



HOUSING AND LAND RIGHTS NETWORK

Habitat International Coalition

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Dear Madam Tibaijuka:

The Housing and Land Rights Network of Habitat International Coalition is shocked, nonplused and dismayed at the news the UN Habitat has awarded Governor Sutiyoso and the Jakarta Metropolitan City with the Scroll of Honor for achievement in "improving slums and building new infrastructure to create an inclusive, cosmopolitan city." Considering the values and good practices that UN Habitat promotes, this latest development stands out as a majestic contradiction.

Lieutenant General (ret.) Sutiyoso, both as former military commander of Jakarta and current governor, holds a dismal record for systematic assaults on the urban poor within his jurisdiction. He has become notorious for promoting and conducting violent evictions of the urban poor and confiscating their means of subsistence in order to make Jakarta "a clean, orderly and competitive city." Governor Sutiyoso has explained his support for evictions "to give the people a lesson to respect the law, as legal certainty is one of the major concerns of investors in the capital."¹

In December 2003, some 800 protesters demanded the government stop eviction/confiscation and fulfill the rights of the urban poor in Jakarta. In response, he boasted that such protests would not deter him from continuing such "law enforcement" in Jakarta. However, this particular brand of governance and law enforcement violates minimum norms of civility, not least of which include the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

Gen. Sutiyoso's objective lies in privatizing Jakarta's public resources² and confiscating lands occupied by the poor (no matter how long their tenure) and transferring them to dubious claimants of title for purposes of private gain.³ This process is widely reported also to engage a chain of bribery and corrupt practices in the transfer of these titles.⁴ As a further indicator of Mr. Sutiyoso's governing style, he has advocated the repression of dissenters and human rights defenders, notably calling for the arrest of Wardah Hafizh of the Urban Poor Consortium.

In addition to his manifest contempt for the impoverished and vulnerable citizens of Jakarta, Governor Sutiyoso's contributions to Indonesia's political culture are far short of laudable. Among the indications is his disastrous role in the chain of command that oversaw the brutal 27 July 1996 takeover of the Democratic Party office and the following days of rioting and destruction.⁵

The victims of the Jakarta governor's legacy of evictions still have no alternative shelter. Some hundreds of families are still living on a boat in Kali Adem, and hundreds more people have remained in the area of previous evictions in Jembatan Besi, Tanjung Duren, and Cengkareng

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Timur. The tragic 7 December 2003 fire in the Damai Kampung slum in Penjaringan, North Jakarta, also has swollen the number of the officially despised poor and homeless Jakartans in need of a solution.

Together with the victims and under the authority of public international law, we continue to demand that the Indonesian and Jakarta governments fulfill their obligation to ensure respect, protection and fulfillment of adequate housing as a human right, among other economic, social and cultural rights. As immediate mandatory steps, the Jakarta government must (1) desist from further evictions without the proper minimum safeguards that are provided in the UN Committee on Economic, Social and Cultural Rights General Comment No. 4, and (2) ensure remedy for the destruction of victim's own property, investments and livelihoods.

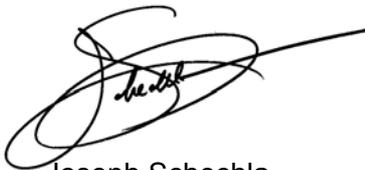
Bestowing the Scroll of Honor to Gen. Sutiyoso and Jakarta Metropolitan City is puzzling to us as active members of civil society generally supporting the efforts of UN Habitat to improve living conditions. Not least, it leaves us wondering how elevating a symbol of urban hoodlumism, corruption and impunity to the 2005 Scroll of Honor could ever be reconciled with UN Habitat's campaigns on Good Urban Governance and Secure Tenure, the Advisory Group on Forced Evictions and UN Habitat's joint Housing Rights Programme (with OHCHR).

If UN Habitat is to promote cities without slums and any serious progress toward realizing MDG 7, Target 11, it also must promote the human right to adequate housing and its corresponding state obligations. We encourage UN Habitat to reject the apartheid model of urban development and rural neglect and, instead, to recognise people's processes and social production of inclusive, democratic and sustainable habitats within a human rights framework.

The choice of Maj. Gen. and Governor Sutiyoso for a UN Habitat commendation is contrary to these values and to the image that UN Habitat should project to both governments and civil society as an agent of enhanced civilization in our planet's human settlements. We urge you and your colleagues to reconsider this unconscionable choice, restore the institutional integrity of UN Habitat and rescind the Scroll of Honor award from Gen. Sutiyoso and Jakarta Metropolitan City.

We remain committed to following up this matter, and look forward to learning of your progress in correcting this error and the harm that it has caused.

Please be assured of my highest consideration,



Joseph Schechla
Coordinator

References:

- ¹ "House Hearing with Governor Sutiyoso Turns Farcical," *The Jakarta Post* (19 December 2003), at: http://www.indonesia-house.org/focus/HumanRights/2003/12/121903House_hearing_with_Sutiyoso.htm.
- ² Tony Clarke and Maude Barlow, "Global Water Lords: How transnational water corporations are commodifying the earth's water for profit," Polaris Institute, at: http://www.polarisinstitute.org/pubs/pubs_blue_gold_ch5.html.
- ³ Ralph Peters, "Also Known as Indonesia: Notes on the Javanese Empire," *The Center For Emerging Threats and Opportunities*, p. 10, at: http://www.au.af.mil/au/awc/awcgate/usmc/ceto/indonesia_report_march_31_2002.pdf.
- ⁴ "World Bank Aims to Tackle Corruption, Poverty," *Laksamana* (4 December 2003), at: <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan014270.htm>. See also Asian Coalition for Housing Rights website www.achr.net, http://www.achr.net/jakarta_achr.htm and <http://www.achr.net/indonesia.htm>.
- ⁵ "Bizarre Political Chess Behind Sutiyoso Victory," *Politics and Human Rights*, at: <http://www.indonesia-house.org/PoliticHR/impunity/Sut-dki091302.htm>.