jambi and the Ministry of Forestry) and the Senyerang community. In the mediation process, the Senyerang community reconfirmed that the object of the negotiation is 4,0004 Ha. When this option is provided to the Senyerang community, they agreed.
- b. When TFT started its role as a mediator to the conflict resolution, TFT asked the Senyerang community representatives to clarify again the object of the conflict in a meeting on 20 Juni 2013. The community representative confirmed that the object of the conflict is the 4,004 ha land¹⁶. So the negotiation continues with that as a starting point.
- c. Participatory mapping was conducted to identify and delineate the claim area of 4,004 ha.
- d. The Senyerang community negotiation team was aware of their right to choose whoever organizations they would like to be involved in the negotiation with the company, whether as facilitator or mediator.

¹⁴ Minutes of Meeting for meeting at Novita Hotel in Jambi on 7th Juni 2013. Available upon request.

¹⁵ Open Letters from Senyerang community representative dated 21st November 2014 and 25th March 2015. Appendix II & III

¹⁶ Open Letter from Senyerang community representative dated 25th March 2015. Appendix III

- e. Community consultations for HCV assessment were carried out in Senyerang twice by the 3rd party independent HCV assessors. HCS assessment was not relevant to the area of conflict with Senyerang as it is already developed plantation forest area and thus community consultation is also irrelevant.
- f. HCV assessment for WKS were still in process during the Senyerang conflict resolution process and thus there were no land zoning recommendations that can be discussed with the community during the negotiation process
- g. The Senyerang community were never limited or restricted by the company to seek input from any organization of their own choosing to be involved in the negotiation process

Therefore, the Grievance Verification Team concluded that the conflict resolution process between the Senyerang community and WKS with the mediation of TFT was carried out in line with the policy commitment and the standard operating procedure of APP.

4. Recommendations

- Considering that many of the findings above were available to the writers of the Report, the Grievance Verification team recommends that FPP/ScaleUp/Walhi Jambi review and make necessary revision of the statements they made within the report. This also has been requested by the Senyerang community prior to the release of the report.
- Other similar studies should be carried out in a collaborative approach with the affected parties and take into account their voice. Moreover, it is important that such studies are carried out with robust methodology in order to obtain the data that are consistent with the facts in the field.
- The parties involved in the conflict resolution process and the implementation of the agreement, the Senyerang community and WKS, shall continue to maintain good communication and progress that is currently taking place.

Appendix I. Chronology of Senyerang Conflict Resolution Process

Tanggal	Description of Activities/Events
01/04/2000	A letter was sent on behalf of Senyerang community/farmers group (led by Mr. Asmawi Syam) to Tanjabar District Head (Bupati)
15/09/2000	Meeting between WKS & Senyerang community which was represented by the village head, head of BPD and community leaders. Attended by representative for Tanjabar district government.
	Result of meeting: Community request Rp 2.5 trillion to compensate for the use of their land by WKS, the land community claimed is 6,402 ha, and the community wants 50% of that land to be managed in partnership with the community while the remaining half to be managed solely by WKS
23/01/2001	Meeting between community representatives, WKS and Tanjabar Government Assistant II in the Tanjabar Government office. During the discussion: WKS stated that it is willing to help the Senyerang community through community development program The community is willing to submit a request to MoF to change the land status from Forest Area for the 50% of the land that they claimed which is near their village
10/06/2004	Meeting between community representatives, WKS and Tanjabar Government Assistant II to finalize an agreement to resolve the conflict The result is an agreement which consists of: 1. Agreement to build a 673 ha HTPK 2. Agreement to build community livelihood plantation of 251 ha 3. Other support from WKS: building a mosque, budget for village development, employment opportunities for community members, outsourcing work agreements
17/03/2008	Jambi Farmer Union/Persatuan Petani Jambi (PPJ), which was then led by Irmasyah, held a meeting (Rembug Tani Jambi). The meeting was attended by representatives from WKS and the Jambi provincial government. There was a statement letter from the Jambi Governor as a result of the meeting. The letter contain: 1. Provincial government support PPJ to develop forest with community 2. The forest development activity is in the form of Community Plantation Forest (HTR) 3. Location for the HTR development (41,000 ha) will be identified later and submitted to MoF 4. HTR development will comply to the relevant laws and regulations. Provincial government will provide funding for the development and WKS will provide seedling and technical supports 5. In WKS concession areas that is already currently occupied by the community, they are allowed to continue their (non-forestry) activity temporarily, but they will have to reforest those area within 10 years. 6. The community shall not open any new areas within WKS concession areas 7. There will be no new land claim beyond the 41,000 ha by the community 8. This letter also resolve the conflict between WKS and the community in Jambi
Agustus 2009	Signing of agreement between WKS and PPJ on the 41,000 ha community claim area in the 5 Districts of Jambi was cancelled due to internal changes within PPJ
Maret 2010	The new PPJ leader (Aidil Putra) coordinated a rally of the community to reject the previous result of claim verification for the 41,000 ha land in the 5 Districts of Jambi and demanded for a new verification team
29/03/2010	Jambi Governor issued a decree regarding the establishment of a new verification team for the Jambi community land conflict
01/04/2010	Verification was carried out by a team consisting of DPRD members, regional government working unit, provincial government staff and Tanjabar district government staff. The new result indicated 66,000 ha of land claim.
s/d	This is the 1st time a claim of 7,224 ha of land was identified in Senyerang
05/05/2010	

23/06/2010	Jambi Governor requested guidance from MoF regarding the result of the new verification work.
29/09/2010	Directorate General for Forestry Enterprise Development of the Ministry of Forestry (Dirjen BUK) issued a response in a letter 1. No party is allowed to work inside the concession area of WKS without permit from relevant authority 2. Community developed area should be converted into forest plantation partnership with license holder (WKS). Partnership development cannot be in the form of agricultural product (oil palm and cassava) 3. Location and size of community livelihood area shall refer to the result of 2008 identification/verification 4. If an agreement cannot be reached, then conflict resolution shall be through judiciary process
01/10/2010	Jambi Governor issued a letter based on the MoF letter to the District Head of Muaro Jambi, Batanghari, Tanjabar, Tanjatim dan Tebo.
20/11/2010	Jambi Governor established a Small Team to socialize the recommendation for resolution of the 41,000 ha land conflict.
29/11/2010	Jambi Governor sent another letter to Dirjen BUK explaining the chronology of the conflict, the steps that has been taken so far and suggestion for resolution
30/12/2010	WKS sent a letter to Dirjen BUK also explaining the status of the conflict and the actions taken so far
16/02/2011	Dirjen BUK responded in a letter to both Jambi Governor and WKS in letters. Asking for the Jambi Governor to conduct inventory of the land under conflict and the community members involved in the conflict
21/02/2011	A team was established by Jambi Governor to take inventory of the claim area, availability of no-forested area around the community and data of the relevant communities
s/d	It's member includes: Jambi Forest Agency, BP2HP, Jambi BPN, Tanjabar district BPN, Jambi and Tanjabar police, Jambi Legal Agency, Jambi Ekbang and SDA Agency, PPJ representatives, senyerang representatives and WKS representatives
23/02/2011	
09/03/2011	Jambi Governor submitted the result of the inventory to Dirjen BUK
16/03/2011	Jambi Governor and PPJ representatives met with Minister of Forestry
25/04/2011	Director for Plantation Forest Enterprise Development (BUHT) sent a letter to DKN requesting its assistance as a mediator for the conflict resolution
15/07/2011	Head of DKN Presidium responded to the letter to agree in providing support for the conflict resolution
16-17/12/2011	DKN's NGO chamber held a meeting with Senyerang community and visited the area in conflict
20/01/2012	Ministry of Forestry issues a letter regarding the conflict resolution process between Senyerang community and WKS. The content is 1. The resolution, in the form of partnership, is between WKS and indigenous community in Senyerang based on the inventory done by Farmers Representative Council/ Dewan Perwakilan Petani (DPP) which will be verified by Tanjabar District Head. 2. The plants to be developed for the community does not have to all be rubber 3. Each family is allocated 2 Ha of land
06/02/2012	Jambi Governor submit the result of the 5 District land claim in Jambi to MoF In the letter the Governor stated that PPJ rejected the 2008 inventory result of 41,000 ha of claim area

	A meeting regarding conflict resolution is held (where?) and was attended by
07/09/2012	1. a new negotiation team fro WKS
	2. TFT
	3. Representatives of community from the 5 Districts in Jambi
	4. CSO: PPJ, Indonesian Farmer Alliance, Indonesia Agrarian Reform Association, Participative Mapping Partnership Network, and Walhi.
	In the meeting it was concluded that PPJ will coordinate the community and farmers group in the 5 District for the next meetings regarding conflict resolution
	TFT team agrees to provide support if they are given mandate by all relevant parties to mediate the process
Oktober 2012 s/d April 2013	Meetings between WKS, Senyerang community representatives, PPJ and Tanjabar Forest Agency were held for discussions and negotiations. The meetings were facilitated by Dirjen BUK. Options for conflict resolutions were discussed and negotiated.
	TFT communicates regularly with WKS, Senyerang community representatives, PPJ and Tanjabar Forestry Agency to help common understanding of the conflict resolution process between the parties and improve the communication between WKS and the Senyerang community representatives.
	Expert team was tasked by Dirjen BUK to assess the viability of rubber plant development in the area of conflict. The result of the study was included as input in the development of new conflict resolution options by the two conflicting parties.
20 Juni 2013	WKS and the Senyerang community finally came to agree on an option for the resolution of conflict. The content of this agreed option are:
	1. All parties agrees that the object of conflict is the 4,004 ha of land
	2. The 1,001 ha of the conflict area will be developed into rubber plantation with the monetary and expert advice of WKS
	3. For the remaining 3,003 ha of land, it will continue to be maintained as plantation forest area by WKS for the next 22 years and the community will receive a share of the profit
	4. WKS will provide support in the management of canals inside the 1,001 ha community rubber plantation
5 Juli 2013	The formal agreement based on the conflict resolution option selected was signed by the relevant parties at a ceremony in the Ministry of Forestry's office in Jakarta

Appendix II. Community Open Letter Dated 21 November 2014

SURAT PERNYATAAN PENGURUS KOPERASI SENYERANG BERTUAH TERHADAP LAPORAN FPP

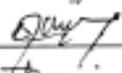
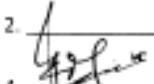
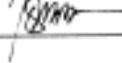
1. Hasil Pertemuan antara FPP, Walhi Jambi, Pengurus Koperasi Senyerang Bertuah dan TFT pada tanggal 29 Oktober 2014 yang dihadiri oleh Patrik (FPP), Rudiansyah (WALHI Jambi), Hatta, Sugeng, Khalil, Edy Waluyo (Pengurus Koperasi Senyerang Bertuah), Eko Hasan (SMF), Setiadi (PT. WKS) dan Berdy Stevens (TFT)
2. Hasil pertemuan ini meyakini bahwa draft laporan FPP tentang pengalaman penyelesaian konflik masyarakat Senyerang dan PT. WKS tidak sesuai dengan hasil wawancara dan proses yang sudah bewjalan. Terutama berkaitan dengan hal intimidasi, keterwakilan pengurus, luasan kesepakatan dan permintaan negosiasi ulang; pernyataan-pernyataan tersebut tidak benar dan lebih menjurus kepada pencemaran nama baik . hal lain adalah permintaan terhadap TFT sebagai mediator adalah atas permintaan pengurus koperasi dan di ketahui oleh masyarakat penyerang.
3. FPP (Patrik) menyatakan bahwa kalau tidak sesuai maka FPP tidak akan memuat tulisan tersebut atau akan melakukan revisi.
4. Setelah melakukan revisi maka draft laporan tersebut akan dikirim ke Pengurus Koperasi Senyerang Bertuah untuk dilihat dan dipelajari apakah sudah sesuai dengan hasil klarifikasi apa tidak. Setelah disetujui pengurus koperasi Senyerang maka FPP boleh mempublikasikannya
5. Tetapi hal tersebut tidak dilakukan oleh FPP sampai saat ini, sehingga kami atas nama Pengurus Koperasi Senyerang Bertuah tidak pernah menyetujui bahwa laporan FPP tentang proses penyelesaian konflik penyerang sudah di setuju oleh kami
6. Dan tidak benar bahwa kami telah melakukan pertemuan pada tanggal 29 Oktober 2014 untuk revisi akan hal tersebut dengan mengatasnamakan masyarakat penyerang. Hal tersebut sama sekali tidak benar dan kami tidak membuat pernyataan atas nama masyarakat menyetujui laporan FPP tersebut.

Demikian pernyataan ini kami sampaikan

Senyerang, 21 Nopember 2014

Tertanda :

1. M. Hatta
2. Sugeng
3. Abdul Khalil
4. Edy Waluyo

1. 
2. 
3. 
4. 

Appendix III. Community Open Letter Dated 25 March 2015

Surat Masyarakat Senyerang Merespon Laporan FPP "Pelajaran dari Konflik, Perundingan dan Kesepakatan antara Desa Senyerang dengan PT Wira Karya Sakti

Kami yang bertandatangan di bawah ini adalah perwakilan masyarakat Senyerang yang diberi mandat oleh masyarakat untuk terlibat dalam proses penyelesaian konflik antara PT Wirakarya Sakti (WKS) dengan masyarakat Senyerang yang difasilitasi / dimediasi oleh The Forest Trust (TFT).

Pada tanggal 29 Oktober 2014, kami telah bertemu dengan pihak FPP (Patrick Anderson) dan Walhi Jambi (Rudiansyah) untuk memberikan tanggapan dan klarifikasi atas draft laporan tersebut dan meminta agar pihak FPP tidak mempublikasikan laporannya sampai apa yang kami sampaikan dalam klarifikasi digunakan untuk merevisi laporan; terutama bagian yang merepresentasikan pandangan maupun pendapat kami sebagai masyarakat Senyerang terhadap proses tersebut.

Dalam pertemuan, permintaan tersebut disetujui oleh pihak FPP bahwa draft final akan direvisi dan disetujui dahulu oleh pihak masyarakat Senyerang sebelum dipublikasi. Namun sayangnya, sejak pertemuan berakhir sampai dengan laporan tersebut dipublikasi oleh FPP, pihak FPP tidak pernah menghubungi kami lagi untuk memberikan draft revisi maupun mendapatkan persetujuan terhadap draf final laporan.

Mencermati isi laporan final sebagaimana disebut di atas kami merasa perlu untuk melakukan klarifikasi secara terbuka agar masyarakat luas dapat mengetahui fakta yang sesungguhnya.

1. Kami sebagai wakil masyarakat Senyerang dengan penuh kesadaran dan tanggung jawab telah mengikuti seluruh proses fasilitasi dan mediasi penyelesaian konflik antara masyarakat Senyerang dengan PT Wirakarya Sakti sampai dengan tercapainya kesepakatan dan penandatanganannya. Kami juga telah mensosialisasikan seluruh isi kesepakatan kepada masyarakat yang memberi mandat kepada kami, dan menerima dengan baik seluruh isi kesepakatan tersebut.
2. Permintaan dan penunjukkan TFT sebagai mediator sudah melalui persetujuan kami. Pada awal kegiatan mediasi, pihak TFT telah menjelaskan kepada kami bahwa kami berhak untuk menunjuk organisasi lain sebagai mediator jika itu yang kami kehendaki.
3. Kami tidak pernah dibatasi untuk berkomunikasi dengan pihak manapun, termasuk PPI, Greenpeace, WBH, dan lain-lain, selama proses fasilitasi dan mediasi berlangsung.
4. Kami tidak pernah meminta untuk dilakukan negosiasi ulang terhadap hasil proses penyelesaian konflik yang diselesaikan pada tanggal 5 Juli 2013.
5. Berdirinya desa Senyerang pada Tahun 1905 .
6. Sebelum proses mediasi dimulai kami sudah menyetujui bahwa objek negosiasi adalah 4.004 ha. Luasan 7. 224 ha adalah wilayah ulayat yang terdapat di wilayah kelurahan Senyerang, yang diserahkan oleh Pemerintah kolonial Belanda pada tahun 1927.
7. Tentang keterwakilan masyarakat Senyerang, kami menegaskan bahwa kami dipilih dan diberi mandat (surat kuasa oleh masyarakat Senyerang sebanyak 2002 KK) melalui rapat akbar masyarakat .
8. Selama proses fasilitasi dan mediasi oleh TFT, kami, perwakilan masyarakat dan anggota masyarakat Senyerang, tidak pernah mengalami intimidasi dan / atau penyuapan dari pihak WKS.

9. Areal 4.004 ha telah dipetakan secara bersama-sama antara PT WKS, masyarakat Senyerang, Dinas Kehutanan yang difasilitasi oleh TFT.

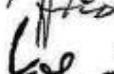
Bersama ini kami juga Ingin menyampaikan perkembangan kemajuan pelaksanaan kesepakatan yang ditandatangani pada 5 Juli 2013, sebagai berikut:

1. Penyusunan rencana kerja implementasi pembangunan kebun karet.
2. Pembentukan koperasi Senyerang Bertuah
3. Penyerahan dana pembangunan kebun karet
4. Penyerahan dana bagi hasil dari lahan 3003 ha
5. Pelatihan Budidaya karet dari PT PN III Medan
6. Penanaman tanaman karet sampai bulan Desember 2014 adalah seluas 321 Ha . Bibit tanaman karet yang telah tertanam 178.443 batang.
7. Perkembangan tanaman karet hasil monev cukup baik umur 1 tahun
8. Monitoring secara berkala sudah dilaksanakan sebanyak 6 kali oleh Dinas Kehutanan Propinsi Jambi, BP2HP, Dinas Kehutanan kabupaten Tanjabbar, Dinas Koperasi Tanjabbar, Dinas Perkebunan Tanjabbar , PT WKS dan TFT
9. MoU kesepakatan 601 ha kemitraan akasia menunggu keputusan dari Dirjen BUK

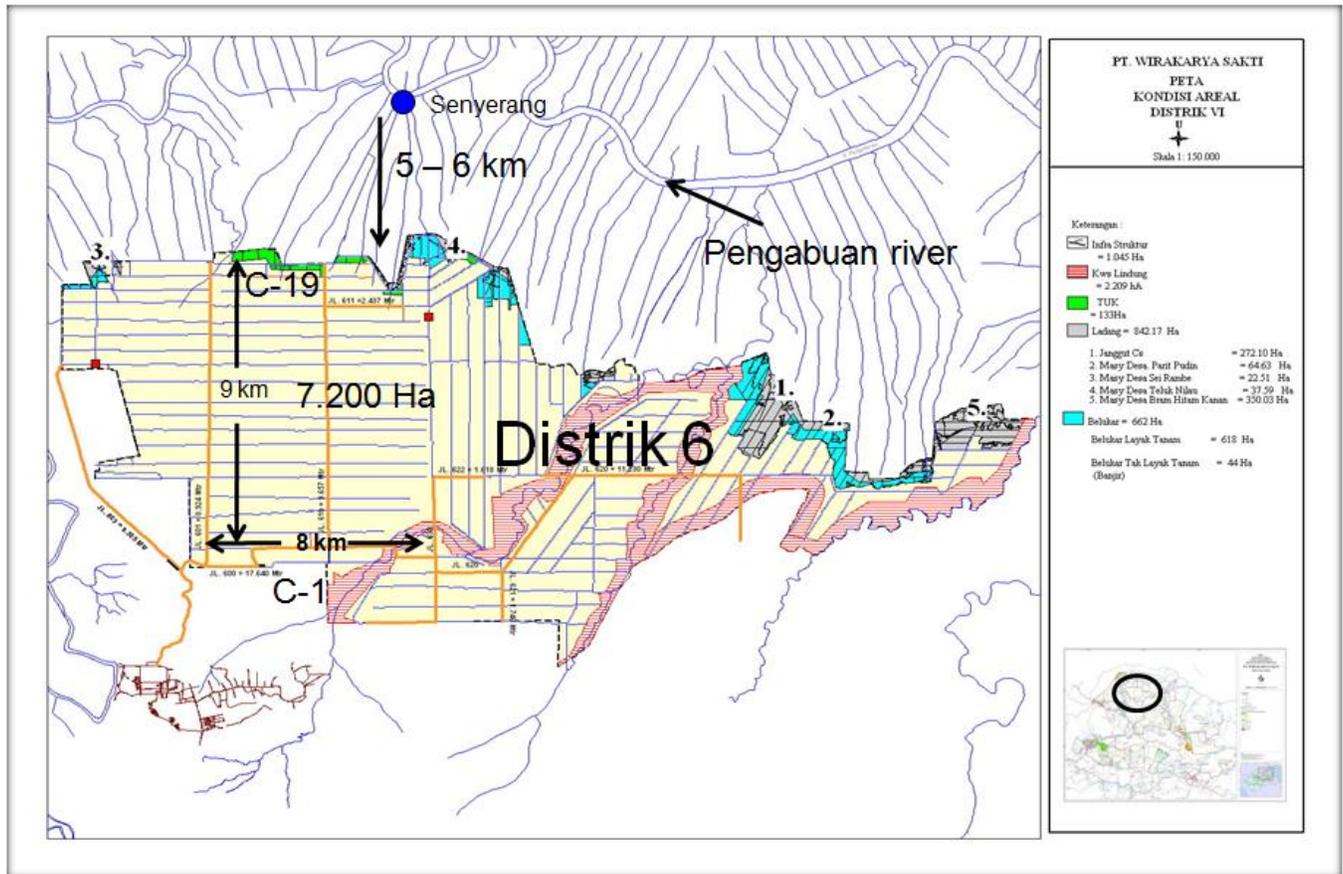
Senyerang, 25 Maret 2015

Kami yang mewakili masyarakat Senyerang;

1. M Hatta
2. Sugeng
3. Edy Waluyo
4. Abdul Khalil

()
()
()
()

Appendix IV. Map of Original Land Claim by Senyerang Community of 7,224 Ha



Appendix V. Certificate/Surat Keterangan from Tungkal Head Dated 1925 for Hj. Abdoer Rahman

DEPT. TOENKAL
AFDEELING
SAMBI
revis

NO. 17.

SOERAT KETERANGAN

Di beri idzin pada seorang bangsa M e l a j o e.-

bernama Hadji Abdoer Rahman bin Sair

tinggal di Senjerang.

boleh menebas dan tebang sepotong hoetan, pandjang 300 (tiga ratus depo) meter
dan lebarnya 150 (seratus lima puluh) meter, berbatas:

sebelah Oetara dengan Pengaboena.

sebelah Timoer dengan Soengai Landak.

sebelah Selatan dengan keboen Abdullah.

sebelah Barat dengan " Kelet.

Boeat bertanam Kelapa.

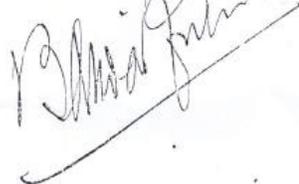
Dengan perdjandjian dalam tempo tiga boelan tidak di kerdjakan, tanah terseboet kembali pada Keradjaan.

Oeang pantjoeng alas banjak nja f

soedah djelas.

Koeala Toengkal, den. 27 Mei 1928.

De Demang van Toengkal,



Appendix VI. Letter from Senjerang Village Head Dated 1927 for Hj. Abd. Rahman

Senjerang pada 24 Agustus 1927.
di karik ini seorang nama Haji Abd. Rahman
bin Sair orang Kocak Tengah mengambil
1. batang parik watas Senjerang sebelah kanan
ilir lelatnja di Telok Bengai handak.
sebelah keeloe ke watas dengan Dusef
" ilir " " pengkualan H. H. H.
" laot batay hari pengjabaran
" sarat rimba lepas
kecassja 150 kiri parik dan kassan parik
dengan tempoch. 1 tahun

Hari saja pengkualan
Hassim Senjerang

