

JUDGMENT

In regards to Demurrer / Motion to Dismiss

- Reject entirely demurrer by the Defendant

In regards to Provisional Measure

- Reject entirely provisional request by the Plaintiff

In regards to Merits

1. Partially approved Plaintiff submissions;
2. Declared the **DEFENDANTS** have committed Tortious Act;
3. Sentenced **DEFENDANT 1** to publish Implementing Regulation on Law No 32 of 2009 concerning Protection and Preservation on the Environment, which is imminent in protecting and conserving forest field and forest wildfire, by including community participation, *inter alia*:
 - Government Regulation concerning procedures on arrangement on the coverage and supportive measures on environment;
 - Government Regulation concerning quality standards of environment; water quality standards, ocean water quality standards; ambient air quality standards and other quality standards relevant to the scientific and technological development;
 - Government Regulation concerning concrete criterion of environmental damage pertaining field or/and forest wildfire;
 - Government Regulation concerning instrument of environmental economics;
 - Government Regulation concerning risk and analysis of environment;
 - Government Regulation concerning prevention of pollution and environmental damage; and
 - Government Regulation concerning procedure on functional recovery of environment;
4. Sentenced **DEFENDANT I** to publish Government Regulation or Presidential Regulation which served as legal basis to form a joint team comprise of **DEFENDANT II, DEFENDANT III, DEFENDANT IV and DEFENDANT IV**;
5. Sentenced DEFENDANT II, DEFENDANT III, DEFENDANT IV and DEFENDANT VI to form a joint team with the following functions:
 - Conduct review and revision on the licenses on management of burned or non-burned forests and plantations based on criteria to satisfy proper release of the licenses and the support and preservation of the environment in Kalimantan Tengah Province;
 - Initiate enforcement on the private, penal, and administrative environmental law towards the companies which the fields were burned;
 - Create a roadmap for the purpose of early prevention, resolution and recovery on victims of the wildfire;
6. Sentenced **DEFENDANT I** along with **DEFENDANT II, DEFENDANT V and DEFENDANT VI** to take immediate actions to:

- Erect a Specialized Hospital on lung recovery and any other disease caused by the air pollution in Kalimantan Tengah Province which ought to be freely accessible by the victims;
 - Order all the local hospitals in Kalimantan Tengah Province to waive the medication fee for any individual who is affected by the air pollution in Kalimantan Tengah Province;
 - Create an evacuative, free of pollution, zone to anticipate any potential of forest and field wildfire in the future;
7. Sentenced **DEFENDANT I** along with **DEFENDANT II** and **DEFENDANT VI** to create:
- A Wildfire Risk Map in Kalimantan Tengah Province
 - Quality Standards of Control Tools for the field and forest wildfire in Kalimantan Tengah Province
8. Sentenced **DEFENDANT II** to immediately revise National Forestry Plan attached in Forestry Ministry Regulation No. 41 of 2011 concerning Standards of Facility and Infrastructure on the Unity in Forest Management and Protection Model and the Unity Management of Forest Production Model;
9. Sentenced **DEFENDANT II** and **DEFENDANT VI** to:
- Announce in public the burned lands and the companies who hold its licenses respectively;
 - Develop an open information system related to field and forest wildfire in Kalimantan Tengah Province;
 - Announce insurance funds for the environmental protection;
 - Announce investment fund to preserve forest and any company who hold license on forest management;
10. Sentenced **DEFENDANT VI** to create a special team for early prevention on field, plantation, and forest wildfire in entire Kalimantan Tengah Province which in basis of local community with the membership of local society, for that, **DEFENDANT VI** required to:
- Allocate operational and program fund for the team
 - Conduct training and periodical coordination at minimum of every 4 months in a year;
 - Provide necessary equipment to deal with field and forest wildfire;
 - Assign the team as the central point of information on early prevention of field and ofrest wildfire in Kalimantan Tengah Province;
11. Sentenced **DEFENDANT VI** and **DEFENDANT VII** to immediately draft and publish *Peraturan Daerah* (Local Regulation) to regulate protection on the protected area as mandated by Presidential Decree No. 32 of 1990 concerning Management of Protected Area;
12. Reject the rest and remaining claims made by the Plaintiff;
13. Sentenced **ALL DEFENDANTS** to pay court fee arising from this dispute in form of joint liability in sum of Rp. 2.501.000,00;