

Written statement submitted the International NGO Forum on Indonesia Development (INFID), a non-Governmental organization on special consultative status

Item 7:

Right To Development

Indonesia and all the countries in the world have the obligation to carry out the development to increase the level of living and prosperity of its people. The government also has the obligation to protect, guarantee and support the people to be involved in the process of planning, implementing, monitoring and evaluating the development process as well as having the impartial and continual benefit of the development, as regulated in the Right to Development declaration.

Development that guarantees the continuity and social justice of the human beings is the obligation of the Government to fulfill the right to development for the people of Indonesia. Thus, the development program should be directed to the even distribution and the eradication of poverty through the commitment of national development vision, and implemented through pro poor development concept and based on justice of gender.

Therefore the development should guarantee the concrete fulfillment of Human Rights' elements. The right to development should have given a vast space for the people to participate, contribute and enjoy the outcome of the development in all aspects supporting the fulfillment of the values of political as well as economy, social and cultural rights of the civilians.

Yet the fact is different, the development in Indonesia is interpreted merely as the increase of economy growth level. This makes the measurement of development growth is interpreted merely to the increase of external/foreign capital investment, the increase of extractive industry, as well as commercialization and privatization of public strategic sectors such as clean water, energy, telecommunication, education, etc.

The development in Indonesia has even forgotten the fact that public sector, particularly agrarian sector, has been supporting 44% of the national economy and absorb great

members of labour, which should be given bigger consideration. Unfortunately the state budget has mostly been spent on debt payment which amounted to Rp 73.475 trillion, including government salary payment, banking recovery effort, and privatization programs that were much against the will of most of the public. Moreover there were leaks caused by corruption, which caused the budget for public real sectors drastically decreasing and became very insufficient.

The inconsistency of development budget including the strength of the creditor countries' interference has resulted in the worsening of the social economy condition and the narrowing of the people in Indonesia to impartially enjoy the development. The fact resulted in the ever sharpening increase in the level of poverty in Indonesia.

In such condition, the Government of Indonesia kept producing policies that were against the public will, such as the policy of land provision or the revocation of land title by the people for public facilities construction—infrastructures executed through the Perpres 36 year 2005. This policy was merely to guarantee the investment; on top of that the policy was issued after the economy and political agreements in the infrastructure summit 2005.

While the people were suffering, the Government again revoked the subsidy for basic needs such as the refined fuel oil (BBM), and released the price of BBM nearer to the international market price which made the people screamed even more. The direction of the development has taken the opposite way, it has increased the rate of poverty, along with the reduction of public subsidies, the increasing price of public services, the development in Indonesia benefits the elite and those possessing great amount of capital instead of fulfilling the basic needs of the common people. The development phenomena that disregards the poor and themarginalised will not only result in the decreasing of life quality and access to prosperity, but it will also cause a new social impact such as high crime rates, suicidal tendency in the lower class society as well as horizontal conflict.

In the other hand, corporate crime practices executed by big industry during 2005 in Indonesia were in fact increasing. Those crimes were executed through the exploitation

and imbalance in the natural resources sector domination that even reached an extremely dangerous condition to the life and sovereignty of the people. Corporate crime was even more obvious executed through the ways of taking the land and natural resources by force, yet those crimes were supported by the government through the act of allowing it and even the lack of attention given by the government to the corporate actors who abuse local people rights. Until 2003, at least there were 254 plantation conflicts, 148 mining conflicts, 255 HPH/HTI conflicts and 1,753 agrarian conflicts and all those conflicts up until 2005 kept increasing.

To make sure that the development stays in the right track and has the greatest benefit to the fulfillment of human basic rights, we firmly demand the 62nd CHR in :

1. Urging the government of Indonesian goes back to its main function as the provider of public basic services, as well as limiting and controlling the intervention and domination of international institutions including the private sectors.
2. Urging providing space for the people to participate, contribute and enjoy the outcome of the development in all aspects.
3. Urging donor to stop the loan and provide the old debt cancellation to the developing countries minimally in the amount that will help the countries to reach their millennium development goals and to change the debt regime totally by assuring the process of debt crises solution seeking that involves creditor, debtor and independent auditor.
4. Protecting basic needs such as health, education, clean water, energy, and communication against liberalization and privatization.
5. Urging the United Nations once again to organize another discussion on the declaration of Environment and Human Rights which was proposed in 1994.
6. Immediately executing social politic evaluation and international law sanctions for corporate crimes that have been occurring all these time in Indonesia that are causing deprivation to the people of Indonesia, and issuing an appeal for UN to immediately hasten the discussion for the international law and international judicature aspects for the corporate crime actions.

Written by WALHI and HRWG