

Executive Summary



Mapur Village

A Village in the Province of the Bangka Belitung Islands. The **Mapur Indigenous** Community is often referred to as **Orang Lom**.

Community-Based Human Rights Impact Assessment (COBHRA) in the Critical Minerals Sector: A Case Study of the Tin Extraction Area in Mapur Village, Bangka Belitung

Nearly

20%

of the world's tin supply is contributed by Bangka Belitung, which plays a vital role for the semiconductor and clean energy industries.

This report examines the contradiction within the global energy transition, which is widely promoted as a green and sustainable agenda. Behind the narrative of increasing demand for critical minerals to support future technologies, the Province of the Bangka Belitung Islands, particularly Mapur Village, demonstrates the dynamics of what can be described as “green extractivism.” This refers to the large-scale extraction of natural resources justified by climate mitigation goals but resulting in the creation of local “sacrifice zones.” Although Bangka Belitung supplies nearly 20 percent of the world’s tin, an essential material for semiconductor production and renewable energy technologies, this resource wealth has not improved local welfare. Instead, mining activities have contributed to socio-ecological degradation and reinforced structural poverty.

The study finds that international audit and certification mechanisms commonly used by corporations, such as Clean and Clear (CnC) status and responsible supplier designations, have not been effective in identifying harms at the site level. These mechanisms rely on a top-down and technocratic model of due diligence that emphasizes administrative compliance and document verification. As a result, they fail to capture the informal and shadow economic practices that shape the tin supply chain in practice.

To address these limitations, the research applies the Community-Based Human Rights Impact Assessment (COBHRA) methodology. This approach treats affected communities not as passive research subjects but as rights holders with the authority to identify and assess the impacts of corporate activities.

Based on the experiences of the Mapur Village community, the study identifies a clear gap between corporate compliance claims, made by companies such as PT Timah Tbk and PT Mitra Stania Prima, and the actual needs for human rights protection, fulfillment, and remedy at the local level.



A key finding is the existence of systematic “supply chain laundering.” Tin ore extracted from illegal mining operations, often without adequate environmental safeguards, enters the formal supply chain through networks of collectors and partnership schemes that obscure its origin. As a result, companies holding Mining Business Permits may appear to source tin legally, while in reality incorporating materials with unclear origins and documented environmental damage.

Ecological Degradation and the Crisis of Living Space

The environmental impacts identified through the COBHRA process indicate that degradation in the Mapur area has surpassed the natural carrying capacity of local ecosystems. Mining activities, both offshore operations using production suction vessels (Kapal Isap Produksi, KIP) and onshore extraction, have caused permanent changes to the physical landscape.

In coastal zones, massive sedimentation from tailings disposal has destroyed mangrove forests and coral reefs, directly reducing the economic potential of traditional fishing communities. On land, the diversion and modification of river channels to support tin processing have led to estuary shallowing and the loss of substantial local biodiversity.

In addition, the clean water crisis has become increasingly severe. Communities face contamination from runoff originating in abandoned mining pits, which contains highly acidic (extreme pH) and potentially toxic water that flows into sources used for daily sanitation, while simultaneously degrading natural freshwater reserves. Public health risks are further compounded by limited transparency regarding exposure to radioactive by-products, including monazite and other radioactive metals. Handling of these materials frequently occurs without adequate safety protocols, increasing the vulnerability of local populations.

Socio-Cultural Impacts and Agrarian Citizenship Crisis

The expansion of extractive industries has created severe tenure insecurity¹ for the Mapur Indigenous Community (Orang Lom). Their customary lands, which serve as both their material living space and the foundation of their cultural and spiritual identity, are increasingly encroached upon by overlapping tin mining and oil palm plantation concessions.

This encroachment has led to what can be described as a crisis of “agrarian citizenship”². Customary lands, inherited over generations, have been forcibly alienated through corporate schemes that frequently disregard the principle of Free, Prior, and Informed Consent (FPIC)³. At the heart of the problem is the systematic exclusion of Indigenous peoples from meaningful participation. Instead, their involvement is reduced to a procedural formality, intended merely to satisfy administrative requirements.

The research also documents strong indications from community members that attendance lists from social assistance distribution activities have been misused by

Supply Chain Laundering

emerges as a systematic practice, as highlighted in the key findings of this research.

Permanent landscape changes have been triggered

by mining activities across the Mapur landscape, both by offshore production suction vessels (KIP) and by onshore mining operations.

¹ A condition in which individuals or communities face uncertainty or risk regarding their land rights, leaving them vulnerable to eviction, forced displacement, or loss of access to land and other natural resources.

² Agrarian citizenship refers to the rights of citizens—especially rural populations and smallholder farmers—to access, control, and manage land resources in a fair and equitable manner. This concept positions land as central to livelihoods and food sovereignty, while advocating for formal recognition by the state of customary and inherited land rights.

³ FPIC is the collective human right of Indigenous and local communities to approve or reject projects affecting their territories. The principle requires that consent be granted freely (without coercion), prior to the start of any project, and based on complete and transparent information about potential social, environmental, and cultural impacts.

company representatives as alleged legal evidence of community consent to mining operations. These practices effectively eliminate opportunities for equitable and substantive negotiation.

As a result, customary institutions have been weakened, and sacred sites, including Gunung Maras, are threatened by industrial activities. This reflects a serious erosion of cultural identity under the pressure of extractive investments. Corporate interventions to date have largely been symbolic or ceremonial, insufficient to ensure genuine recognition, protection of Indigenous land rights, or the long-term sustainability of their living space.

Labor Risk Externalization and Gender Inequality

The labor analysis highlights a corporate strategy of “risk externalization,” aimed at minimizing legal and financial liability. PT Timah Tbk, through partnership schemes, is alleged to shift operational burdens and occupational accident risks onto vendor partners or small-scale miners. This structure allows the parent company to maintain plausible deniability⁴ in the event of fatal incidents. Meanwhile, PT Mitra Stania Prima (PT MSP) has been found to perpetuate labor precarity by employing repeated short-term contracts through its supply chain contractors (CVs), often without adequate social security coverage. Consequently, workers are forced to bear their own health and safety risks in hazardous working conditions.

The research also identifies a pervasive “culture of silence” regarding workplace accidents within mining operations. In several documented cases, serious incidents were reportedly concealed to protect corporate reputation. As a result, the fundamental right to occupational health and safety, which is the responsibility of the company, often remains inadequately fulfilled.

These labor injustices are further intensified when analyzed through a gender perspective. Women in mining-affected areas experience compounded marginalization.

- ✎ Within **the formal sector**, they are largely confined to low-ranking or domestic roles, such as cleaning or laundry services, with very limited opportunities for career advancement.
- ✎ In **the informal sector**, economic pressures push women into dangerous jobs as *penyanting* (residual ore collectors) or tin barter traders, where they risk their lives at mining sites without any occupational safety protections, often to obtain leftover tin ore for subsistence.

The situation is worsened by the absence of effective, gender-responsive grievance mechanisms for affected communities. Corporate complaint channels are frequently non-functional or inaccessible due to inadequate communication and transparency. Meanwhile, Corporate Social Responsibility (CSR) programs are often implemented in a charitable manner, disconnected from the empirically identified needs of the community. At times, these initiatives serve only as short-term conflict mitigation tools rather than as instruments for restoring the violated rights of surrounding communities.

⁴Plausible deniability is a strategy by which a company denies knowledge of or responsibility for unethical or illegal actions carried out by its subsidiaries, contractors, or actors within its supply chain, citing insufficient direct evidence linking these actions to the parent company.

This concept allows the parent company to avoid accountability by maintaining a structure in which it can reasonably claim that various parties were not fully aware of the operational details or misconduct occurring at subordinate levels.

Strategic Recommendations: Toward Just and Sustainable Governance

Based on the research findings on gaps in the implementation of Business and Human Rights (BHR) principles in tin mining governance in Mapur Village, the following strategic recommendations are proposed for key stakeholders:



Government: From Administrative Oversight to Integrated Factual Verification

The government must shift its supervisory approach from purely administrative compliance to integrated, field-based verification.

1 Reform of Data Integration and Field Validation

The Ministry of Energy and Mineral Resources (ESDM) and relevant agencies must conduct periodic physical audits to validate data in the SIMBARA system, in order to prevent the garbage in, garbage out principle whereby digital data does not correspond to the actual reality of reserves and production in the field. Supervision must be capable of detecting manipulation of the origin of goods at the collector/stockpile level before entering the smelter.

2 Strengthening Environmental and Labour Law Enforcement

For the Ministry of Energy and Mineral Resources (ESDM) and the Ministry of Environment (KLH), it is necessary to strengthen the capacity and independence of Mine Inspectors and Environmental Supervisors (PPLH) to address the fragmentation of authority and local political intervention. Law enforcement must target beneficial owners and primary beneficiary corporations, not only field actors, and must ensure legally binding environmental remediation.

3 Investigative Audit and Revocation of "Environmental Approval"

The Ministry of Environment (Gakkum) must immediately conduct investigative audits of companies in Bangka Belitung whose concession areas have been proven to have experienced permanent ecological damage. If elements of deliberate intent or gross negligence are proven, the Ministry of Environment must be willing to revoke the Environmental Approval, which will automatically void the operational eligibility of the mining operation in question, without exception regardless of whether it is a state-owned enterprise or private entity. This effort needs to be carried out in the context of improving the quality of standardisation of mining business practices that genuinely carry out environmental protection (quality of remediation such as reclamation and post-mining) and the fulfilment of Community Rights to a safe and healthy living space.

4 Adoption of an Independent Counter-Mechanism (COBHRA)

The Ministry of Human Rights and the National Human Rights Commission (Komnas HAM) are advised to adopt the Community-Based Human Rights Impact Assessment (COBHRA) methodology as a legitimate counter-instrument (second opinion) in human rights due diligence, to validate unilateral claims made by companies. This can also be pursued through collaboration with affected communities, civil society, and academics to conduct field verification.



Corporations: From Formal Compliance to Substantive Human-Centered Due Diligence

Companies, particularly PT Timah Tbk, PT Mitra Stania Prima (PT MSP), and their supply chain partners, must move beyond procedural compliance to substantive, human-centered due diligence practices.

1 Supply Chain Due Diligence Reform (Traceability)

Companies must implement transparent traceability systems down to the site level to eliminate supply chain laundering and the mixing of illegal tin. This includes ending manipulative partnership schemes that obscure the origin of ore sourced from small-scale mining operations that fail to meet environmental and legal standards.

2 Ending Risk Externalization

The transfer of occupational health and safety (OHS) responsibilities and social security obligations to vendors or contractors (CVs) must cease. Parent companies must take full responsibility for safety and social protection for all workers in their production chains, including eliminating repeated precarious contract arrangements.

3 Institutionalizing Effective Grievance Mechanisms

Companies should establish grievance mechanisms that are institutionalized, confidential, independent, and gender-responsive, in accordance with the United Nations Guiding Principles on Business and Human Rights (UNGPs). These mechanisms must be widely communicated and accessible to affected communities without fear of intimidation.

4 Integrating Gender Justice and Indigenous Rights Perspectives

Recruitment policies must remove gender-based occupational segregation and provide protection for women in informal sectors. Companies must also respect Indigenous tenure rights by conducting FPIC processes that are genuine, substantive, and not merely procedural or manipulative.



Financial Institutions: Leveraging Finance to Enforce Higher Standards

Financial regulators, banks, and global investors should use their financial leverage to enforce stricter compliance standards.

1 Mandatory Application of "Enhanced Human Rights Due Diligence" in Credit Risk Assessment

Bank and investors are obliged to apply enhanced due diligence for mining projects in high-risk areas such as Bangka Belitung, in accordance with the Equator Principles and IFC Performance Standards. OJK needs to issue a circular letter (SE) or regulation that obliges Financial Services Institutions (LJK), particularly the banking sector, to apply enhanced human rights due diligence prior to granting or extending credit to corporations in high-risk sectors such as tin mining.

2 Tightening of ESG Materiality Disclosure and Sanctions for Misrepresentation of Sustainability Reports

OJK must stipulate that serious incidents related to human rights and the environment in the supply chain (for example: violent tenure conflicts, deaths of workers in partner areas, or massive pollution that triggers community protests) are categorised as material information that must be disclosed immediately to the public and investors, and not concealed. If it is proven that an Issuer has committed misrepresentation – claiming "sustainable" practices in its report while factually proven to have committed serious violations in the field – OJK must impose firm sanctions, ranging from significant fines to temporary suspension of share trading, on the grounds of having misled public investors.

3 Community Data-Based Risk Verification

Financial institutions such as Banks are prohibited from relying solely on formal administrative documents (such as Clean and Clear/CnC status or AMDAL) as the sole basis for ESG risk assessment. Banks are obliged to conduct cross-referencing with credible secondary data, including reports from civil society organisations or the results of community-based assessments (such as COBHRA findings). If serious

risks of human rights violations that have not yet been mitigated in the field are identified, banks must defer credit disbursement or raise risk premiums until a concrete remediation plan is in place.

4 Tightening of Social Indicators in Green Finance

Ensuring that social indicators within the Sustainable Finance Taxonomy are not merely normative, but possess stringent technical metrics relating to human rights protection and indigenous peoples' rights as a prerequisite for the disbursement of funding.



Communities and Civil Society Organizations (CSOs): Strengthening Bargaining Power through Data and Organization

1 Utilizing COBHRA as a Negotiation Tool

Communities and CSOs should use COBHRA findings as evidence-based advocacy instruments to demand corporate accountability and engage in structured dialogue with government actors, rather than relying solely on verbal complaints.

2 Strengthening Labor Unions and Customary Institutions

Independent labor unions, free from corporate management influence, should be established to defend workers' rights. Simultaneously, customary institutions must be reinforced to prevent manipulation of FPIC processes and safeguard control over living spaces and ancestral territories.

ResponsiBank Indonesia

Members of the ResponsiBank Indonesia Coalition



www.responsibank.id



responsibank.indonesia@gmail.com



ResponsiBank_Indo



ResponsiBank Indonesia



ResponsiBank Indonesia