

Press release

The Minister of Public Works and Public Housing (PUPR) Takes Appeals After Losing Information Disclosure Lawsuit on Water and Sponge City Project for The New Capital City Against JATAM East Kalimantan

(Jakarta-Samarinda, May 4th 2024) The Minister of Public Works and Public Housing of Indonesia, Basuki Hadimoeljono alongside with the legal authority Kety Filaily S.Sos, M.Si and seven other lawyers had just fill appeal or objection lawsuit to State Administrative Court in Jakarta, April 2nd 2024 with case number 131/G/KI/2024/PTUN-JKT. Those appeal or objection is directed to the verdict of Information Center Committee (KIP) with case number 011/II/KIP-PSI-A/2023 that were decided on March 4th 2023.

The Verdict of Information Center Committee (KIP) has won and granted JATAM East Kalimantan's lawsuit against the Minister of Public Works and Public Housing (PUPR) Basuki Hadimoeljono, in its verdict, the Commission Council stated that it partially fulfilled some of JATAM East Borneo's lawsuit. Such as, information about the copy of the principle approval document regarding the construction of dam and intake water projects in Sepaku Semoi, North Penajam Paser Regency, East Kalimantan and also a copy information of the identity document for the construction of the big water dam design, a copy of the approval in principle for the permit, and the Environmental Impact Analysis Documents (AMDAL/EIA).



The others is such as copies of technical documents for the construction of the Sepaku Semoi dam, the intake water dam and transmission pipeline network for the Sepaku Semoi River, are still kept secret and hidden by the PUPR Minister on the pretext of violating intellectual property rights and creating unhealthy business competition. JATAM East Kalimantan's previous information lawsuit contained a request for information on a total of seven documents or data related to the Sepaku semoi dam water projects and the Sepaku river intake dam, namely:

1. Copy of the Technical Document for the Construction of the Sepaku Semoi Water Dam, North Penajam Paser Regency
2. Copy of Technical Document for Development of Intake Infrastructure and Transmission Pipeline Network for the Sepaku River, North Penajam Paser Regency
3. Copy of Administrative Requirements Document: Water Dam Construction Identity (In accordance with Minister of PUPR RI Regulation No. 27/PRT/M/2015 concerning Dams)
4. Copy of Document for Application for Permit to Use Water Resources for the Sepaku Semoi Dam (In accordance with the Regulation of the Minister of PUPR of the Republic of Indonesia No. 27/PRT/M/2015 concerning Dams)
5. Copy of the Principle Approval document for the Construction of the Sepaku Semoi Dam (Article of the Republic of Indonesia PUPR Ministerial Regulation No. 27/PRT/M/2015 concerning Dams)
6. Copy of the Environmental Impact Analysis (AMDAL/EIA) Document for the Construction of the Sepaku Semoi Water Dam, North Penajam Paser Regency
7. Copy of the Environmental Impact Analysis (AMDAL/EIA) Document for the Construction of Water Dam Intake Infrastructure and Transmission Pipeline Network for the Sepaku River, North Penajam Paser Regency

This lawsuit process has been going on for almost 1.5 years since it was first registered by JATAM Kaltim on 17 October 2022 until now, and has again faced obstacles in the form of appeals and objections from the PUPR ministry.

This hidden data and information on water projects has become the basis for the government to claim that the new capital city will be an ideal city with Smart, Forest City and Sponge City principles. Through this “go-green lie movement”, the government claims to implement 100% clean energy and low carbon energy sources to achieve the target of 100% renewable energy installations and Net Zero Emissions by 2045. The government also uses the term sponge city as an excuse to face criticism over the threat of water crisis in the landscape around the new capital city, Ibu Kota Nusantara, shorten as IKN, Bappenas (National Development Plan Body of Indonesia) claims this concept is to restore the natural cycle of water, by harvesting water to increase water availability, reduce the danger of flooding, and preserve ecology for climate goals. The IKN Authority Body (OIKN) is collaborating with Deltares, a consulting company from the Netherlands and also supported by the Asian Development Bank (ADB)ⁱ.

JATAM East Kalimantan has also met and conveyed the findings of alleged human rights violations and information crimes with the Deputy Minister of Foreign Economic Relations of the Netherlands, Michiel Sweers on April 26th 2024 in Balikpapan when the Dutch government group visited IKN.



This Mega construction of water projects include building dams, intakes, river pipe transmission and flood management projects, packaged under the name of the Sponge City project, each of which was built on a river flow area (DAS) in the Sepaku area. The Sepaku Semoi Dam is located on a river span of the Mentoyok River or what is often called the Tengin River and the Sepaku Intake is built on a river span of the Sepaku River. However, in reality, the water harvesting that will be carried out by these projects is nothing more than civil engineering manipulation of knowledge to seize, expel and destroy in every aspect such as social, economic and cultural interactions between the river and the Balik Tribe community.

Throughout their history of living along the Sepaku River, this potentially can cause damage to the Sepaku community. Dozens of Balik tribal families lost access to the river. It can be shown on how is difficult for them to get water to fulfill daily needs, from getting the water free from the river, now must change to buy water gallons, and to make it worst, the family has to wait for water distribution from the dam project contractor.

Adding to that, this does not include the destructive damage that has been caused by the construction of the Sepaku-Semoi dam on the Tengin River. The community was even forced to move around 35 ancestral graves of the Balik tribe which had been there for 200 years. The company treated these tombs like goods that could be bargained for and bought.

Therefore, the information lawsuit won by JATAM East Kalimantan shows that the Smart, Forest and Sponge City concepts are planned to hide the public information. Hiding information about the Sepaku-Semoi Dam Project and the Sepaku Intake which is part of the new capital city project is a crime that should not be committed by the PUPR Ministry in starting a project that is intended for the public interest and comes from public funds. This crime is also a scandal against transparency and global accountability and shows that the process of the New Capital mega project began with a Public Information Crime.

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ⁱ <https://ikn.go.id/storage/press-release/2023/20230906.siaran-pers-solusi-berbasis-alam-untuk-bangun-kota-spons-ikn.pdf>