

Indonesia: Statetement against Job Creation Omnibus Law

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STATEMENT:

CONFEDERATION OF INDONESIAN PEOPLE'S MOVEMENT (KPRI)

President Must Revoke Job Creation Law! Issued Government Regulation in Lie of Law Immediately!

Build an Alternative Political Party from the Unite Multi-Sector People's Movement!

Greetings for all comrade in fairness, equal and prosperous within!

The approval of the Job Creation Omnibuslaw by the Indonesia House of Representatives (DPR-RI) on October 5, 2020 evoke the brush-off voices by a student, workers, farmers, fishermen, indigenous peoples, women and others marginalized groups, were their voices are not heard by the parliament representatives, and the central government. The drum of resistance was getting stronger of the Job Creation Bill has been voiced by various groups in the society for months.

A series of large protests were held, starting from groups of workers, farmers, indigenous people, fishermen, women and students, scattered in cities and districts in Indonesia. Mass protests that took place in several cities were marked by arrests by security forces, accompanied by violence. Thousands of people were detained, injured, and some of the people missing were not identified. During the detention process, the security forces refused to give access to parents and legal representatives to meet the detained persons.

The sound waves of resistance of the Omnibuslaw Job Creation need to be understood because there many problems in the drafting process that violate the provisions of the constitution, the substance is chaotic, until after it is approved, this bill has undergone many improvements afterwards. The process is carried out in a closed manner for the society participation, in the midst of a health crisis due to the Corrona pandemic. A total of 127 members of the Omnibuslaw Job Creation task force were dominated by politicians and capitalist. So, do not be strange if the public accuses the existence of malicious schemes behind the discussion of this bill, that only benefiting of a few people as capital worshipers.

The Job creation bill are hidden to the public, one of the Omnibus Law Task Force stated that they were required to keep the Omnibus Law draft confidential to the public in January 2020. Even, the National Human Rights Commission requested the draft to the Coordinating Minister for Economic Affairs were not responded. The public can only get a limited access of public information, after the government submitted a Presidential Letter as well as an academic paper and the draft Job Creation bill to the Indonesia parliament on February 12, 2020.

Besides the drafting process that closes the space for public participation. It is also very problematic in substance. The drafting process applies capital "at one sweep" by amending 79 sectoral laws at once, with 1,244 articles, which impact the recognized and protected rights of the Indonesian people. With the breadth of substance in the Omnibuslaw Job Creation Bill, the basis and direction

should be placed in the interests of the wider community. But the reality is that the draft work creation bill tends to protect and prioritize the interests of investment and capital owners, rather than protecting the rights of marginalized groups, laborers, farmers, indigenous peoples, fishermen, and women. On the contrary, the existence of this Omnibuslaw Job Creation Bill will put people more vulnerable, at risk and continue to be oppressed.

In the workforce sector, the Omnibuslaw Job Creation Bill has the potential to reverse the fulfillment and protection of the right to work, and guarantee a decent life. Some examples of these setbacks can be seen in the provisions stipulated in the Omnibuslaw Job Creation Bill, such as restrictions on work that can be done in contract work agreements, loss of rights for annual leave, maternity leave, menstruation and wages that are fully determined by the regional government authority through the Governor without involvement labor representatives, and ignore wage councils.

This condition will increase the number of industrial relations disputes between workers and companies. The National Human Rights Commission noted that in the period 2015-2019, there were 2,813 reports of alleged human rights violations by corporations. A total of 213 are related to violations of the right to work and the guarantee of a decent life, including not being given normative rights such as wages, unilateral layoffs, and obstruction of trade union activities.

Meanwhile, in the environmental and land aspects, the Omnibuslaw Job Creation Bill raises a very significant problem. Among them are the elimination of environmental permits for business activities, allowing the delegation of environmental feasibility tests to be carried out by private parties, and reducing public participation in the preparation of environmental impact analysis documents, and eliminating the position of the Environmental Impact Analysis Assessment Commission. These provisions are regulated in the Omnibuslaw Job Creation Bill only to facilitate investment enter to Indonesia. Without considering the major impact on the sustainability of life of indigenous peoples, peasant, farmers and fishermen. This Omnibuslaw Job Creation Bill also has the potential to cause loss of corporate responsibility in managing and protecting life, with a change in the concept of absolute liability (strict liability), for example, it will eliminate corporate responsibility in overcoming forest and land fires in its concession areas.

The other things that also have an impact as a result of the passage of the Omnibuslaw Job Creation Bill, potentially raised forced evictions, the threat of food sovereignty, and worsening land and groundwater inequality and access. This further shows that the Omnibuslaw Job Creation Bill is a threat to the rights of citizens which should be protected by the state in accordance with its obligations.

Based on the fact considerations, the Indonesian People's Movement Confederation (KPRI) stated:

1. Urge President Joko Widodo to issue a Government Regulation in Lieu of Law (Perppu) to remove the enactment of the Omnibuslaw Job Creation Bill;
2. Urge President Joko Widodo to order the Indonesian National Police Chief (KAPOLRI) to protect the rights of citizens to express public opinion, and to stop arrests and violence against protesters.
3. Build unity among multi-sector people's movement organizations to build alternative political forces to counter Neoliberal policies;
4. Build unity and solidarity for all elements of the people to create sovereignty, independence and prosperity for the Indonesian people.
5. Call for international solidarity support to support the movement of the Indonesian people from the threat of sustainability to the right to life, guarantees of protection and security of expression,

and guarantees of decent life as a result of the Omnibuslaw Job Creation bill.

Jakarta, October 21, 2020

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