



## Thousands to be Evicted and Left Homeless, Jakarta, Indonesia

These violations require your urgent action. Source: HLRN

Dear Members and Friends:

We have received disturbing information from local friends and members in Indonesia that some 4,646 families (18,584 people) living under the freeways of the city of Jakarta are under threat of forced eviction. They have received notices of eviction. They demonstrated on August 27 at the North Jakarta City mayor's office and again on August 29 at the Ministry of Public Works office. In both instances, the demonstrating residents were violently dispersed by the government. Many were hurt and a number had to be taken to the hospital. Vigilant in actions, the residents will be holding another collective action, a prayer event with the affected families in heart of Jakarta in front of historic Hotel Indonesia. The affected families reject the government's offer of low cost apartments or relocation to distant sites, far from job and livelihood opportunities and without adequate services and facilities. They want the government to consider their alternative solution which they, with the assistance of NGOs, namely, Urban Poor Consortium and UPLINK, have devised. **Your URGENT support is needed.** Please find below sample letter to send out or visit <http://www.hlrn.org/cases.php?id=102> to directly support the case.

Thank you,

Urgent Actions-HLRN

31 August 2007

Mr. Effendi Anas

North Jakarta City Mayor

### **The City Jakarta Administration**

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Dear Mr. Anas:

Our organization has received troubling information from civil society organizations and mass media in Indonesia about your government's planned mass eviction by force of 4,646 families (18,584 people) living under Jakarta freeways. According to our information, these include communities at Rawa Bebek (Block A-G), 2,100 families; Jembatan Tiga, 500 families; Kolong Tol Walang A, 125 families; Kolong Tol Walang B, 131 families; Kolong Tol Muara Karang, 200 families; Kolong Tol Petak Seng-Jelambar, 231 families; Kolong Tol Jalan Tongkol, 159 families; and Kolong Tol Warakas, 1,200 families.



We are equally alarmed at the repressive actions that your government has taken against the affected families' exercising their right to peaceful assembly and free expression, in this case, their protest against the government's planned eviction. On 27 August 2007, some 600 residents demonstrated at the North Jakarta City Office and, later, on 29 August 2007, another 300 residents protested in front of the Ministry of Public Works office. Public order officers violently dispersed both legitimate actions in violation of the minimum code of conduct for law enforcement officials. Some of the demonstrators suffered grave injuries and had to be rushed to hospitals for treatment.

Another disturbing development is the appearance of a group calling itself Aliansi Masyarakat Jakarta (Jakarta Societies Alliance). Civil society organizations describe this group as agents provocateurs who attack legitimate protesters and create civic disturbance, thereby serving the government's pretext for violent intervention against the protestors.

It is particularly disappointing to witness this deterioration in the performance of local officials, particularly in a city that received the UN Habitat's Scroll of Honor Award in 2005. It was hoped that, however ill deserved, that award would encourage city officials to become more civil in their behavior toward Jakarta's impoverished inhabitants. Alas, that hope is fading.

As you may know, since 1993, through the UN Commission on Human Rights, Member States of the UN have recognized forced evictions as prima facie gross violations of human rights, in particular the human right to adequate housing. The right to be protected from forced evictions, as well as a State's corresponding obligations, are amply explained in the UN Committee Economic, Social and Cultural Rights General Comment No. 7, pertaining to implementation of the Covenant on Economic, Social and Cultural Rights, which Indonesia just ratified on 23 May 2006.

In view of these considerations, our organization hopes that your government will take immediate measures to ensure that the human right to adequate housing of Jakarta's impoverished inhabitants consistently is protected and upheld, along with their right to be free from any cruel, inhuman or degrading treatment or punishment. These obligations arise also from Indonesia's ratification of international treaties, including the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Article 16), which Indonesia ratified on 27 November 1998, and the Convention on the Rights of the Child (Article 27.3), which it had ratified already on 5 October 1990.

Our organization is gratified, however, that affected families and their NGO partners already have posed an alternative solution to the problem, namely, upgrading the freeway communities and building people's housing by utilizing empty lands owned by the freeway construction contractor PT Damija Permai. The solution being proposed by the people is not only economical, reasonable and practical, it is well grounded in Indonesian and international laws that guarantee the right of every citizen to adequate housing, as enshrined in the International Covenant on Economic, Social and Cultural Rights, to which Indonesia—and, consequently, the Jakarta municipal government—are legally bound. It is a concrete expression of the right of poor citizens not to be excluded from the city on the basis of their economic status and to enjoy access to public goods and services.

Unfortunately the Indonesian government does not seem to appreciate this civil initiative, and prefers instead to use a repeatedly failed solution of forced evictions or crating distant "relocation" sites for the poor. Experience has shown that such wrongheaded practices actually deepen poverty by dumping citizens far from their sources of livelihood, and without basic services and facilities for a dignified existence.

Therefore, we urge that the Indonesian and Jakarta governments:

1. immediately to suspend the planned eviction of the families under the freeways;
2. respect and protect the rights of affected families and their NGO partners to assembly and express themselves freely;
3. hold dialogue with the affected families on their proposed alternative solution;
4. provide reparation, including compensation, to the demonstrators who were hurt or suffered losses as a result of public order officers' misconduct;
5. investigate, prosecute and punish those officials and others who are guilty of violating the right of the



affected families to adequate housing, free expression and peaceful assembly under Indonesian laws protecting these right, including the State's international treaty obligations.

We sincerely hope that you and your government will discharge your corresponding human rights duties do what is right for the poor families and citizens of Jakarta and their needed social and economic development. Consequently, we look forward to your response, and to learning of the positive steps you have taken to support peaceful alternatives to the current practice of official violence and forced eviction against impoverished Indonesians.

Respectfully yours,

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CC:

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