Lubuk Jering Group

Oct 13th, 2010
Overview

• Main Conflict:
  – Lubuk Jering Village’s customary land rights v.s. Pulpwood Plantation PT RAPP’s concession

• Main Stakeholder Groups:
  – Lubuk Jering Village
  – RAPP
  – Government
  – NGO: Local NGOs; LEI; Scale Up (Mediator)
• **Lubuk Jering community** has customary lands in Mandau Sector and they used land for gardens of rubber, fruits, small oil palm plantation, vegetables and dry-land rice.

• In **1997**, **Ministry of Forestry** issued plantation permit to **RAPP** which includes 23000 hectares land in Mandau sector where the community has its customary land. Community was several rounds of compensations for their land in the following years.

• Conflict reached its peak in **2006** when an even bigger concession of forest land from **Riau Forestry Office** was given to **RPP**: 1627 hectares among which is in dispute with the community; **Community** produced letter of objection, protested due to the overtaking of the ancestor land and **RPP** did not relent
• Early 2006, the company received a SFM certification from Ecolabel Institute. (LEI)

• June 2006, a team 11 was chosen by the community to negotiate with the company. The negotiation begins in Jan 2007.

• September 2006, Local NGOs protested the SFM label & to the company.

• February 2007, Scale Up was requested by company and community to mediate

• December 2007, a MOU on the oil palm plantation was signed by team 11 and company.

• December 2008, a MOU agreement on the land rights was signed by team 11 and company.

• Late 2008, the new village head and new sub-district chief appointed and refused to sign the agreement.

• 2009, Team 11 was dissolved 2 months ago. A Working Group of 9 community representatives, appointed by the new village head, with the special task to help village head in his official responsibilities
Key Observations

Why the efforts to settle the conflict failed?
• Changing governmental and community authorities
• Lack of coordination between the community and the government officials
• Deep fracture among the community over leadership
• Diverging economic interests within the community
• Traditional leadership where decision making does not necessitate the community interests
• Unclarity and complexity of the land rights among all different stakeholders: Each stakeholder has certain amount but not full legitimacy of rights

Lessons learnt:
• Strong binding legal instruments are necessary
• There should be processes that are inclusive of the community members, even that is not a traditional mechanisms
Food for thoughts:

- We need to realize the internal conflicts within community is not uncommon. So how to overcome the conflicts of interests within the communities? How can FPIC help?
- What can be strong binding legal instruments to resolve conflicts?
- How can the community have more ownership over the processes and the final decisions?
- How can FPIC fit into a complicated land rights scenario?