



INTERNAL SAC COMMUNICATION ON RECOMMENDATIONS TO APRIL

OBSERVATIONS

1. The forest area of concern is part of APRIL's concession area, located near the village of Dayun. It was, and still is, a degraded peatland, a portion of which (about 256 hectares) is relatively still in a good condition. A couple of years prior to the 2015 fire disaster, APRIL was in the process of planning for plantations in the area. It was cancelled in 2016 following a Government Regulation that obliges companies to immediately halt operational activities on peatland. In 2019, the Government issued another regulation that allows developments on peatland that is designated for production purposes according to KHG, except for peaks of peat domes. APRIL, therefore, restarted their activities on the area. This includes canal construction, however the canal mentioned as a concern is located approximately 6 km from the border of Zamrud National Park.
2. The area is highly accessible, because there are already canals and roads, partly developed by an oil company operating on the same location (BOB – Badan Operasi Bersama, a cooperation between Pertamina Hulu and a local company named Bumi Siak Pusako).
3. There are points of water level monitoring (titik penataan muka air) in the area. Companies are required by regulations to establish such points to monitor the water level of their peatland.
4. As it is quite common in many other places, the forest land has been occupied by communities, albeit it is part of a concession. The communities claim the land belongs to them. As result there are land conflicts taking place. Out of the around 3,000 Ha of the total area, 1,000 Ha had been settled by APRIL through the "*sagu hati*" approach. The remaining 2,000 Ha remains under the claim.
5. With regard to the concern that APRIL is operating on the buffer zone of the Zamrud National Park, no field visit has been conducted either independently by the NGO/individual who raised the matter or in a joint team involving APRIL.

JUSTIFICATIONS OR BASIS FOR INTERNAL RECOMMENDATIONS

1. There is no legal breach taking place. APRIL operation is legal based on the most recent regulation.
2. The area is not on the buffer zone or even close to the Zamrud National Park. The canal in question is about 6 Km away from the border of the national park (note: buffer zone is normally between 0.5 – 1 km width per Indonesian government regulations).



3. According to APRIL, they are committed to allocate an area of 256 hectares of remaining forest that is in a good condition for a conservation area, adding to the buffer zone of the Zamrud National Park
4. Unmanaged peat land with high accessibility is very prone to fire. Historical data shows the area is red or high risk of fire. So, in a sense, managing/planting the land is also a form of fire prevention.
5. There are points of water level monitoring on the area, hence the impact of canal development or reactivation of old canals to water level of the area can be monitored.
6. APRIL has stated that they are open to clarify the matter including conducting a field visit; and also has the intention to settle the land claims.

RECOMMENDATIONS

1. APRIL is to clarify the matter with the NGO(s) and if needed, through inviting and facilitating a field visit to support the clarification. APRIL should advise both IPEWG and the SAC of this clarification.
2. APRIL needs to accurately map land claims in collaboration or with the support from the local government. The mapping is important to accurately identify who the claimants are. If they are in fact part of Dayun people, APRIL must settle the claim through the best approach available, such as the “*sagu hati*” approach that works for the 1,000 ha. If, like in many cases, it turns out the claimant are mobilized people from other places, APRIL must report it to the Government (MoEF) for law enforcement. If they are facilitated/accommodated like local people, it may result in horizontal conflict.
3. APRIL is to allocate 256 Ha portion of the land adjacent to the buffer zone that is in a good condition for conservation area.
4. APRIL is to increase the coordination with the oil company in handling people and the environment.
5. APRIL is to continue developing the canal and plantation according to regulations, including maintaining the water level through water management.
6. APRIL is to maintain maximum fire prevention efforts in the area.

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(Prepared by SAC members Putera Parthama, Al Azhar and Erna Witoelar)