

Police reported to Komnas HAM over land dispute

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An ongoing land dispute between the Jakarta Police and residents of a neighborhood in Kapuk Pogljar, Cengkareng, West Jakarta, resulted in the former being reported to the National Commission on Human Rights (Komnas HAM) on Wednesday.

The dispute over around 15,900 square meters of land began after the police, who plan to build a police dormitory in the area, issued an eviction notice to residents of neighborhood unit 007, community unit 04.

According to the neighborhood head, Encu Sunari, the land had been inhabited by local residents since the 1980s.

The landowner, Ema Sarijah, endowed the land to those residing on it in her will. However, the local residents only hold a joint *girik* (customary land appointment) certificate.

The Jakarta Police claimed ownership of the same plot of land with a *girik* certificate in 1997.

"The police claimed they also held a *girik* [certificate] just like us," Encu said at the Komnas HAM office in Menteng, Central Jakarta.

The local residents were assisted by the Jakarta Legal Aid Institute (LBH Jakarta) in filing the report.

On Sept. 17, 2016, the Cengkareng Police invited the Kapuk Pogljar residents to a meeting to announce that the Jakarta Police would use the land to build a police dormitory. The police said they promised that they would come up with a win-win solution for both parties.

However, the residents received an eviction notice on Oct. 11, 2017, followed by a second notice on Oct. 28. They received a third notice on Dec. 23 and were given 15 days to leave their houses.

Encu said the police had also put up banners in the area on Jan. 6, 2018, telling residents to immediately leave the area because the

eviction would take place on Feb. 8.

According to Yunita, a Kapuk Pogljar resident, ever since they received the eviction notices, the residents have also been intimidated by the police.

"They came to our neighborhood carrying weapons [...] to make themselves look terrifying. Why would they do that?" she said.

Responding to the allegations, Jakarta Police spokesperson Sr. Comr. Argo Yuwono said the police held an ownership certificate of the disputed area.

"The civil court had also ruled that the Jakarta Police are the rightful owner of the area in 2017," Argo said as quoted by *tribunnews.com*.

He added that, at that time, the residents did not challenge the ruling.

"Even though they have resided in the area for years, they only hold a certificate on the transfer of land management. That's why we challenged it [in court]," Argo said.

LBH Jakarta public defender Charlie Albajili claimed the police only held a right to use certificate (SHP), which had less power than the *girik* certificate and a time limitation.

"In this case, if someone wants to use an SHP to claim a plot of land that belongs to another person with a *girik*, that person has to make sure that the *girik* holder gives them permission to do so," Charlie told *The Jakarta Post*.

The police had yet to discuss the issue with the local residents, Charlie claimed.

Nurjaman, a Komnas HAM investigation and monitoring department staff member, said his institution would contact the police to postpone the eviction until the dispute is resolved.

"They have to follow the proper procedure to carry out the eviction. They should not forget the human rights aspect of this issue," he said, adding that he promised that his institution would look into the matter immediately. (dpk)