

**VERIFICATION REPORT ON DISTRICT 8 INCIDENT IN THE
CONCESSION OF WIRAKARYA SAKTI – JAMBI**

VERIFICATION TEAM

APRIL 2015

1. Background

On February 1, 2013, APP, through its Forest Conservation Policy (FCP), made a commitment to support the rights of communities in and around its operations and for all suppliers. PT. Wirakarya Sakti (WKS) is one of APP's suppliers that committed to implement the FCP.

On February 28 2015, APP was informed by WKS that there had been an incident between its security contractor, PT Manggala Cipta Perusahaan (MCP) and Indra Pelani, a resident of Lubuk Mandrasah in Tembo, Jambi, at the WKS working area of Post 803 District 8.

APP immediately gave instructions to WKS to take following actions:

- Cooperate with the police in the investigation
- Suspend all personnel allegedly involved in the incident, including the security officers, security commander of District 8 and the head of security of MCP.
- Provide support to Indra Pelani's family and community as required.

2. Verification Process

APP's Grievance committee undertook these verification steps:

- The Grievance committee asked WKS to give information in chronological order of the incident that caused the death of Indra Pelani.
- WKS conducted field and document verification
- WKS reported the observation results to the Grievance Committee.
- A Verification team was established
- The Verification team conducted field observation and verification

A. Verification Team

The verification team is comprised of:

1. Slamet Irianto (WKS)
2. Taufik Qurochman (WKS)
3. Jonathan Ginting (SMF)
4. Iwan Setiawan (SMF)
5. Eko Hasan (SMF)
6. Agung Wiyono (TFT)
7. Faisal Fuad (TFT)

B. Verification timeline

Verification was undertaken from February 28 – March 16, 2015.

C. Verification Locations

Verification was undertaken at Post 803 District 8 WKS, all the way to block Sei Kilis corridor.

D. Verification Method

Verification was conducted by collecting evidence from various sources such as documents, photos, interviews and field observation. This included:

1. Inspections of security SOP documents of WKS and MCP, security operations instructions of WKS and MCP, the job descriptions of MCP's security team, principles and standards for the MCP security team, WKS' contract with MCP. For the full list of documents please refer to the attachment.
2. Visit to the incident location, field observations and photo collection.
3. Interviews with relevant parties
4. Develop recommendations based on the conclusions and in line with APP's FCP.

3. Conclusions

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

1. Based on the evidence from the field verification, the verification team concluded that the incident which occurred in District Post 803 was caused by unscrupulous members of the MCP guard Rapid Response Unit (URC) operating in violation of the Standard of Behavior and Attitudes for Security Personnel when carrying out their duties.
2. The guidelines and procedures of WKS and MCP related to security activities have stated that all security personnel must carry out their duties with respect and uphold human rights.
3. The Verification team concluded that this incident was a criminal case and required further formal investigation by official authorities, which in this case, is the police.

4. Recommendations

- WKS should prioritize efforts to provide appropriate support to the family's victim and its community.
 - o WKS must temporarily suspend all activities including planting, harvesting and log extraction around the conflict area at Lubuk Madrasah in order to respect the public mourning. The area being suspended is within Sei Kilis Block, from the security post 803 to the road corridor of Sei Kilis Block. The suspension period will be determined according to conditions on the ground. (Appendix 2. Temporarily Suspend of Operational Activities of District 8)
 - o On March 13, 2015, APP met with the family of Indra Pelani to maintain the relationship and express the company's condolences.

- WKS should continue to coordinate and give full support to the ongoing police investigation.
- WKS should provide full support to an independent, third-party party investigation, such as the National Commission of Human Rights (Komnas HAM), to collect facts and conduct a transparent investigation.
- Once the independent investigation has finished, APP and WKS should examine the results and determine necessary action plans to resolve the findings.
- WKS should immediately take actions against their security contractor MCP
 - o WKS must suspend all security personnel who are allegedly involved in the incident. This includes security officers, the commander of the District 8 Security Team and the head of the security contractor MCP.
 - o WKS has decided to replace their security contractor in District 8, Jambi. WKS is in the process of terminating the contract agreement with MCP.
- WKS should intensify its actions to prevent the recurrence of similar incidents in the future:
 - o Provide training on March 19 2015, to the personnel from the new security contractor responsible for District 8 so that they understand the company's SOP for forest protection in particular with regard to to protect human rights with a non-violent approach on handling conflict, including community engagement and social conflict resolution. This type of training will be conducted in other Districts.
 - o Better coordination with local communities and NGOs for any activities involving the community such as the harvesting ceremony.
 - o To hold dialogue with relevant stakeholders to review the possibility of improving the system and the security organization structure.
- To review the overall security procedures of APP's suppliers and amend those on necessary points.

APPENDIX 1. VERIFICATION RESULTS

The chronology of incident

- On Feb 28 2015, the community will hold a harvesting ceremony in Tebo within the WKS area.
- WKS had collaborated with Walhi Jambi since December 2013 to be a facilitator for conflict resolution between Lubuk Mandarsah community and the company.
- The conflict resolution had been working well, with Walhi Jambi helping to map the community land area. The community invited Walhi Jambi to attend the harvesting ceremony.
- On February 27 2015 at 11 am, a group of people arrived at Post 803 wanting to enter the WKS area. In accordance with security procedures, all guests entering the area needed to be checked and recorded. This group refused to register and intruded into the WKS area.
- This incident was reported by Post 803 security officer and security contractor on duty. MCP added a number of security personnel to the Post.
- Walhi informed WKS that there would be a harvesting ceremony at 1.20 pm and invited WKS to attend the event. Walhi also asked WKS to support the ceremony. WKS agreed and asked the security personnel on duty to allow the community to enter the WKS area through Post 803 but still applying the security procedure.
- In the afternoon, Indra Pelani riding a motorcycle with his friend (his friend is known later as Nick Karim from Walhi) tried to enter the WKS area through Post 803 to help coordinate the harvesting ceremony. The security officer on duty conducted his inspection tasks. An argument ensued between Indra Pelani with one of the officers, which resulted in a fight.
- The Police are still investigating the argument that led to fight between security officer and Indra Pelani. As a result of the fight, the security officers left the Post 803 carrying Indra Pelani in their car.
- After receiving news about fighting and the unknown location of Indra Pelani and the security officers that had taken him, the WKS team, Walhi and some of community members with the police conducted a search. At around 12 am, a commander of the security team received a call from one of the security personnel who took Indra Pelani saying that the victim had died and had been left near the District 8 office. On February 28, 2015, at 10 pm, the victim's body was brought to a nearby hospital for autopsy.
- On March 2, 2015, 7 suspects surrendered to the police and the investigation continues.

APPENDIX 2. SOCIALIZATION OF TEMPORARY POSTPONE OF DISTRIK 8 OPERATIONAL ACTIVITIES

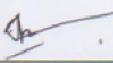
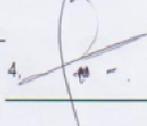
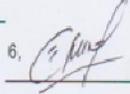


ABSENSI MEETING

AGENDA : Sosialisasi Peraturan Penghapusan Kegiatan di D.B.

TEMPAT : Distrik-8.

TANGGAL : 10-03-2015

No	Nama	Nik	Bagian	Tanda Tangan
1	SUPOMO	621177	DM-D8.	1. 
2	ARUF URIF	620221		2. 
3	Mujiono	621220	DB	3. 
4	RUDI HARTONO.	621235.	PT. MUP. (KORINT).	4. 
5	LILIK		PT TM	5. 
6	SUGENG		PT. SM	6. 
7	HENDRIZAL			7. 
8				8.
9				9.
10				10.

TANDA TERIMA

Kepada : PT. Tani Maju
Nama Surat : Perintah Penghentian Kegiatan di Distrik VIII (PT Tani Maju)
Isi : Terlampir

Penerima



Pemindah



DM D8

Sosialisasi Perintah Peghentian Kegiatan di D8 Kepada Kontraktor PT. Tani Maju (TM) dan PT. Sion Mahanaim (SM)



Sosialisasi Perhentian Kegiatan di distrik 8 resort Kili kepada PT. Tani Maju dan PT. Sion Mahanaim



Tanda Terima Surat Perintah Peghentian Kegiatan di distrik 8 resort Kili kepada PT. Tani Maju dan PT. Sion Mahanaim