



Yayasan Petak Danum Kalimantan Tengah

Lembaga Pengkajian, PSDA Gambut-Lingkungan Hidup, Penguatan Kelembagaan,

Hak Dasar Perekonomian, Sosial, Budaya dan Partisipasi Politik Masyarakat Sipil

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Dasar Hukum : Akte Notaris No. 01/98, No.223/904/SOSPOL, Izin Domisili No.SK/167/KST/XI/1998

Ref: Nomor: 381.As/YPD-KT/Kps-XI/2010

Thursday, 24 February 2011
Kuala Kapuas

To the Australian Delegation to Central Kalimantan February 2011,

RE: Community Concerns with the KFCP

Dear Delegation,

It is with great pleasure that we welcome you to our Dayak country. We appreciate your efforts in supporting forest protection and peatland restoration to reduce emission from deforestation and peatlands in Indonesia.

On behalf of community leaders in the Yayasan Petak Danum (YPD) network and following my visit to Canberra in November 2011, I would like to draw your attention to the following issues based on our independent monitoring and analysis of the KFCP activities in the districts of Mantangai and Timpah (with a total of fourteen villages and hamlets):

1. **Bias reporting of the KFCP project progress** – we understand that KFCP field staffs are paid on a performance-based basis and hence the incentive to engage in distorted positive reporting is high. We fear the effectiveness of the KFCP as a REDD+ pilot project will be compromised from the lack of accurate and reliable information to draw lessons from and to learn from, which should be the primary goal of a pilot project.
2. **Lack of recognition and respect for customary (Indigenous) rights** – our custom or *adat* has been in practice for a long time before the formation of the current regime and legal system. Its effectiveness and strength in ensuring the integrity and sustainability of the natural environment speaks for itself, judging from the healthy state of the environment and forest in Kalimantan until externally imposed commercial exploitation started to devastate, damage and encroach on customary/Indigenous land and forests.

Since then, our people have been progressively disempowered and impoverished through decades of destructive projects either imposed directly by the Government or indirectly, with their blessing, through the uncontrolled and often illegally issuing of permits and/or concessions through bribery and corruption, all done without giving any due respect or recognition to our custom and rights.

To date the Government of Indonesia has yet to formally honour the land tenure and rights of the Dayak people. Therefore the KFCP, by collaborating with the Indonesian Government, inevitably also condones this lack of consideration and hence the continued undermining of our customs and rights.

3. **Lack of recognition of the customary Dayak wisdom** – since the destruction of our peatland and forests from the failed mega-rice project (PLG), we have worked hard to restore areas closed to our villages and in our traditional farms. We have many good examples of fire prevention strategy through careful planting of crops which are resilient to forest fire. We also have other traditional ways of fire management and conservation which have a proven

track record of effectiveness. We have offered our assistance to KFCP staff based on our traditional wisdom and knowledge but to no avail. Instead they prefer to pursue a strategy which we know will not work.

4. **Missing the big picture of destruction** – the KFCP project with a 120,000 hectares (half the size of Australian Capital Territory or ACT) project area pales in comparison with the 15.1 million hectares of the total area in central Kalimantan, at least 83% of which will be converted or destroyed through either oil palm, monoculture pulp plantations or mining permits issued by the relevant authorities. This amounts to 12.5 million hectares which is just under twice the size of Tasmania. Emissions from such a huge area will drastically overwhelm the insignificant and small reduction from the KFCP site, assuming that KFCP will eventually lead to emission reduction, which is an unrealistically optimistic assertion.
5. **Absence of effective community consultation and engagement** – to date, community consultation and engagement has focused primarily on facilitating project activities and getting the project off the ground. This does not represent a process or an attempt to seek free, prior informed consent.
5. **Lack of inclusion of community input in the project and activity design** – consultations and presentation as well as community meetings have been biased and focus only on getting the community to accept and participate in activities through monetary payment. All of the activities were externally designed and already planned with no room for community members to provide feedback or to give advice even when they have legitimate concerns and constructive input for the activities. Community participation and acceptance of the project are purely driven by the financial incentive involved, limiting the project's sustainability and local ownership post project.
6. **Lack of understanding of what REDD or Carbon is** - Despite the supposedly extensive and comprehensive presentations and community meetings, most community members including many who have taken part in the project activities on a paid basis remained unclear about what REDD is and what carbon is and how their work or the project activities will contribute to emission reductions. As such their participation is far from constituting free, prior informed consent.
7. **Lessons learnt not captured** - Issues of concern raised by experienced concerned community leaders and individuals have so far not been taken seriously. Community Facilitators deliberately marginalise them as trouble makers who do not understand the project, rather than taking on board issues raised and considering their suggestions in the project or activity design. This does not constitute full and effective participation of communities as expounded by the Cancun Agreement on REDD+.
8. **No confidence in the international NGOs contracted to implement the pilot project** – The engagement of existing international NGOs with working experience in the area by the Australian Government assumed a positive working relation with local communities. In the case of Borneo Orang Utan Survival (BOS), the relationship has been strained and estranged due to BOS' complete disrespect for the Dayak's rights to the remaining forests which they have claimed as conservation area, without consultation with local communities for orang utan rehabilitation. Both of the organisations have not had a track record of success in their previous restoration and conservation work, beyond carving out Indigenous land and forests in the name of conservation which are out of bound for the Dayak. The community is not confident that the NGOs have the skills or the relevant experience to carry out environmental restoration or any other project activities in the area, beyond being paid personnel of the project.
9. **No confidence in the Community Facilitator (CF)** – The community sees the same Central Kalimantan Peatland Project (CKPP) personnel being engaged for the KFCP with a different

project tag and hence are not convinced that KFCP will be any improvement from the previous CKPP. They did not see any benefit from the CKPP beyond the payments they received for taking part in externally-conceived project activities. CKPP has left a bad taste amongst the Dayaks as it has resulted in some of their forests being taken away and the restoration work not yielding any sustainable environmental outcome. Therefore the use of a few Dayaks in the CF team offers little comfort to allay the fear of the community that they will end up losing more land and forests through the KFCP project. Besides, in the eyes of the local community, the Dayaks employed are not from the same area nor of the same tribe and are therefore considered to have little interest in the overall welfare of the local Dayak Ngaju beyond his or her own personal self interests.

We raised the above issues in good faith in light of the financial assistance from the people of Australia, and to minimise the risk of conflicts in the community and between the various stake holders. We raise these issues based on our extensive experience gained in the field and from protracted discussions and meetings we have had over the last year. They were obtained directly from YPD field work, from the farmers and rattan makers network and our partners in the KFCP project area.

Many of the above issues, especially those in relation to the violation of customary/Indigenous rights, have been raised by YPD and one of our NGO allies, PUSAKA Jakarta, with the Government on three different occasions through the various KFCP workshops in 2010 as follows:

- at the sub-district level in the auditorium of the Mantangai sub-district Administration on 10th to 11th November
- at the District level at Hotel Raudah in Kuala Kapuas on December 2nd and 4th, and
- at the provincial level between 17th and 18th December in the auditorium of the Governor office in Palangkaraya

To date, those involved in the KFCP project have not provided any assurance to allay our fear that our basic rights and our rights to natural resource management will be guaranteed for the 120,000 hectares within the KFCP project area. We are now using the motto “No rights, No KFCP” to represent the Dayak sentiment, which is consistent with the Cancun Agreement on REDD+ which recognizes those rights.

Since 2003, Yayasan Petak Danum has been supporting communities in 12 villages in the sub-district of Mantangai through our Community-based Peatland Use Program in accordance with our traditional wisdom. The Plan is designed to reduce poverty and to restore the peatland. We have collected a lot of information from our program and we have a lot of experience in peatland management in response to the destructive mega-rice project.

Our plea:

As senior Government representatives from an advanced democratic country that respects and upholds human rights and justice; a Government that has so courageously and yet humbly made the historical public apology to the Aboriginal people for the wrongs done to them, we appeal to your delegation to urge the Australian Government to withhold funding from the KFCP project until the issues raised in this letter are resolved.

The most effective way to reduce emissions from deforestation and forest degradation in Indonesia is for Australia, and other bilateral and multilateral donors as well as parties interested in REDD+ projects, to work with the Indonesian Government to rescind existing concessions in carbon rich forests and peatlands and impose an effective moratorium on future conversion concessions of natural forests whilst providing incentives to protect forests and to support low-carbon human and economic development initiatives.

We fear that if the project goes ahead as it is, public funds from Australia will not only be at risk of being wasted in an ineffective emission reduction project, but Australia will be at risk of being blamed for causing:

- a. new conflicts within the Dayak Ngaju communities and conflicts between the community and the project as well as the district level government;
- b. the loss of the Dayak Ngaju's rights and the loss of livelihood of an estimated 15,000 people in the 14 villages included in the KFCP project – specifically our rights to access natural resources in the peatland and peat forests which have been our traditional sources of livelihoods and which we have been entrusted through *adat* to sustain from generation to generation;
- c. The complete loss of the Dayak Ngaju traditional knowledge in the management of rivers (known as Handil and Tatas), streams and creeks in every aspects - from the conceptual, practical to the customary institution.

Most of us watched with anguish the wholesale destruction of our land, our forests and our waterways in the duration of the failed mega-rice project (PLG) because we could not fight the violence and brutality of the military under Suharto. A courageous few were beaten up and went to jail for daring to challenge the Suharto Government.

Since then our land and forests have been diminishing - destroyed from exploitative commercial activities as well as seized from us in the name of conservation. We were confused by the claims of both the exploiters and the conservationists. We have now learnt our lessons and we will no longer be standing by watching our Indigenous rights eroding away and our natural resources taken away from us.

Thank you for your attention and we look forward to your co-operation and response.

Yours sincerely,



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