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## **Independent Assessor - Remark Asia Response to "FPP Assessment of the FSC RF Baseline Assessment Process"**

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### **Prologue**

We acknowledge the concerns raised regarding Remark Asia's work and appreciate the opportunity to clarify our approach. Many of these concerns have been addressed in previous communications, including email exchanges where we provided detailed responses. Given this, the repetition of similar issues in the case study suggests that our prior clarifications may not have been fully considered.

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A statement has been made that “...*the independent assessors have received significant criticism from environmental and social NGOs arguing that the Remedy Framework has not been properly implemented to date.*” However, to date, the only formal criticism received has come from Forest Peoples Programme (FPP), citing Bahtera Alam and YMKL—two NGOs that have never independently submitted formal complaints. In fact, direct communications have been held multiple times, and YMKL even facilitated a highly constructive meeting between the Remark Asia team and NGOs in Balige.

Remark Asia initiated the social and environmental baseline assessment by first discussing the process and methodology with RAPP and FSC in mid-2023. Based on these discussions, we proceeded with the assessment step by step.

The initial phase involved a desk review, conducted at both the Remark Asia office and PT Toba Pulp Lestari (PT TPL) office in Porsea, Toba Regency, North Sumatra, in November 2023. This was followed by the FPIC process in January 2024 and village visits in February–March 2024.

This baseline assessment is just the initial stage of the overall Remedy Framework process, specifically Part 2: Identification of Associated Parties, Impact Areas, and Baseline Assessments of Social and Environmental Harm, as outlined in Chapter 3 of the FSC Remedy Framework. The next steps remain lengthy, as detailed in the official documents.

The case study conducted so far, as stated in FPP’s report, was merely a brief visit by the FPP team, which “*was insufficient to do more than gather an overview and summary of some of the harms suffered.*” Additionally, FPP only visited five villages—approximately 9% of the total affected villages.

As part of a more in-depth study, we have visited 55 villages identified as having potential social harms, a number derived from our analysis of 243 villages surrounding PT Toba Pulp Lestari’s operational areas.

At this stage, conducting case studies seems premature—not only due to time constraints but also because the baseline process itself is still ongoing under the FSC Remedy Framework.<sup>5</sup> For example, Remark Asia spent an average of two days per village engaging with the community—approximately one day for FGD and FPIC processes and another day for a community meeting in the village.

While we will provide feedback on the case study (as outlined in subsequent sections of this report), we believe that as stakeholders in the Remedy Framework process, we need to exercise patience. We must allow all parties—stakeholders, rights holders, Independent Assessors (IA), FSC and Organizations and Third-Party Verifiers (TPV)—to carry out their roles according to the established procedures.

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<sup>5</sup> FSC Remedy Framework, FSC-PRO-01-007 V1-0 EN

In due course, we are confident that all feedback will be considered and accommodated if relevant..

As we understand FSC will initiate the work of the Third Party Verifier to verify various requirements in the baseline phase. Once the TPV work is completed, Remark Asia will be able to identify which aspects require improvement and which have met expectations. Naturally, corrective actions will be taken based on TPV's findings.

As an organization committed to continuous improvement, FSC will undoubtedly consider all stakeholder feedback. We need to allow room for collective learning. The Remedy Framework states that we *"...shall apply continuous learning and improvement principles and practices to ensure and improve implementation."*<sup>6</sup>

Thus, case studies such as this—and any other forms of feedback—should serve as part of an ongoing dialogue, facilitating the exchange and cross-pollination of ideas to find the best solutions and improvements. Remark Asia welcomes this approach wholeheartedly.

We are committed to learning from FPP and others on how to conduct a more effective social baseline assessment. We are also keen to understand how FPP applied FPIC in their case study visits. Despite the brief visits, FPP must have conducted some form of FPIC process before gathering information from the communities. The case study methodology mentions that FPP *"sought permission for each visit."*

What exactly does *"sought permission"* entail? What was the process like? Did it follow FPIC principles, a modified FPIC approach, or was it an entirely different procedure? The *"sought permission"* process is particularly intriguing, and we believe it warrants further discussion. We encourage FPP to include a brief explanation of this process in the case study and provide a more detailed description in the appendix—for the sake of transparency and shared learning.

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## Responding to the Challenges

Let us begin with this statement:

*"The communities visited highlighted that in the social baseline assessment process thus far, there has been: (1) a lack of information-sharing with communities and thus limited transparency around the process; (2) a failure to meet with all communities impacted by APRIL Group concessions, let alone obtain FPIC for the process; and (3) a lack of a practical methodology for accurately documenting all harms to be remedied."*

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<sup>6</sup> Ibid., Part 1: Foundational requirements; 1. Conducive implementation environment Core requirements; 1.1. *The Organization\** or the *corporate group\** shall provide sufficient resources and apply continuous learning and improvement principles and practices to ensure and improve implementation.

## 1. Lack of Information-Sharing with Communities

We fully understand and acknowledge that, among the 62 villages identified as experiencing social harms,

- 55 villages granted us FPIC,
- 6 villages refused FPIC (including Natumingka Village), and
- 1 village was unreachable due to communication difficulties.

If the FPP team visited the five villages included in their case study, their findings would depend heavily on who they met in those villages. In the villages we visited, we always held village meetings attended by both stakeholders and rights holders.

The five villages referenced in the case study are:

1. Natumingka Village – Did not grant FPIC
2. Pondok Bulu Village (Dolok Parmonangan is a hamlet within this village) – 9 participants attended
3. Sabungan Ni Huta IV Village – 27 participants attended
4. Sigala-gala Libonauli Hamlet – Not specifically visited but part of Sabungan Ni Huta IV. Meanwhile, we did not visit Sabungan Ni Huta II Village because, during the document review, we found no relevant data. Additionally, its customary land is located within the administrative area of Sabungan Ni Huta IV Village.
5. Sihaporas Village – 12 participants attended

The name Sigala-gala Aek Napa appears as Dusun 3 (Sigap: an abbreviation of Sigala-gala Aek Napa). Lobu Nauli is Dusun 2 (Lobu Nauli Hamlet). Sabungan Ni Huta IV Village comprises three hamlets:

- Dusun 1 (Adian)
- Dusun 2 (Lobu Nauli)
- Dusun 3 (Sigala-gala Aek Napa)

These hamlets originated from five smaller settlements (huta):

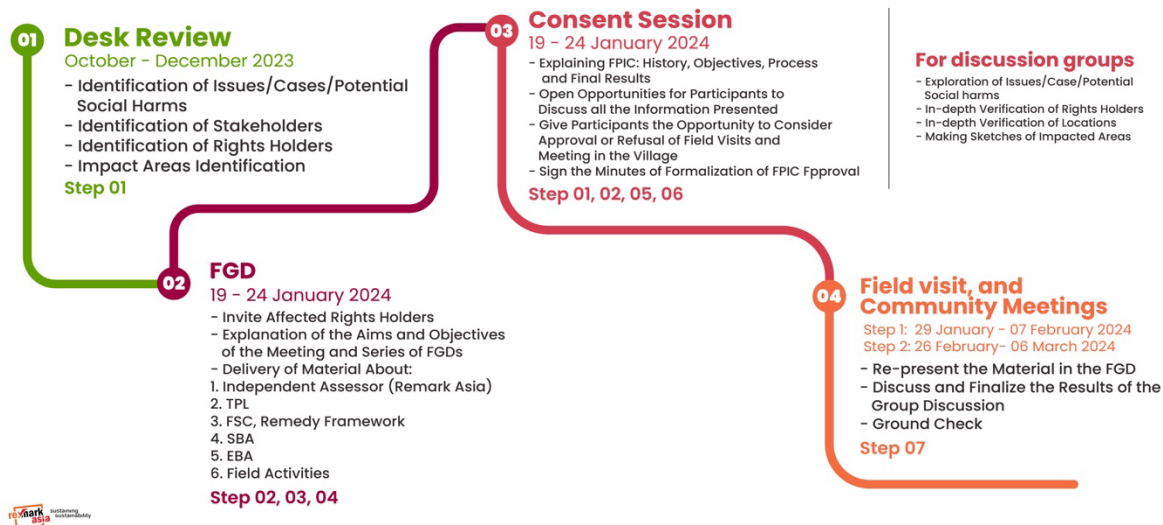
1. Huta Adian Padang
2. Huta Adian Batu
3. Huta Aek Napa
4. Huta Sigala-gala
5. Huta Aek Nauli

We do not precisely know what FPP refers to as *"the Sigala-gala Lobunauli community"*—whether it pertains to the land in these two hamlets or elsewhere. However, Sabungan Ni Huta IV is an administrative village formed by merging multiple traditional settlements (huta).

Before conducting village visits, we held preliminary meetings outside the villages, as part of Phase 02-03: Focus Group Discussions (FGD) (see Figure 1).

### Stages of FPIC Activities

#### (Adaptation of the FSC FPIC Guideline)



**Figure 1. Social Baseline Assessment and FPIC Process**

Information-sharing took place during Phases 02, 03, and 04. Step 01- Step 07 in the Figure 1 indicates FPIC 7 Steps of FSC FPIC Guideline. Below is a list of materials that were presented to participants, both during FGDs and village meetings:

- Introduction and information about Remark Asia, FSC, and PT TPL
- Explanation of the meeting objectives
- Overview of FPIC and its process
- Information on the FSC Remedy Framework and its process
- EBA and SBA activities (objectives, process, schedule, and assessor identities)
- Field activity plans

Through these activities, extensive and transparent information was shared regarding the entire process, including FPIC procedures, the Remedy Framework process, and all stages of the assessment. The PowerPoint presentations used during FGDs provided detailed explanations, including the contractual relationship between Remark Asia and FSC.

If some community members still feel there was a lack of information-sharing, this could be due to differences in who was consulted or limited information-sharing among attendees after the meetings. This is a common challenge, and we recognize the need to explore better ways of ensuring broader dissemination of information in the future.

## Addressing Key Findings from the Case Study

### *Failure to Meet All Communities Affected by APRIL Group Concessions and Obtain FPIC*

This finding is not accurate. We engaged directly with impacted communities in the three villages we visited, which provided key insights into social harms. Regarding FPIC, further details can be found in the relevant section above.

### *Lack of a Practical Methodology for Accurately Documenting Harms to Be Remedied*

We believe that the process outlined in Figure 1 represents a highly practical methodology for identifying social harms. The approach includes:

- Desk review to analyze available documents
- Initial FGDs, incorporating participatory mapping
- Village meetings and ground checks

We acknowledge that there is always room for improvement. For example, participatory mapping could be made more detailed, and a community readiness initiative could be introduced. This initiative would serve as a platform for collective learning, allowing communities to engage more effectively with the Remedy Framework.

## Other Feedback on the Case Study

1. Correct Terminology for Remark Asia  
Please use “Remark Asia” consistently to maintain clarity. We understand that different versions of the name have been used in various documents.
  2. Scope of Assessments  
Remark Asia has conducted a full Social and Environmental Baseline Assessment at PT Toba Pulp Lestari in North Sumatra and has recently been contracted by FSC as the Independent Assessor to complete a Social Baseline Assessment in Kalimantan (North and East Kalimantan). Initially, Hatfield Indonesia carried out the desk review for Kalimantan, after which Remark Asia has been contracted to complete the field verification process. However, Remark Asia has not conducted any assessments in the Riau region.
  3. Overview of Remark Asia’s Assessment Process and Village Findings  
The following sections provide an overview of the process conducted by Remark Asia, along with key findings from the villages mentioned in the case study.
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## **01. Desk Review / Selection Process of Villages and Issues**

The desk review process involved:

- Collecting documents (news, reports, complaint records, conflict documentation, grievance data, etc.)
- Recording cases, affected villages, and rights holders
- Grouping cases and identifying affected villages
- Analyzing village maps around PT TPL
- Reviewing customary land maps, including BRWA maps
- Examining conflict maps
- Reviewing CSR and Community Development (CD) documents

Key Documents Reviewed:

1. AMDAL Reports (1995, 2007)
2. Complaint Reports (2000-2020)
3. RKL and RPL Reports (2018-2022)
4. NGO Reports
5. PHPL Reports (2021, 2023)
6. Scientific Journal Articles
7. SIA Report
8. News Clippings (2000-2020)
9. HCV-HCS Reports (2015, 2016, 2017, 2019)
10. Spatial Data Analysis
11. FPIC Report (2018)
12. Social and Environmental SOPs
13. CSR and CD Reports
14. BRWA Site Records
15. Conflict Documents (2000-2020)

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### **Village Categorization Around PT TPL**

PT TPL operates across five sectors: Mills, Habinsaran, Aek Raja, Aek Nauli, Tele, and Tapanuli Selatan. The surrounding villages are categorized into three rings, which help prioritize Community Development (CD) and Corporate Social Responsibility (CSR) programs.

- Ring 1 (0–20 km from concession): 106 villages
- Ring 2 (21–40 km from concession): 94 villages
- Ring 3 (41–60 km from concession): 43 villages

Following the document review, 62 villages were identified as having 197 cases of social and environmental conflicts, categorized as follows:

- ✓ Communal Land Claims – Land within the concession claimed as customary land by local communities.
- ✓ Private Land Claims – Land within the concession claimed as individual property.
- ✓ Plasma Conflict – Disputes between PT TPL and smallholder plasma farmers.
- ✓ Environmental & Social Impacts – Issues arising from PT TPL’s operations, such as air, water, and infrastructure pollution.

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## 02 – 03. FGD & FPIC Process

Between January 19 and 24, 2024, FPIC meetings were conducted, inviting representatives from 62 villages. Each village was expected to send 5–7 representatives, including:

- Village heads
- Local government officials
- Community leaders
- Traditional elders
- Women’s representatives
- Affected rights holders

Meetings were held at various locations for accessibility. FGDs were attended by multiple villages per session:

Date	Venue	Meetings Held
19 Jan 2024	Balige Beach Hotel	2 Meetings
19 Jan 2024	Sinar Minang Restaurant	2 Meetings
20 Jan 2024	Noah Hotel	1 Meeting
22 Jan 2024	Gorga Café	2 Meetings
22 Jan 2024	Grand Maju Hotel	3 Meetings
23 Jan 2024	Grand Maju Hotel	2 Meetings
23 Jan 2024	Siantar Hotel	1 Meeting
24 Jan 2024	Gedung LMC	1 Meeting

Attendance Summary:

- ✓ 51 out of 62 villages participated.
- ✓ 221 participants (197 men, 24 women).
- ✓ 43 villages provided FPIC consent.
- ✓ 4 villages withheld consent.
- ✓ 4 villages needed further consultations with elders.

Villages That Rejected Visits:

- ✓ Desa Natumingka, Marisi, Sigompul, Nagasaribu I.



✓ Reasons: Some villages did not have unresolved issues with PT TPL, while others requested mediation via Aman Tano Batak, which was unresponsive to Remark Asia's inquiries.

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## **04. Field Visits & Community Meetings**

Field visits occurred in two phases:

1. Phase 1: January 29 – February 7, 2024
2. Phase 2: February 26 – March 6, 2024

Before visits, village representatives were contacted for final confirmation.

- ✓ 55 villages accepted visits.
- ✓ 6 villages refused.
- ✓ 1 village was unreachable due to communication barriers.

### **Key Villages with Land Disputes:**

1. Natumingka
2. Pondok Bulu & Dolok Parmonangan
3. Sihaporas & Ompu Mamontang
4. Sabungan Nihuta II & IV (Sigala-gala Lobunauli)
5. Sabungan Nihuta II (Ompu Ronggur Simanjuntak)

### **1. Natumingka**

During the meeting held at Sinar Minang Balige on January 19, 2024, five representatives from Natumingka Village attended. They reported an ongoing conflict with PT TPL, which has escalated into a horizontal conflict between community members who support and oppose the claims. Due to this situation, the village representatives were unwilling to immediately grant FPIC (Free, Prior, and Informed Consent) for Remark Asia's visit. Instead, they set a condition that Remark Asia must be accompanied or authorized by AMAN Tano Batak, an NGO that has been assisting Natumingka Village.

The village representatives present at the meeting were:

- Kastro Simanjuntak – Village Head
  - Resman Simanjuntak – Community Member
  - Hoddy Simanjuntak – Head of BPD (Village Consultative Body)
  - Marusaha Simanjuntak – Traditional Leader
  - Johannes Simanjuntak – Community Leader
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## 2. Pondok Bulu Village

The FPIC process in Pondok Bulu Village (Nagori Pondok Buluh) was conducted simultaneously with the field visit on January 30, 2024, at the village office, with nine participants in attendance. During this visit, the Remark Asia team provided an explanation of FSC, the Remedy Framework, SBA and EBA processes. After obtaining consent, the session continued with issue identification involving key stakeholders. The Remark Asia team, was in the village from 09:00 to 17:00 WIB to facilitate FGDs and conduct field observations.

### Participants of the FGD in Pondok Bulu Village:

No	Name	Position
1	Albiner Sinaga	Village Head (Pangulu)
2	Binsar Sutonggong	BPD Representative
3	Eko Boy Simbu	Community Member
4	Herman Doso Siallagan	Kadus V "Dolok Parmonangan"
5	Jeremias Sidabutar	Kadus IV
6	Tenny Hutasoar	Women's Representative
7	Liberti Tambunan	Community Member
8	Harry Nninggolan	Community Member
9	Bona Sinaga	Community Member (Dusun I)

### Land Conflict in Dolok Parmonangan Hamlet, Pondok Bulu Village – The Case of Ompu Umbak Sialagan

According to village representatives, land disputes in Dolok Parmonangan Hamlet (Dusun 5) have been ongoing since 2018. A group of residents, descendants of Ompu Umbak Sialagan, claim to be part of the Toba indigenous community and descendants of Raja Ompu Umbak Sialagan.

- In 2018, after PT TPL harvested eucalyptus in the area, 11 families from Ompu Umbak Sialagan took over 30 hectares of land and cultivated crops.
- Later, descendants from Nagori Tanah Jawa, Sidamanik, and Sihaporas claimed an additional 600 hectares as part of their ancestral land.
- In July 2023, 21 families from Ompu Umbak Sialagan felled 50 hectares of eucalyptus (C001), claiming it as their customary land.
- PT TPL attempted mediation, but no resolution has been reached.

Dolok Parmonangan Hamlet, Pondok Bulu Village, has been identified as one of 28 villages with potential social harm and has been included in the Remedy Plan.

### 3. Sihaporas Village

The field visit to Sihaporas Village (Nagori Sihaporas) took place on January 29, 2024, following FPIC approval. The visit involved data collection, ground checks, and FGDs, facilitated by Sri Alem Sembiring and Thomas Oni Viresa. The activities were conducted at the Sihaporas Village Hall from 09:00 to 15:00 WIB, with 12 participants in attendance.

#### Participants of the FGD in Sihaporas Village:

No	Name	Position
1	Jaulahan Ambarina	Village Head (Pangulu)
2	Hotman Sinaga	BPD Representative
3	Maritot Simamora	BPD Representative
4	Robikison	Community Member
5	Hotman Ambarita	Community Member
6	Charles Siallagan	Community Member
7	Anton Ambarita	Community Member
8	Marura Ambarita	Gamot (Traditional Leader)
9	Arianto Ambarita	Financial Officer
10	Adar Napitulu	Government Officer
11	Tonggoraja Siallagan	Community Member
12	Baida P Miande	LPMN Representative

#### Case based on stakeholder accounts:

The FGD process in Nagori Sihaporas on January 29, 2024, identified several key issues that are detrimental from the community's perspective, namely:

1. Land conflict between a group of Nagori Sihaporas residents and PT. TPL since 1998.
  - The land conflict involves a claim to customary land by a group of Nagori Sihaporas residents who identify themselves as descendants of Ompu Mamontang Laut Ambarita.
  - Some FGD participants believe the issue began during the Reformasi era in 1998, as prior to that, there had been no claims to customary land from any group in Nagori Sihaporas.
  - Approximately 50 households (KK) are making the customary land claim on behalf of Nagori Sihaporas. However, attending participants stated that they are not part of this claimant group. They suggested that the group should not claim the land in the name of the entire village but limit it to their own community.
  - The Pangulu (village head) and other participants were unsure of the exact size of the land being claimed.

- FGD participants mentioned that the claimant group is being assisted by "external parties"(without specifying who), and this claim has tarnished the village's reputation, as outsiders may assume all residents support the claim.
- 2. Areas claimed by the 50 households have local names, including:
  - Tiga Siholi-holi, Sigumpar, Batu Sidua-dua, Simarsik-marsik, Adian Koting, Simatanihutting, Sijambak Bair, Harangan Sijabat, Simeringga, Sibangbang, Parrahoddin, Gorak, and several others.
  - All these farming areas are administratively part of Nagori Sihaporas and fall within PT. TPL's concession.
- 3. FGD participants acknowledged that while the customary land claim issue needs to be documented, resolving it will take a long time, as it has persisted since 1998 and remains unresolved as of January 2024.
- 4. Dynamics of the land claim movement:
 

The Pangulu and FGD participants described fluctuating intensity in the land claim movement—sometimes "hot" (active) and other times "cold" (dormant). They outlined three phases:

  - 1998–2003 (Hot phase): Aggressive movement, protests, and heavy media coverage.
  - 2004–2018 (Cold phase): Fewer actions or demands related to the claim.
  - 2018–2024 (Hot phase again): Resurgence of protests and online media attention.
- 5. Historical background of Nagori Sihaporas:
 

Facilitators explored the village's history in relation to the land claim. Participants described three settlement phases:

  - Phase 1: First-generation settlers from the Ambarita clan (allegedly from Samosir, where a village named Ambarita exists) established Huta Sihaporas Bolon.
  - Phase 2: Population growth led to the formation of Sihaporas Bayu.
  - Phase 3: A new group created Lumban Ambarita (now Dusun 5).  
In 1975, Sihaporas Bayu split into two settlements.
  - The three phases involved relatives from the Ambarita clan. FGD participants noted that tensions began after Lumban Ambarita was formed, though daily life remained mostly unaffected.
  - The village was originally opened by two main clans: Ambarita and Manik, with each clan founding different hamlets.
- 6. Administrative changes:
  - In 1975, Nagori Sihaporas was part of Nagori Jorlang Hataran, Siantar District, Simalungun Regency.
  - In 2004, Nagori Jorlang Hataran split into three villages:
    - The parent village retained the name Nagori Jorlang Hataran.
    - The other two became Nagori Sihaporas and Nagori Gorak.
- 7. Affected parties:
  - Affected right holders: The 50 KK from the Ompu Mamontang Laut Ambarita community.
  - Impacted right holders: All residents of Nagori Sihaporas.
- 8. PT. TPL's records:

- The claimed land by the Ambarita community is 0.41 hectares, located within PT. TPL's concession in Nagori Sihaporas.
- Under SK Kemenhut No. 579/2014, 1,500 Ha of farmland and 500 Ha of settlements in Sihaporas were designated as part of the forest register area in 2018.

9. Case assessment:

- Initially, the Sihaporas case was flagged as having potential for social harm during screening and triangulation.
- However, it did not escalate into a social harms case.
- The unilateral claim by the Ambarita group has been opposed by the Simalungun indigenous community, where the claimed land is located.

Meanwhile, Dewan Pimpinan Pusat/Presidium Partumpuan Pemangku Adat Budaya Simalungun/Central Leadership Council/Presidium of the Custodians of Simalungun Customary Culture (PPAB-Simalungun) sent a Letter to the President of the Republic of Indonesia in January 2023.<sup>7</sup>

The letter states that, as the official representative of the Simalungun ethnic community, the organization plays a role in safeguarding, advocating for, and asserting the historical and cultural rights over Simalungun customary land (*tanah ulayat*) in Simalungun Regency, North Sumatra.

The existence and claims of PPAB-Simalungun regarding customary land are based on the long history of ownership and management by the Simalungun kingdoms, such as Nagur, Siantar, Panel, Silau, Tanoh Jawa, Raya, Purba, and Silimahuta. Historically, land in this region was controlled by local kings who were responsible for the welfare of their people. This ownership is not only rooted in historical aspects but has also been examined in a Forum Group Discussion (FGD) involving the regency government on December 10, 2022. The discussion affirmed that rights over customary land in Simalungun belong exclusively to the heirs of the Simalungun kingdoms and the indigenous Simalungun clans, who meet the following criteria:

1. Subject: Indigenous communities with Simalungun linguistic and clan identities.
2. Object: Customary land, including *partuanon* (royal authority land) and *galunggung* (royal family communal land).
3. Subject-object relationship: A historical connection between the community and the inherited customary land.
4. Lineage-based territoriality: Customary land rights can only be claimed by descendants of the Simalungun kingdoms and indigenous clans.
5. Regulatory need: A Regional Regulation (Perda) is required to legally recognize and protect the rights of Simalungun customary law communities.

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<sup>7</sup> Dewan Pimpinan Pusat/Presidium Partumpuan Pemangku Adat Budaya Simalungun (PPAB-Simalungun), Januari 2023. Nomor: 07 /DPP-PPAB.Simalungun/ST/I/2023, Hal: **Penegasan Tanah Ulayat Tanah Adat Simalungun**

PPAB-Simalungun also strongly rejects the customary land claim made by the descendants of Ompu Mamontang Laut Ambarita in Sihaporas Village. This rejection is based on several fundamental reasons, including:

- The Ambarita clan is not part of the Simalungun ethnic group or its historical kingdoms.
- There is no historical evidence proving that the Ambarita clan ever owned or managed customary land in Simalungun.

Based on these arguments, PPAB-Simalungun urges the government and policymakers to ensure that all regulations concerning customary land in Simalungun Regency align with the criteria and principles established by PPAB-Simalungun. Additionally, the organization calls on other institutions and organizations to:

- Respect the natural and cultural rights of the indigenous Simalungun people.
- Honor the customary governance system passed down through generations.

The letter underscores PPAB-Simalungun's commitment to protecting the integrity of Simalungun's customary heritage while seeking formal recognition from state authorities.

The land claim by the Ambarita clan has been contested by the Indigenous Simalungun community. Until the dispute is resolved, potential social harms linked to the claim cannot be definitively assessed.

### **Conflict Resolution & Next Steps**

This case presents a dispute between two opposing parties. The claim by Ompu Mamontang Laut Ambarita descendants is contested by the Simalungun Indigenous Council (PPAB-Simalungun)..

### **4. Sigala-Gala Lobunauli, Sabungan Ni Huta IV Village**

According to FGD participants, the main issue currently faced by the community is land claims from neighboring villages asserting that PT TPL's concession area within Sabungan Ni Huta IV belongs to their customary land.

1. Residents from Sabungan Ni Huta II claim the land on behalf of the descendants of Op. Ronggur Simanjuntak.
2. Residents from Sabungan Ni Huta V claim the land on behalf of the descendants of Op. Bolus Simanjuntak.

These two communities cultivate land recently harvested by PT TPL within the company's concession area, specifically in Aek Napa Hamlet, Sabungan Ni Huta IV Village. Additionally, a wakaf (Islamic endowment) cemetery in Aek Napa Hamlet has also been occupied and farmed by the descendants of Op. Ronggur Simanjuntak.

The land claim dispute in Sabungan Ni Huta IV (Dusun Sigap or Sigala-Gala Aek Napa) involves actors from two neighboring villages, namely:

- The descendants of Op. Ronggur Simanjuntak from Sabungan Ni Huta II.

- The descendants of Op. Bolus Simanjuntak from Sabungan Ni Huta V.

In 2023, a new group within Sabungan Ni Huta IV Village, calling themselves the "Descendants of Op. Baginda Raja Simanjuntak", began claiming the land. They have also occupied recently harvested land within PT TPL's concession and have erected a sign declaring:

*"This is the Customary Land of the Descendants of Op. Baginda Raja."*

This new community group was formed after the latest village leadership succession in 2023 and has since been asserting customary land claims in Huta Napa, Sabungan Ni Huta IV Village.

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## 5. Ompu Ronggur, in Sabungan Ni Huta II and IV Villages

FPIC Process in Sabungan Ni Huta IV was conducted on Saturday, January 20, 2024, at the Noah Hotel Meeting Room in Siborong-borong, North Tapanuli Regency. Five village representatives participated.

### Participants from Sabungan Ni Huta IV in the FPIC process:

No	Name	Position
1	Darton Simanjuntak	BPD Representative
2	Partomuan Simanjuntak	Village Head
3	Alinton Simanjuntak	Community Leader
4	Sondang Simanjuntak	Traditional Leader
5	Eduard Simanjuntak	Village Administration

### Village Visit Process

The village visit took place on February 6, 2024, with FGD sessions conducted inside the HKBP Church in Huta Aek Napa, Sabungan Ni Huta IV Village. The Remark Asia team arrived at the village at 09:30 and stayed until 15:30 WIB to conduct FGD discussions and ground checks, facilitated by Sri Alem Sembiring and Tatang R.

### Participants in the FGD at Sabungan Ni Huta IV Village (27 participants):

No	Name	Position
1	Partomuan Simanjuntak	Village Head
2	Masinetty Rajagukguk	Community Member
3	Jevri H Simanjuntak	Village Secretary
4	Sondang Simanjuntak	Community Member
5	Matolop Simanjuntak	Community Member
6	Manumpak Juntak	Community Member
7	Soaloon Tambunan	Community Member
8	Jonhenri Simanjuntak	Community Member
9	Solikin Simanjuntak	Community Member

No	Name	Position
10	Paber Simanjuntak	Village Officer
11	Dimpu Tambunan	Community Member
12	Parlindungan Simanjuntak	Community Member
13	Simanjuntak Partogi	Community Member
14	Ruddin Simanjuntak	Community Member
15	Tambok Tambunan	Community Member
16	Tiarma Tambunan	Community Member
17	Rosmauli Hasugian	Community Member
18	Gonggom Simanjuntak	Community Member
19	Ronal Simanjuntak	Community Member
20	Sartono Pasaribu	Community Member
21	Jobok Simanjuntak	Community Member
22	Budiman Simanjuntak	Community Member
23	Jasmen Simanjuntak	Community Member
24	Adi Santoso	Community Member
25	Horas Sormin	Community Member
26	Maruba Simanjuntak	Community Member (Aek Napa)
27	Darton Simanjuntak	Community Member (Aek Napa)

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## Land Conflict in Sabungan Ni Huta IV & II Villages

1. Customary Land Claims in Huta Napa by Three Communities
  - Descendants of Op. Ronggur Simanjuntak (Sabungan Ni Huta II)
  - Descendants of Op. Bolus Simanjuntak (Sabungan Ni Huta V)
  - Descendants of Op. Baginda Raja Simanjuntak (Sabungan Ni Huta IV)

Two Phases of Land Claims:

a) 1990s:

- Land claims in Huta Napa by two communities from different villages:
  - Sabungan Ni Huta V (descendants of Op. Ronggur Simanjuntak)
  - Sabungan Ni Huta III (descendants of Op. Bolus Simanjuntak)
- Total claim: 2,608 hectares, part of which overlaps PT TPL's concession.

b) 2023:

- A new land claim emerged from Sabungan Ni Huta IV residents, forming the "Descendants of Op. Baginda Raja Simanjuntak" community.



- They occupied land recently harvested by PT TPL and erected a sign declaring it their customary land.
2. Decrease in Aek Nalas River Flow
- The Aek Nalas River is the primary water source for Lobu Nauli and Sigala-Gala Hamlets.
  - Since 2022–2023, the river’s water levels have significantly decreased.
  - Community members believe eucalyptus plantations within PT TPL's concession near the riverbank contributed to the water depletion.

### **Potential Horizontal Conflict in Sabungan Ni Huta IV & II**

The village is now at risk of escalating tensions due to overlapping land claims from three different Simanjuntak descendant groups.

- The Descendants of Op. Ronggur Simanjuntak (Sabungan Ni Huta II)
- The Descendants of Op. Bolus Simanjuntak (Sabungan Ni Huta V)
- The Descendants of Op. Baginda Raja Simanjuntak (Sabungan Ni Huta IV)

Each group has begun cultivating land that was recently harvested by PT TPL, leading to growing disputes over ownership and potential horizontal conflicts between the different factions. Mediation or conflict resolution mechanisms will be crucial to prevent further escalation.

\*\*\* End of Document\*\*\*

