The Pandemic and The Increasing Vulnerability of Environmental Human Rights Defenders

Situation Report of Environmental Human Rights Defenders
First Third of 2020 (January-April)



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I. Background

In April 2020, ELSAM (2020) has noted an alarming situation that had threatened, was then threatening and would continue to threaten the work and existence of Environmental Human Rights Defenders. This prediction was based from three facts. *First*, the increasing trend of violence and threats against Environmental Human Rights Defenders, especially those committed by and/or related to corporate actors. *Second*, the emergence of the Covid-19 pandemic and *finally*, maneuvers from Indonesian political elites to immediately pass the Job Creation Bill (RUUCiptaker), also known as *Omnibus Law*.

It is easy to see how the three factors are interconnected to each other, and cause the escalation of situations and actions that threaten the sustainability of the work of Environmental Human Rights Defenders. The Omnibus Law, for example, since its implicit mention by President Joko Widodo (Jokowi) in the state address of 16 August 2019[1] has drawn a lot of criticism and concern from the wider community, especially in relation to potential human rights violations (Kabar Latuharhary, 10 June 2020), impunity of environmental destruction, and the weakening of the position of workers (Nugraha and Karokaro, 19 March 2020). With the increasing trend of corporate involvement in cases of violence and threats to Environmental Human Rights Defenders in the past year, these criticism and concern (which later culminated in widespread rejection) find their relevance.

It is in such situations and conditions in the first third of the year the Environmental Human Rights Defenders are conducting their struggle. These situations and conditions, thus, also become the background and context of all data, which are then analyzed briefly in this situation report on Environmental Human Rights Defenders in the first third of 2020.

This report is a continuation of the monitoring, research work. and reporting of the situation of Environmental Human Rights Defenders carried out by ELSAM since the end of 2017. Usually conducted annually, this particular report encompasses a shorter time period in order to provide information about development trends and suggestions related to the situation of Environmental Human Rights Defenders in Indonesia. This report continues to use the same preparation methodology as the previous reports, namely by conducting searches for news and publications related to Environmental Human Rights Defenders using 16 keywords relevant to cases of violence and threats against Environmental Human Rights Defenders. All data have been corroborated, and

[1] The full text of the speech can be seen in Tirto.id (Saputri, 16 August 2019).

for some cases where data were not sufficiently clear in the media monitoring, verification through interviews of field assistants were conducted. The first part of this report contains data on violence and threats against Environmental Human Rights Defenders. The second part of the report reviews the important details of all available data and present the trend of cases that reflect changes in the situation and condition of Environmental Human Rights Defenders. The penultimate section before the conclusion contains a brief analysis on how Covid-19 and Omnibus Law have weakened, and are currently weakening the position of environmental human rights defenders.

II. Data on Violence and Threats to Environmental Human Rights Defenders in the January-April 2020 Period

Throughout the 1 January to 30 April 2020 period, ELSAM noted **22** cases of violence and threats against Environmental Human Rights Defenders distributed in 10 Provinces and 14 Regencies/Cities. **South Sulawesi** is the province with the largest number of incidents of violence against Environmental Human Rights Defenders in the first third of 2020 with 7 cases, followed by **Central Kalimantan** with 5 cases, then **East Java** and **South Sumatra** with 2 cases each. In seven other provinces, namely **DKI Jakarta, West Papua, North Sumatra, Jambi, Maluku,** and **West Java**, there were one case of violence and threats against Environmental Human Rights Defenders each.

March 2020 was the month with the largest number of violence and threats to Environmental Human Rights Defenders, with 10 cases. This is followed by **April** (5 cases), **February** (4 cases**)**, and **January** (3 cases). In total, there were **29** acts of violence and threats.

Arrests and **vandalism** were the most common acts committed against Environmental Human Rights Defenders, with 8 incidents, followed by **detention** and **intimidation** (4 incidents each), **murder**, **physical assault**, and **land grabbing** with 2 incidents each.

The above cases involved 58 actors — most of whom were state actors (42 actors), including **police** (39 actors), **immigration officer**, **judge** and **prosecutor** (1 actor each). The remaining acts of violence and threats against Environmental Human Rights Defenders were carried out by non-state actors (16 actors), including: **companies** (12 actors), **thugs** (2 actors) as well as **company security guard** and **unknown persons** (1 actor each).

Overall, the acts of violence and threats against environmental human rights defenders have resulted in 69 individual victims and 8 group victims. Most of the individual victims were **male**, or 68 persons, and only 1 **female** victim. There were three types of victims of violence and threats of violence in this period, with **indigenous people** as the largest group with 48 victims, **farmers** with 20 victims as the second biggest group, and one **journalist**. The group victims were **indigenous people groups** and **community groups**, of which there were four victims each.

TABULASI JUMLAH PERISTIWA KEKERASAN TERHADAP PEMBELA HAM ATAS LINGKUNGAN PERIODE JANUARI-APRIL 2020

Tabel 1.
Jumlah Peristiwa dan Pelanggaran



22 Peristiwa
29 Tindakan

Tabel.3
Jumlah Sebaran waktu



Januari : **3**
Februari **4**
Maret **10**
April **5**

Tabel.2
Jumlah Sebaran Wilayah



22 Peristiwa di **10** Wilayah



Tabel.4
Aktor Non Negara yang melakukan Pelanggaran

Perusahaan: 12
Petugas Keamanan Korporasi: 1
Preman: 2
Orang Tak Dikenal: 1
Total: 16



Tabel.5
Aktor Negara yang melakukan Pelanggaran

Kepolisian Republik Indonesia: 39
Petugas Imigrasi: 1
Hakim: 1
Jaksa: 1



Tabel.6
Bentuk Tindakan Pelanggaran

Penangkapan 8
Perusakan 8
Penahanan 4
Intimidasi 4
Pembunuhan 2
Perampasan Tanah 2
Serangan Fisik 2



Tabel.7
Identitas Korban Pelanggaran Individu

Masyarakat Adat (individu) 48
Petani: 20
Jurnalis: 1
Total: 69



Tabel.8
Identitas Korban Pelanggaran Kelompok

Masyarakat Adat (kelompok): 4
Kelompok Warga: 4



Tabel.9
Jenis Kelamin Korban Pelanggaran Individu

Laki-laki 68
Perempuan: 1
Total: 69



III. Case Trends

In the first third of 2020, the number of incidents of violence and threats against Environmental Human Rights Defenders has increased significantly compared to the same period in 2019. This can be seen from four aspects, namely the number of **cases, acts, actors, and victims**.

The increase in the number of cases of violence and threats against environmental human rights defenders in the first third of 2020 is very significant. In this period, there were 22 cases – approaching the total number of cases of violence and threats against Environmental Human Rights Defenders throughout 2019, i.e. 27 cases. This means the number of cases of threats and violence has more than doubled in 2020 compared to in 2019 – from 2.25 cases per month in 2019 to 5.5 cases per month in the first third of 2020.

Slightly different from the number of cases, the number of acts of violence and threats to Environmental Human Rights Defenders in the first third of 2020 shows a decrease compared to 2019. 2019. With a total of 29 acts in the four-month period, the average number of acts of violence and threats is 7.25 acts per month, lower than the average number of acts in 2019, namely 9.74 acts per month (with a total of 117 acts). However, it can be said that in the first third of 2020 substantially the acts of violence and threats against Environmental Human Rights Defenders occurred more brutally, with a murder case resulting in the deaths of two environmental human rights defenders. In 2019, there was 'only' one murder case resulting in one victim, occurring in October.

The involvement of actors in cases of violence and threats of violence against Environmental Human Rights Defenders in the first third of 2020 had the most notable increase of all the trends. In this period there were 58 actors involved in cases of attacks against Environmental Human Rights Defenders. There were 19 more actors compared to the total number of actors involved in 2019 cases.

An important note that emerged in the first third of 2020 was that the police became the dominant actor with 39 actors, edging corporate actors to the second position with 12 actors. Police involvement in 2020 increased 3.5 times compared to that in 2019, when there were only 10 police actors. It is also important to note that corporate actors, even if they were 'only' in the second place, did not show any decrease in their involvement; the number of corporate actors in the first third of 2020 is the same as the equivalent number in 2019.

As with the number of cases and actors, the number of victims in the first third of 2020 also experienced an increasing trend, from 128 for the entire 2019, to 69 in the first four months of 2020. If this average continues, the total number of victims in 2020 can be estimated to be almost double the number in 2019. If previously throughout 2019 the average number of victims of violence and threats against Environmental Human Rights Defenders was 10.7 victims per month, in the first third of 2020 the number is 17.25 victims per month.

In particular, beyond the average number of victims per month, there is a shift in the identity of the victims, namely the rise in the number of indigenous peoples who became victims, surpassing farmers. There were 48 members of indigenous peoples who became victims of violence and threats of violence that befell Environmental Human Rights Defenders in this period. That is, when compared with the monthly average, there was a 12-fold increase in the number of victims between 2019 and 2020, from 1 victim per month (12 in the entire year) to 12 victims per month

Apart from the number of victims from indigenous peoples, the number of victims from farmers is also interesting. The shifting in the position of farmers in the first third of 2020 did not indicate a decrease in the absolute number of farmer victims. Throughout 2019, the number of farmers who became victims was 32 persons, meaning that on average there were 2.7 victims each months experiencing acts of violence and threats against Environmental Human Rights Defenders. That number is below the monthly average of victims in the first third of 2020, that is, as many as 5 victims per month, although overall there are "only" 20 victims.

Apart from changes in the trend of cases during the first third of 2020, there are two important events that are particularly notable due to their striking novelty compared to data on violence and threats against Environmental Human Rights Defenders in the last 2 years. The *first* was the arrest and detention of Philip Jacobson, a Mongabay journalist from the United States, by immigration officers in Palangkaraya, Central Kalimantan. Jacobson's arrest took place in 17 December 2019, after attending a session between the Central Kalimantan DPRD and the local branch of the Indigenous Peoples' Alliance of the Archipelago (AMAN). After the arrest, he was detained by the immigration for 45 days before being released and deported on 31 January 2020.[2]

The arrest and detention of Philip Jacobson is the first foreign national Environmental Human Rights Defenders who experienced an attack from the Indonesian state authorities. Previously there was a case where Indonesian Environmental Human Rights Defenders became victims of violence of a foreign state actor in November 2018, when Greenpeace activists from Indonesia were involved in a campaign on a cargo ship in the Bay of Cadiz, Spain (Setyorini, 18 November 2018). However, the cases occurred outside the territory of Indonesia and the foreign actor was involved as a perpetrator rather than victim (as Jacobson was).

The *second* was the murder of 2 farmers in Pagar Batu Village, Pulau Pinang District, Lahat Regency, North Sumatra. The case that occurred on 21 March started when the security of PT. Arta Prigel provoked four residents of Pagar Batu Village who were farming on a plot of land that was disputed between the village residents and the company. Upon the provocation, the residents chased after the security guards, leading to beating resulting in loss of life. Three other residents who were about to help their friend also became victims: one was killed and two injured. The deceased were Aman Suryadi (40), and Putra Bakti (35), while the two injured victims were Sumarlin Efendi (38) and Lion Agusta (35).

[2] Philip Jacobson's case does not appear in the report Looking at Dangerous Years (ELSAM 2020)

Refer to all reports on the situation of Environmental Human Rights Defenders that have been conducted by ELSAM, the murder in Lahat, South Sumatra, showed an appalling trend of the situation of Environmental Human Rights Defenders, which had occurred since mid-2017. This case shows that incidents resulting in death occurred earlier in the year, compared to in 2018 (when a death occurred on 25 April 2018), and in 2019 (6 October 2019). Moreover, the case of the two Lahat farmers also shows one fact about how difficult it is to provide protection of environmental human rights defenders working in communities and areas not covered by the mainstream mass media coverage.

Following the killing in Lahat, the Pagar Batu People Advocacy Team (TAGAR), as the legal representative of the Lahat farmers requested for protection and assistance services for the family members of victims Aman Suryadi and Putra Bakti, as well as victims and witnesses Sumarlin Efendi (38) and Lion Agusta (35) to the Witness and Victim Protection Agency (LPSK). The application was however rejected by LPSK through the letter numbered R-1666/1.4.2.APRP/ LPSK/06/2020 dated 9 June 2020, as the request was deemed to not fulfill statutory provisions, namely the absence of dangerous threats (consideration 1) and the absence of the status of witness, victim, perpetrator and reporter in the criminal justice process (consideration 2). This decision disappointed TAGAR as it suggests a lack of serious investigation process about the details of the case and the condition of the victims and their family.

Apart from the cases above, three other cases are important to note because they are related to the issue of food sovereignty, one of the most powerful issues during the Covid-19 pandemic which becomes the particular context of this report. The first case is land grabbing by PT Sindoka (Sinar Indonesia Merdeka) against farmers in East Luwu Regency, South Sulawesi, displacing farmers from their lands that were ready for harvest, including food crop land – some farmers even had their crops destroyed repeatedly within one month.

The second case happened to the Mafan Farmer Group in Sedang Village, Suak Tapeh District, Banyuasin Regency. In this case, PT. MAR with police escort destroyed huts, including three rice storage huts, belonging to local farmers. The destruction was carried out by PT MAR after the farmers fought back efforts carried out by the company to displace them from their soon-to-be-harvested rice fields.

The last case happened to the Nipah Farmer Group in Kwala Serapuh Village, Tanjung Pura District, Langkat Regency, which has obtained a self-management permit for a land area of 242 hectares in the mangrove ecosystem based on a Decree of the Minister of Environment and Forestry. The land was burned by unknown persons on 26 March 2020. This is suspected to be linked to the case of 64 hectares of illegal oil palm plantations occupying the area managed by residents.

IV. COVID-19, Omnibus Law, and Environmental Human Rights Defenders

Since it was announced by WHO as a pandemic on 11 March 2020 (CNN Indonesia, 12 March 2020), COVID-19 has been considered by many as a specific threat to vulnerable groups. UN Secretary General, António Guterres, in his broadcast on 23 April 2020 reminded that COVID-19 is not only a health problem. Far beyond that, this pandemic has conditioned the rise of hate speech, ethno-nationalism, populism, and authoritarianism that threaten the existence of vulnerable groups. The situation is vulnerable enough to being used as an excuse for repressive actions by the state outside of handling the pandemic. On the same occasion, Guterres reminded the importance of the existence of civil spaces and press freedom, which civil society should protect and the private sector respects. It is important to remember that in this pandemic situation the enemy is the virus, and not the people. So, according to him, the best response is handling Covid-19 while continuing to protect human rights and respect for the rule of law (Guterres 2020).

Unfortunately, the existence of civil spaces in the midst of the pandemic is increasingly being threatened, alongside the vulnerability of the situation and condition of those who defend and fight for those spaces: human rights defenders. Joseph and O'Donovan noted that in the COVID-19 era, several countries such as Iran, Bahrain, and Spain have issued discriminatory laws exempting human rights defenders-political prisoners from release on allegedly humanitarian grounds. In a more specific scope, namely Environmental Human Rights Defenders, Joseph and O'Donovan described the same situation in a more alarming degree, with the occurrence of a series of attacks against human rights defenders in various countries, from El Salvador to the Philippines, and from Venezuela to Uganda. This includes the killing of six Environmental Human Rights Defenders, including women and indigenous peoples, in Colombia. In Brazil, in fact, repression against Environmental Human Rights Defenders was followed by an increased intensity of illegal mining and logging. (Joseph and O'Donovan 2020; Dobson, 28 April 2020)

In cases of violence and threats against Environmental Human Rights Defenders in Indonesia, which occurred during the first third of 2020, the number of violence and threats has in fact surged since President Joko Widodo announced the discovery of the first COVID-19 patient on 2 March 2020. Of the 22 cases of violence collected in this report, 15 occurred during the COVID-19 pandemic in Indonesia.

Further research is needed on whether there is a causal relationship to explain the increase in the number of threats and violence against Environmental Human Rights Defenders in relation to the emergence of COVID 19, which has had an effect on changes in government policy, especially in the security sector. Despite this, ELSAM noted at least there are two cases that show how the state security apparatus used COVID-19 as a pretext to carry out attacks against Environmental Human Rights Defenders, namely:

1) The case of intimidation and the forced dismissal of the peaceful action of the Tumpang Pitu residents

On 27 March 2020, the police intimidated and forcedly dismissed a road blocking action by residents of Tumpang Pitu, Banyuwangi Regency, East Java. These farmers carried out the action after the government ordered them to take down the People's Struggle Post tents in Pancer hamlet, reasoning to prevent the spread of COVID-19. The residents resisted the order, seeing that company vehicles were still operating. The intimidation and forced dispersal by police officers was accompanied by the beating of a resident belonging to a group identified as a pro-mining group (WALHI Jatim 2020).

2) The arrest and detention of James Watt and others
James Watt (47 years), an activist and paralegal from East Kotawaringin, Central Kalimantan, was arrested on charges of grabbing land belonging to PT. Hamparan Masawit Bangun Persada. On 7 March 2020 at around 02.30, James was arrested by the police from the Central Kalimantan Regional Police in a location belonging to WALHI in Mampang Prapatan District, South Jakarta, along with two colleagues, Untung and Dedi Sasanto. They were in the process of reporting a case to WALHI in Jakarta. On that day they were flown to Central Kalimantan, but only James Watt was named a suspect. James' arrest complemented the arrest of two of his colleagues, Dayak farmers Dilik (27 years) and Hermanus (35 years), on 17 February 2020 at Peyang Village, East Kotawaringin.

The case of the arrest of James Watt and others raises a series of questions from their legal counsel and civil society. The question is primarily related to the ambiguity shown by the police in handling the case during the pandemic. The enthusiasm of the police in Watt's arrest in Jakarta was considered inconsistent with their attitude during the pretrial in East Kotawaringin – the police refused to appear in court on the grounds of Covid-19. The virus was also used as a reason to restrict residents from witnessing Watt's trial.[3] During the trials process, one of the defendants, Hermanus, died after experiencing symptoms similar to COVID-19 (Marie, 27 April 2020).

The emergence of the cases of intimidation and the forced dismissal of the Tumpang Pitu residents and arrest and trial of James Watt obviously runs counter to the policies issued by the government itself during the pandemic. Since early April 2020, for example, the Attorney General's Office, Supreme Court, and the Ministry of Law and Human Rights have signed a Cooperation Agreement that agrees to hold court case trials on an online basis (Meiliana, 14 April 2020). The Ministry of Law and Human Rights through Decree of the Minister of Law and Human Rights of the Republic of Indonesia No.M.HH-19 PK.01.04.04 of 2020 has released more than 30,000 prisoners as of end of May for humanitarian reasons (Perwitasari, 20 April 2020; Ardito, 4 January 2020). This decision was then strengthened by the statement of the Director General of Public Affairs of the Ministry of Law and Human Rights Reynhard Silitonga at the end of May 2020 that the Ministry has delayed the admission of new prisoners in the context of halting the spread of COVID-19 (Nugraheny, 24 May 2020).

What happened to Environmental Human Rights Defenders, in Tumpang Pitu, Banyuwangi and Peyang, East Kotawaringin, as well as in 12 other cities/regencies where cases of violence and threats

[3] This information was previously obtained by ELSAM in the joint advocacy process of James Watt's legal team confirmed via electronic line on 8 July 2020

against environmental human rights defenders have been reported indicate that the Indonesian government is still far away from being aware, both at the political and policy levels, regarding the importance of the work of Environmental Human Rights Defenders. This is certainly sad considering that COVID-19 should be considered a momentum for the government to review all economic policies that are not sustainable, threatens food sovereignty, and destroys the environment,[4] rather than attacking, condoning, or conditioning attacks on environmental human rights defenders. UN Special Rapporteur on Human Rights Defenders Mary Lawlor acknowledges the role of Environmental Human Rights Defenders in her opinion on Al Jazeera (Lawlor, 29 May 2020). Moreover, in the cases in Tumpang Pitu and Peyang, the Government of Indonesia immediately used the legal-formal mechanism to repress the work of Environmental Human Rights Defenders.[5]

Looking further, what the Indonesian Government is doing to Environmental Human Rights Defenders are nothing more than the excesses of careless and arbitrary policies related to handling COVID-19. Instead of focusing on dealing with the impact of the pandemic based on protection of human rights by involving institutions related to research and health, the government was more focused on the military and security approach, displaying a repressive character (Wiratraman 2020, 317). The lack of seriousness in dealing with Covid-19 can be seen from the continued discussion regarding the Job Creation Bill or also known as the Omnibus Law on Labor.

In relation to the discussion of the Omnibus Law, perhaps it should be emphasized that this is not merely a manifestation of the lack of seriousness in handling COVID-19. Worse than that, the government appeared to insist on expediting the passage of the Omnibus Law through political lobbying, including to several trade union elites (Adyatama, 10 June 2020). The Government's move was in line with the step taken by the ruling party PDI-P, which recently carried out a strategic rotation of its representatives in the parliament to smooth the passage of the Bill (Putri, 8 July 2020; Fauziah, 8 July 2020).

Specifically related to environmental issues, the government through the narrative of legal experts campaigned that the Omnibus Law does not in principle influence the principles and norms of environmental protection, as formulated in Law Number 32 of 2009 on Environmental Protection and Management (Ministry of Environment and Forestry 2020). This is surely misleading. Kartodiharjo (17 February 2020) has noted ten key points of changes that would occur in the environmental sector when the Omnibus Law is passed. The ten points clearly emphasizes the strengthening of the authority and opportunities of investors who have an interest in and produce in the upstream sector, meaning rural regions and forest areas, and at the same time significantly depriving people who have an interest and are directly related to the area of their rights.

[4] On the relationship between COVID-19 and capitalism, see (Pabst and Wallace, 12 March 2020).
[5] What the Government of Indonesia has done is of course not an exception considering that there are many governments also doing the same on the pretext of addressing emergency situations, terrorism and religious fundamentalism with increased surveillance and militarization (ESCR-Net 2020).

Complementing Kartodiharjo, the Indonesian Center for Environmental Law (ICEL) reminded that in addition to opening doors for investors by offering minimal rights and depriving people's rights, the regulations in the Omnibus Law related to the environment are difficult to implement. More than that, the removal of criminal sanctions in case of violation of permits committed by companies in the Omnibus Law is considered to open wide opportunities for environmental neglect. (Indonesian Center for Environmental Law 2020, 10)



[Environmental protection no longer emphasized as part of industrial decision
Environmental permit for corporations no longer required, replaced with environmental approval from the government
Nine criteria of significantly impacting businesses deleted
Environmental impact assessment monopolized by government, not by independent third party
Environmental activists/observers/experts no longer involved in formulating EIA
No more EIA Evaluation Committee
No more emphasis on environmental feasibility information in investment having to be easily accessed by society
Monitoring and administrative sanction of industries to protect the environment done entirely by the central government
Types of administrative sanctions deleted
Closing the door of lawsuits due to environmental damage]
10 changes related to the environment that will appear with the ratification of the Omnibus Law. Source: (Kartodihardjo, 17 February 2020)

In the end, the ratification of the Omnibus Law is none other than giving a legalization of conditions that are increasingly more vulnerable (directly) to the community in upstream areas. Of course, this is an alarm regarding the sustainability of the activities and lives of Environmental Human Rights Defenders.

V. Conclusion

Since the beginning of his second term, President Joko Widodo has drawn much flak from observers, regarding the his focus on improving the economy via preferential treatment of corporations. The criticism is directed mainly on Jokowi's policies and political steps that are considered to threaten economic and environmental stability, one of which is manifested in the Omnibus Law (Wijaya, 19 January 2020; Kompas.com, 29 January 2020).

Jokowi does seem to be moving rapidly in making steps to entice investment as he promised. Early in January, it was reported that he would be making a trip to the United Arab Emirates to bid welcome an investment to the value of IDR 280 trillion (Akbar, 7 January 2020). At the end of February, he declared his optimism about the estimated investment capital in Indonesia, which he said would reach 1600 trillion (CNN Indonesia, 20 February 2020).

Ironically, Jokowi's optimism regarding investment and economic growth grew immediately before the COVID-19 pandemic finally caught up with Indonesia. At the end of February 2020, only a few days before the official announcement of the first Indonesian COVID-19 case on 2 March 2020, Jokowi even announced massive airfare discounts to tourist attractions (Ananda, 26 February 2020). On the same day as the announcement of the first COVID-19 patient, Jokowi emphasized his optimism that the discount policy would not have an impact on the spread of Covid-19 (Liputan6.com, 2 March 2020). This optimism even continued as the cumulative number of Covid-19 patients in Indonesia exceeded 50 thousand. On 30 June 2020, in the official opening ceremony of the Batang Economic Area in Central Java, Jokowi encouraged that the process of obtaining cheap lands for foreign investors be made easier. Finally, Jokowi also ordered his aides to expedite the process of opening up the economy in the mining, industrial and plantation sectors (Kompas.TV, 30 June 2020; Aziz, 30 June 2020; Bardan, 4 June 2020).

The policies and political steps of Jokowi related to the economy as mentioned above, especially those taken after the COVID-19 pandemic, are generally opposed to the agenda of environmental conservation and sovereignty. Jokowi's determination and optimism to boost new industrial development through new investment, supported by the promises of convenience that the Omnibus Law provides, which went through an intense process to ensure its approval by the government and parliament, mean that people's productive lands will be cleared, land function changed, and the environment and ecology damaged. In the end, capital expansion has threatened, is and will be threatening the work and safety of environmental human rights defenders. Yet, the government itself, according to various latest studies regarding COVID-19, has stated that social restrictions would still continue without a specific time limit until a vaccine is found (Yasmin, 17 July 2020). In such a situation, the vulnerability of environmental human rights defenders in the era of COVID-19 is clearly multiplied.

Observing the findings and analysis in this report and considering the direction of policy related to environmental human rights defenders in Indonesia, the Institute for Policy Studies and Advocacy urges and recommends:

1. President Joko Widodo to order all levels of the security apparatus (police and military) and law enforcement to stop violent practices against Environmental Human Rights Defenders and citizens fighting for their rights for livelihood. It is urgent for the President to consider the aspects of environmental sustainability and sovereignty in every economic policy making. The President should also immediately follow up on the existing suggestion from the civil society about the need for a legal umbrella for the protection of Environmental Human Rights Defenders through a Presidential Decree for strengthening the implementation of Article 66 of Law Number 32 of 2009;
2. DPR RI to include the substance of protection of human rights defenders in the planned revision of the Human Rights Law and use the approaches of environmental sustainability and sovereignty in every drafting of bills;
3. The Chief of the Indonesian National Police to give strict sanctions to members who are involved in the practice of violence against human rights defenders and citizens who are fighting for their rights;
4. The Commander of the Indonesian Armed Forces to give strict sanctions to members who are involved in the practice of violence against human rights defenders and citizens who are fighting for their rights;
5. Komnas HAM to improve the handling and protection of Environmental Human Rights Defenders through the establishment of a special reporting mechanism for cases related to Environmental Human Rights Defenders;
6. The Witness and Victim Protection Agency (LPSK) to provide protection to Environmental Human Rights Defenders optimally and immediately, especially in order to give priority to the handling of environmental human rights defenders working in the community who become victims, away from media coverage.

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