



## REDD+ Update Report

June 2018 (I)

### “Regional Elections and the Fate of Forests and Peatland”

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#### Introduction

- The year of 2018 and 2019 are politically charged years. In June 2018, the people in 17 provinces and 154 districts/cities voted for their new leaders. The 17 provinces comprise four provinces in Sumatra region (North Sumatra, Riau, South Sumatra, Lampung), three provinces in Java region (West Java, Central Java, East Java), two provinces in Kalimantan region (West Kalimantan, East Kalimantan), two provinces in Sulawesi region (Southeast Sulawesi, South Sulawesi), three provinces in Bali-Nusra region (Bali, West Nusa Tenggara, East Nusa Tenggara), and three provinces in Maluku-Papua region (North Maluku, Maluku, and Papua). The population in four provinces: West Java, Central Java, East Java, and North Sumatra comprise 80% of Indonesian voters, which may indicate votes for next year’s Presidential election.<sup>1</sup> The Presidential and Legislative elections will be held on 17 April 2019.<sup>2</sup> The change in government and administration as well as the process leading to it may in all probability influence civil society advocacy in natural resources and rights issues, including forest, peatland, and community rights.

<sup>1</sup> <https://video.tempo.co/read/10933/live-streaming-hasil-dan-analisis-pilkada-serentak-2018>. Retrieved June 29, 2018.

<sup>2</sup> “Pileg dan Pilpres Serentak Digelar 17 April 2019, Ini Tahapannya,” DetikNews, retrieved 29 July 2018 from <https://news.detik.com/berita/3483078/pileg-dan-pilpres-serentak-digelar-17-april-2019-ini-tahapannya>

- This update report discusses the state of forests (forest area, forest cover, and deforestation) in the 17 provinces that elected their new leaders and examines environmental and indigenous people platform of the newly elected governors-vice governors. This paper also explores authority of the provincial level government in the forestry sector based on the new Regional Government law and their role in peatland restoration to understand how they may influence the fate of forests, peatland, and community rights.

## Overview of forest and deforestation in the 17 provinces

- The size of forest area in the 17 provinces that recently elected their new leaders reaches 78.8 million hectares or 63% of the total Indonesian forest area. The natural forest cover in the 17 provinces stands at approximately **61.6 million hectares** (primary and secondary forests) plus 4.5 million hectares of timber plantation. The loss of natural forest in the 17 provinces in 2015-2016 (plus North Kalimantan, which had been a part of East Kalimantan) was 395,227 hectares or 83% of Indonesia's national deforestation rate in 2017. The number will be much higher if we include districts beyond the 17 provinces that also elected their new leaders. The overview of forest area, forest cover and deforestation rates in the 17 provinces can be seen in Table 1.

**Table 1.** Forest area, forest cover, and deforestation in 17 provinces with newly elected provincial government

No	Provinces	Forest Area (ha)	Primary and Secondary Forests (ha)	Timber Plantation (ha)	Deforestation 2015-2016		
					Primary and Secondary Forests Loss (ha)	Timber Plantation Loss (ha)	Total Deforestation (ha)
1	North Sumatra	3,055,794	1,668,200	145,000	7,592	2,123	9,714
2	Riau	5,406,992	1,663,600	954,000	20,664	3,527	24,191
3	South Sumatra	3,457,858	860,200	676,200	15,701	(11,407)	4,294
4	Lampung	1,004,735	340,900	14,100	847	367	1,214
5	West Java	816,603	190,500	459,600	-	-	-
6	Central Java	757,250	101,400	686,000	-	-	-
7	East Java	1,361,146	478,400	957,200	-	-	-
8	West Kalimantan	8,389,601	5,520,700	62,400	124,657	299	124,956
9	East and North Kalimantan	8,256,767	5,890,000	491,200	112,108	(2,898)	109,210
10	Southeast Sulawesi	3,830,579	1,895,000	1,900	15,365	-	15,365
11	South Sulawesi	2,725,796	1,401,600	13,800	29,892	45	29,937
12	Bali	130,686	90,700	900	6,859	596	7,456
13	West Nusa Tenggara	1,046,959	918,100	1,800	22,105	257	22,362
14	East Nusa Tenggara	1,742,399	1,756,000	4,600	-	-	-
15	North Maluku	2,515,220	1,910,100	36,700	25,780		25,780
16	Maluku	3,919,617	3,030,000	0	6,927	(15)	6,912
17	Papua	30,387,499	33,902,300	1,900	6,731	-	6,731
	<b>TOTAL</b>	<b>78,805,501</b>	<b>61,617,700</b>	<b>4,507,300</b>	<b>395,227</b>	<b>(7,105)</b>	<b>388,122</b>

Source: MoEF statistics (processed)

- As we can see from Table 1 above, the most Eastern part of Indonesia: Maluku and Papua Region consisting of North Maluku, Maluku, and Papua provinces hold the largest reserves of forest area and forest cover in Indonesia, which in the traditional developmental perspective means land and timber. North Maluku and Maluku provinces' combined forest area reaches approximately 6.5 million hectares, plus Papua with a vast 30 million hectares of forest area.
- Regarding forest cover, primary and secondary forests in Maluku and North Maluku (which are often overlooked) reach a number of 4.9 million hectares while in Papua, the number of natural forests recorded even exceeds the size of forest area, namely 33.9 million hectares, meaning that there are natural forests in areas not designated as forest area.
- Regarding deforestation, Forest Watch Indonesia records that deforestation in North Sumatra, East Kalimantan and North Maluku in 2013-2016 reaches 718 hectares or 240 hectares/year<sup>3</sup>, half of Indonesia's national deforestation in 2016-2017. Meanwhile, in Maluku and North Maluku, the Minister of Environment of Forestry has allocated an area covering 48.578<sup>4</sup> hectares of natural forests as a part of land swap land policy dedicated for palm oil and timber companies, which 40% of concessions are designated as peat ecosystem with protection function, which could trigger further deforestation in the region. The largest natural forest cover in a single province is found in Papua (33 million hectares) and East Kalimantan (5.8 million hectares).

## Election winners' vision and missions

Upon examination of the vision and missions of the election winners in the 17 provinces, we obtained the following results:

### Environment platform

- All governors and vice governors mention the environment in one way or another, but most do not have specific environmental platform. Most new governors only mention environmental preservation or sustainable development in general as 'blanket concepts.' Only three provinces, namely Riau, West Kalimantan and South Sumatra, mention measures to address specific environmental problems. Riau's new governor distinguishes himself by mentioning very specific environment platform including forest fires prevention, disaster reduction, mangrove restoration, and climate change mitigation. South Sumatra's new governor, although mentioning sustainable development, also wants to promote palm oil and timber plantation, coal mining, and biofuel as alternative energy. West Kalimantan's new governor, although mentioning forest fires prevention, also wants to promote an increase of palm oil plantation. The new governor of Papua with the largest reserves of forest area and forest cover in Indonesia mentions sustainable development, environmental preservation, and ecotourism (see Table 2) and the only leader specifically mentioning the rights of indigenous people to natural resources.

### Peatland

- Regarding peatland, only Riau and West Kalimantan newly elected Governors mention prevention or reduction of forest and land fires, which is closely related to peatland drainage and management. Most new provincial leaders do not have a peatland platform and must be

<sup>3</sup> Forest Watch Indonesia, Deforestasi Tanpa Henti, 2018.

<sup>4</sup> Koalisi Anti Mafia Hutan, Perlindungan Gambut Bukan Alasan Menghabiskan Hutan Alam yang Tersisa," 2018.

educated on this issue. A candidate for South Sumatra Governor who has a specific mission regarding peatland, Ishak Mekki, lost in the election.<sup>5</sup>

- The importance of the provincial level in peatland protection and peat restoration cannot be overstated. The regional government must push for active involvement of all regional government institutions (SKPD and OPD) to understand peatland issues and regulations and to mainstream peatland protection by formulating regional governments for peatland protection and restoration which must be consulted with the MoEF, Peatland Restoration Agency, and other related institutions.<sup>6</sup> Regarding acceleration of peatland restoration, the provincial level plays an important part through TRGD (Regional Peatland Restoration Team) and in facilitating formulation and implementation of RREG (Peatland Restoration Restoration Plan). In peatland management and protection in general, the provincial level must formulate and oversee implementation of RPPEG (Peatland Ecosystem Protection and Management Plan) at the provincial level that must be based on RPPEG at the national level and is enshrined in Regional Regulation.<sup>7</sup>

### IP and LC recognition platform

- Almost no new elected governors have specific platform to recognize indigenous people in their area, including West Kalimantan, North Sumatra, and Sulawesi region where large IP groups reside. In Java region, the newly elected regional leaders emphasize community economy development, farmers, and workers' rights. In Sumatra, only South Sumatra mentions promotion of local culture and traditional knowledge, but states nothing about recognition of rights and territories. Only the new governor of Papua mentions respect of IP rights in natural resources development. See Table 2 below for details.

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<sup>5</sup> Pantau Gambut, "Restorasi Gambut dalam Pusaran Pilkada," retrieved 29 July 2018 from <http://www.pantaugambut.id/publikasi/restorasi-gambut-dalam-pusaran-pilkada>

<sup>6</sup> Ibid.

<sup>7</sup> Government Regulation No. 71/2014 as amended with Government Regulation No.57/2016 on Protection and Management of Peat Ecosystem.

**Table 2.** Environmental and IP & LC Platform in the Newly Elected Governors in 17 Provinces

No.	Province	Forest Resources	Election Winners	Supporting Parties	Environment Platform	IP & LC Platform
1.	North Sumatra	<p><b>Forest area</b> 2014: 3,055,794 ha<sup>8</sup></p> <p><b>Forest cover</b> 2016: 1,668,200 ha<sup>9</sup></p> <p><b>Deforestation</b> 2015-2016: 7,592 ha<sup>10</sup></p>	Edy Rahmayadi- Musa Rajekshah (Eramas)	Golkar, Gerindra, PKS, PAN, Nasdem, Hanura, Perindo, PBB	Yes, but not specific: preservation of ecology and clean nature	No specific IP recognition platform
2.	Riau	<p><b>Forest area</b> 2016: 5,406,992 ha<sup>11</sup></p> <p><b>Forest cover:</b> 1,663,600 ha<sup>12</sup></p> <p><b>Deforestation</b> 2015-2016: 20,664 ha<sup>13</sup></p>	Syamsuar- Edy Nasution	PKS, Nasdem, PAN	Yes, very specific: Sustainable development, improvement of environment quality, disaster reduction, climate change mitigation, prevention of forest fire, law enforcement for environmental crime (forest fire, pollution, water pollution), restoration of mangrove	No specific IP recognition platform
3.	South Sumatra	<p><b>Forest area</b> 2016: 3,457,858 ha<sup>14</sup></p> <p><b>Forest cover</b> 2016: 860,200 ha<sup>15</sup></p>	Herman Deru- Mawardi Yahya	Hanura, PAN, Nasdem	Yes (environment-friendly mining and energy, sustainable development model) <sup>17</sup>	Farmer rights, local community economic development, conflict resolution, participation of local community

<sup>8</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, downloaded from [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_yjifjbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDYgcv\\_1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_yjifjbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDYgcv_1uWPTONHlaWdP7). Retrieved 29 June 2018.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>17</sup> <https://sumselmaju.com/visi-dan-misi/>

No.	Province	Forest Resources	Election Winners	Supporting Parties	Environment Platform	IP & LC Platform
		<b>Deforestation</b> 2015-2016: 15,701 ha <sup>16</sup>			BUT - promoting plantation, timber plantation, and mining (coal) and biofuel as alternative energy <sup>18</sup>  No mention of specific environment problems, e.g. peatland protection/restoration, forest protection	No specific IP recognition platform, except for promotion of local culture and traditional knowledge <sup>19</sup>
4.	Lampung	<b>Forest area</b> 2000: 1,004,735 ha <sup>20</sup>  <b>Forest cover:</b> 340,900 ha <sup>21</sup>  <b>Deforestation</b> 2015-2016: 847 ha <sup>22</sup>	Arinal-Nunik	Golkar, PKB, PAN	Yes, but not specific  Only mention sustainable development	No specific IP recognition platform
5.	West Java	<b>Forest area</b> 2003: 816,603 ha <sup>23</sup>  <b>Forest cover:</b> 190,500 ha <sup>24</sup>  <b>Deforestation</b> 2015-2016: 0 ha	Ridwan Kamil-Uu		Yes,  Enforcement of spatial plan and river pollution	No specific IP recognition platform  Farmer and fisherfolk welfare, workers' rights
6.	Central Java	<b>Forest area</b> 2004:	Ganjar-Taj Yasin		Yes	No specific IP recognition platform

<sup>16</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_vijfibAhUIZt4KHVLMbFmQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDygcv\\_1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_vijfibAhUIZt4KHVLMbFmQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDygcv_1uWPTONHlaWdP7)

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

		757,250 ha <sup>25</sup>  <b>Forest cover:</b> 101,400 ha <sup>26</sup>  <b>Deforestation 2015-2016:</b> 0 ha			Environment friendly technology, conservation, renewable energy	Farmer and fisherfolk welfare, workers' rights, SME
<b>No.</b>	<b>Province</b>	<b>Forest Resources</b>	<b>Election Winners</b>	<b>Supporting Parties</b>	<b>Environment Platform</b>	<b>IP &amp; LC Platform</b>
7.	East Java	<b>Forest area 2011:</b> 1,361,146 ha <sup>27</sup>  <b>Forest cover:</b> 478,400 ha <sup>28</sup>  <b>Deforestation 2015-2016:</b> 0 ha	Khofifah- Emil Dardak	Demokrat, Golkar, PAN, PPP, Hanura, Nasdem	Yes  Sustainable development, balance between ecology, economy, and social,	No specific IP recognition platform  Farmers, coastal communities, village development
8.	West Kalimantan	<b>Forest area 2014:</b> 8,389,601 ha <sup>29</sup>  <b>Forest cover:</b> 5,520,700 ha  <b>Deforestation 2015-2016:</b> 124,657 ha	Sutarmidji- Ria Norsan	Golkar, Nasdem, PKB, PKS, Hanura	Yes, quite specific  Sustainable development, spatial planning with environment perspective, balance between housing, social-economy, and conservation  Handling of environmental damage  Reduction of hotspots and firespots  BUT	No specific IP recognition platform

<sup>25</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_yijfbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDygcV\\_1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_yijfbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDygcV_1uWPTONHlaWdP7)

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

				Promoting an increase of palm oil production (large scale) to reach 1,48 tones		
9.	East Kalimantan	<b>Forest area</b> 2016: 8,256,767 <sup>30</sup>  <b>Forest cover</b> 2016 5,890,000 ha (47%) (FWI) <sup>31</sup>  <b>Deforestation</b> 2013-2016: 472,000 ha (FWI)  2015-2016: 112,108 ha (KLHK) with North Kalimantan	Isran Noor-Hadi	Gerindra, PKS, PAN	Yes, but not specific  Sustainable natural resources management with environmental perspective  Renewable energy, affordable energy for the people (biofuel?)	No
<b>No.</b>	<b>Province</b>	<b>Forest Resources</b>	<b>Election Winners</b>	<b>Supporting Parties</b>	<b>Environment Platform</b>	<b>IP &amp; LC Platform</b>
10.	Southeast Sulawesi	<b>Forest area</b> 2011: 3,830,579 ha <sup>32</sup>  <b>Forest cover:</b> 1,895,000 ha <sup>33</sup>  <b>Deforestation</b> 2016-2016: <sup>34</sup> 15,365 ha	Ali Mazi-Lukman	Golkar, Nasdem, PBB, PKP	Yes, but not specific  Environment security as a part of human security  Review of mining licenses	No
11.	South Sulawesi	<b>Forest area</b> 2009: 2,725,796 ha <sup>35</sup>  <b>Forest cover:</b>	Nurdin A-Sudriman	PDIP, PAN, PKS, PSI	Yes, but not specific  Sustainable natural resources development	No

<sup>30</sup> [https://acch.kpk.go.id/images/ragam/gn-sda/pontianak/07-KALTIM\\_kpk-PONTIANAK2015.pdf](https://acch.kpk.go.id/images/ragam/gn-sda/pontianak/07-KALTIM_kpk-PONTIANAK2015.pdf). Accessed 29 June 2018.

<sup>31</sup> Forest Watch Indonesia, "Deforestasi Tanpa Henti," retrieved from [http://fwi.or.id/wp-content/uploads/2018/03/deforestasi\\_tanpa\\_henti\\_2013-2016\\_lowress.pdf](http://fwi.or.id/wp-content/uploads/2018/03/deforestasi_tanpa_henti_2013-2016_lowress.pdf), p. 15.

<sup>32</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_yijfbAhUIZt4KHVLmBfMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDygc\\_v1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_yijfbAhUIZt4KHVLmBfMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDygc_v1uWPTONHlaWdP7)

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

		1,401,600 ha <sup>36</sup> <b>Deforestation</b> 2015-2016: 29,892 ha <sup>37</sup>				
12.	Bali	<b>Forest area</b> 1999: 130,686 ha <sup>38</sup>  <b>Forest cover:</b> 90,700 ha  <b>Deforestation</b> 2015-2016: 6,859 ha <sup>39</sup>	Wayan Koster- Tjokorda	PDIP, Hanura, PAN, PKPI	Yes, but not specific  Review of reclamation policy of Teluk Benoa Preserving the balance of nature	No specific IP platform, but while holding office at the national parliament, Wayan Koster supported the provisions regarding Customary Village (Desa Adat) in the Law on Village (6/2016). <sup>40</sup>
<b>No.</b>	<b>Province</b>	<b>Forest Resources</b>	<b>Election Winners</b>	<b>Supporting Parties</b>	<b>Environment Platform</b>	<b>IP &amp; LC Platform</b>
13.	West Nusa Tenggara	<b>Forest area</b> 2009: 1,046,959 ha <sup>41</sup>  <b>Forest cover:</b> 918,100 ha <sup>42</sup>  <b>Deforestation</b> 2015-2016: 22,105 ha <sup>43</sup>	Zulkieflimansyah-Siti	PKS, Demokrat	Yes, quite specific: Renewable energy, fulfilling clean water needs, environmentally friendly coastal and forest development	No specific IP platform
14.	East Nusa Tenggara	<b>Forest area</b> 2016:	Viktor Bungtilu Laiskodat-Josef Nae Soi	Nasdem, Golkar, Hanura	Not specific: managing environment in a healthy way	No specific IP platform, but the governor and vice-governor sought and received

<sup>36</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_vjifibAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDygc\\_v1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_vjifibAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDygc_v1uWPTONHlaWdP7)

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Retrieved 29 July 2018 From [Http://Wikidpr.Org/Anggota/5403631742b53eac2f8ef75a](http://Wikidpr.Org/Anggota/5403631742b53eac2f8ef75a)

<sup>41</sup> KLHK, Loc. Cit.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

	1,742,399 ha <sup>44</sup> <b>Forest cover:</b> 1,756,000 ha <sup>45</sup> <b>Deforestation 2015-2016:</b> 0 ha <sup>46</sup>				blessing from indigenous leaders in Larantuka, East Nusa Tenggara. <sup>47</sup>
15.	North Maluku <b>Forest area 2013:</b> 2,515,220 ha <sup>48</sup> <b>Forest cover:</b> 1,910,100 ha (KLHK) <sup>49</sup> 1,510,000 (48%) (FWI) <sup>50</sup> <b>Deforestation 2015-2016:</b> 25,780 ha <sup>51</sup> <b>2013-2016:</b> 157,000 ha (FWI) <sup>52</sup>	Ahmad Mus-Rifai  Ahmad Mus, the election winner, was apprehended by the Commission of Corruption Eradication (KPK) shortly after he was announced as quick count winner and is currently being processed for a corruption case while he was still holding district head office. <sup>53</sup>	Golkar and PPP	No environmental platform	No IP platform

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> KLHK

<sup>47</sup> Retrieved 29 July 2018 from <http://mediaindonesia.com/read/detail/143748-viktor-josef-terima-restu-raja-larantuka>

<sup>48</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_yijfbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usq=AOvVaw3UDygcV\\_1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_yijfbAhUIZt4KHVLMbFmMQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownload.php%3Ffile%3DStatistik_KLHK_2016.pdf&usq=AOvVaw3UDygcV_1uWPTONHlaWdP7)

<sup>49</sup> Ibid

<sup>50</sup> Forest Watch Indonesia, "Deforestasi Tanpa Henti," retrieved from [http://fwi.or.id/wp-content/uploads/2018/03/deforestasi\\_tanpa\\_henti\\_2013-2016\\_lowress.pdf](http://fwi.or.id/wp-content/uploads/2018/03/deforestasi_tanpa_henti_2013-2016_lowress.pdf), p. 16.

<sup>51</sup> KLHK, Loc. Cit.

<sup>52</sup> Ibid.

<sup>53</sup> "Ditahan KPK, Cagub Malut Ahmad Mus Bangga Menang Pilkada," detiknews 2 July 2018, Retrieved 29 July 2018 from <https://news.detik.com/berita/4094709/ditahan-kpk-cagub-malut-ahmad-mus-bangga-menang-pilkada>

No.	Province	Forest Resources	Election Winners	Supporting Parties	Environment Platform	IP & LC Platform
16.	Maluku	<p><b>Forest area</b> 2014: 3,919,617 ha<sup>54</sup></p> <p><b>Forest cover:</b> 3,030,000 ha<sup>55</sup></p> <p><b>Deforestation</b> 2015-2016: 6,927 ha<sup>56</sup></p>	Murad-Barnabas	PDIP, Gerindra, Nasdem, PAN, PKB, PKPI, Perindo	No environmental platform. Vision and missions include industrialization of natural resources and human resources and optimization of agriculture and fishery industry. <sup>57</sup> PDIP leader, Megawati claimed that they are pro-environment.	No IP and LC platform
17.	Papua	<p><b>Forest area</b> 2012: 30,387,499 ha<sup>58</sup></p> <p><b>Forest cover:</b> 33,902,300 ha<sup>59</sup></p> <p><b>Deforestation</b> 2015-2016: 6,731 ha<sup>60</sup></p>	Lukas Enembe-Kelem Tinal		<p>Yes, but not very specific</p> <p>Sustainable development and environment preservation</p> <p>Ecotourism</p>	<p>Yes</p> <p>Respect of IP rights in natural resources management</p>

Source: Various sources (processed)

<sup>54</sup> KLHK, Statistik Kementerian Lingkungan Hidup dan Kehutanan 2016, Desember 2017, retrieved 29 June 2018 from [https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw\\_vijfibAhUIZt4KHVLMbFmQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik\\_KLHK\\_2016.pdf&usg=AOvVaw3UDygc\\_v1uWPTONHlaWdP7](https://www.google.com/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0ahUKewitw_vijfibAhUIZt4KHVLMbFmQFggwMAE&url=http%3A%2F%2Fwww.menlhk.go.id%2Fdownloadlot.php%3Ffile%3DStatistik_KLHK_2016.pdf&usg=AOvVaw3UDygc_v1uWPTONHlaWdP7)

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> "20 Juni Debat Publik Putaran Kedua Pilgub Maluku, Ini Visi Misi Tiga Paslon," Teras Maluku, 18 June 2018, Retrieved 29 July 2018 From <https://Terasmaluku.Com/20-Juni-Debat-Publik-Putaran-Kedua-Pilgub-Maluku-Ini-Visi-Misi-Tiga-Paslon/>

<sup>58</sup> KLHK, Loc. Cit.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

## What it means for forests and community rights?

### Authority over forestry affairs

- Who is the real commander of the 78.8 million hectares of forest area and 61.6 million hectares of natural forest cover contained in the 17 provinces above? This is a rather complex issue because authority in forestry sector is divided into three levels of government (central, provincial, and district government). However, after the issuance of the new Regional Government Law in 2014 (Law No. 23/2014), authority over forestry affairs previously residing at the district level was rolled back to the provincial level. The new Law strengthens **coordination authority** of the Governor in the forestry sector.<sup>61</sup> Although central government retains the ultimate authority regarding the following forestry affairs: (i) forestry planning (forest inventory, forest area gazettement, forest area administration, establishment of forest management area, and formulation of national forestry plan), (ii) issuance of exploitative forestry licenses, (iii) implementation of forest management, and (iv) monitoring,<sup>62</sup> it delegates some of its authority to the provincial level in terms of technical implementation, for example by requesting technical considerations (*Pertek*) from the provincial level regarding forest area status change (designation or de-designation as forest area), establishment of FMU, and forestry planning. With this authority, the provincial level can influence the allocation of forest area in forestry planning process as well as forest area use implementation at the site level. Meanwhile, with the new law, the authority of district government is greatly reduced. Most notably, it can no longer propose forest area status of function change directly to the MoEF but must go through the provincial level first.
- **Forest area gazettement.** The central government retains the authority over the crucial task of gazetting forest area (*pengukuhan kawasan hutan*). However, some of this authority is delegated to the provincial level, namely resolution of third party rights during forest area gazettement and monitoring of forest area use.<sup>63</sup>
- **Licensing.** The provincial government has some authority over licensing in the forestry sector, which can be divided into two categories: (i) licenses that do not result in significant change of forest cover or natural landscape (non-exploitative licenses) and (ii) licenses that result in significant change of forest cover or natural landscape (exploitative).<sup>64</sup> Authority over the most exploitative forestry licenses that will result in deforestation is retained by the central government. However, if the central government has released forest area into APL or degraded its function to Convertible Production Forest, the provincial as well as district level can issue licenses to cut the trees in such areas through IPK license. See Table 3 below.

**Table 3.** Authority of central, provincial, and district government in forestry licensing

No.	Authority of MoEF	Authority of Minister of Environment and Forestry	Authority of Provincial Government	Authority of District Government	Notes
1.	IUPHHK (permit to utilize timber forest products) in natural forest (logging) and plantation forest (timber plantation),	√	X	X	Will significantly change forest cover/forest landscape and

<sup>61</sup> Bernadinus Steni, *Membedah Undang-Undang Pemerintahan Daerah yang Baru*, Earth Innovation Institute, 2016, retrieved 29 July 2018 from <https://earthinnovation.org/publications/membedah-uu-pemerintahan-daerah-yang-baru/>

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

	restoration ecosystem license, and allocation for Community Timber Plantation				result in deforestation (most exploitative)
2.	IUPHHBK (permit to utilize non-timber forest products)	√	√	√	Non-exploitative
3.	IPHHK (permit to extract timber forest products for communities)	√	√	√	Timber extraction with limited amount in non-commercial manner. May result in forest degradation if not controlled
4.	Borrow and use permit (for mining)	√	X	X	Will significantly change forest cover/forest landscape and result in deforestation (most exploitative)
5.	Principle permit to release forest area	√	√	X	Will significantly change forest cover/forest landscape and result in deforestation (most exploitative)
6.	IUPJL (Permit for Utilization of Environmental Services)	√	√	X	Non-exploitative
7.	IPK (Permit to utilize forest products) in Convertible Production Forest and forest area with Borrow and Use license – permit to cut trees as a result of non-forestry activities that have been given license through forest area release, borrow and use (mining), forest area exchange	?	√	X	Will significantly change forest cover/forest landscape
8.	IPK (Permit to utilize forest products) in APL (area for other use) – permit to cut trees as a result of non-forestry activities in non-forest area that has been given license			√	Will significantly change forest cover/forest landscape
9.	IUPK (Permit to utilize forest area) in production and protection forest, for medicinal plants, decorative plants, animal breeding ground, livestock feed crop cultivation, etc.		√	X	Non-exploitative

Source: Earth Innovation Institute, 2016 (processed)

- At the implementation level, authority regarding forestry affairs is closely linked to the authority of Forest Management Unit (KPH), which lies at the provincial level. The various technical proposals regarding the use and allocation of forest area must come through the provincial level while the central government merely controls the proposals coming from the provincial level and supervise their implementation. Therefore, at the macro level, the planning and monitoring of forest use is still controlled by the central government, but at the technical and implementation level, proposals for the use and management of forest area will be a part of authority of the provincial government (except for Conservation Forests).<sup>65</sup> That is why who holds office at the provincial level is very important for the fate of forests. Meanwhile, district government is only given limited authority in the implementation of forest management or use, namely in the management of Grand Forest Park (*Taman Hutan Raya*). Previously, the district government could propose for a change in forest area status and function as well as forest area exchange, an authority that was rescinded by the new 2014 Regional Government Law. The crucial authority to implement the use of production and protection forest area is now given to the provincial level.<sup>66</sup>

### Indigenous people rights

- **Stipulation of the existence of indigenous people and their territories.** In the land sector, the national land agency at the district level is given the authority to settle land dispute, disputes regarding communal land, and disputes regarding land reform objects. However, this authority could not be implemented because many communal land claims are made in forest area, which is in the jurisdiction of the MoEF. After Constitutional Court Decision No. 35/2012 regarding customary rights to land, the district government is given a legal basis to legalize individual or communal claims inside forest area with several conditions. The Ministry of Agraria and Spatial Planning has also issued a regulation (9/2015) that enables the Head of District or Governor (according to its jurisdiction) to establish a team to make inventory of land control, ownership, use, and utilization (IP4T) to identify community rights inside forest area and propose forest area release to the MoEF so that the Head of District can stipulate the existence of indigenous people and their territories within its jurisdiction. The district and provincial government can coordinate directly with the MoEF in this matter.<sup>67</sup>

### Social forestry

- The Minister of Environment and Forestry can delegate authority to issue social forestry licenses (HPHD or Village Forest Management Right, IUP-HKm or Permit to Utilize Community Forest, IUP-HTR or Permit to Utilize Community Timber Forestry, not including customary forest recognition and forestry partnership) to the Governor, if the provincial level government has met the following conditions: (i) the provincial government has put social forestry in its Medium-Term Development Plan, or (ii) has a Governor Regulation regarding Social Forestry, and (iii) has a budget for social forestry in the Provincial Regional Budget. The Minister will issue a Decision Letter (SK) delegating authority to issue social forestry licenses to the provincial level.<sup>68</sup> The Provincial level also plays an important role to accelerate social

<sup>65</sup> Bernadinus Steni, *Membedah Undang-Undang Pemerintahan Daerah yang Baru*, Earth Innovation Institute, 2016, retrieved 29 July 2018 from <https://earthinnovation.org/publications/membedah-uu-pemerintahan-daerah-yang-baru/>

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> A.Y Firdaus, *Perhutanan Sosial dan Tata Cara Permohonannya*, retrieved 29 July 2018 from <https://www.cifor.org/library/6589/perhutanan-sosial-dan-tata-cara-permohonannya/>

forestry through Pokja PPS (Working Group on Social Forestry Acceleration) established at this level involving various stakeholders including government and civil society.

- Especially for customary forest recognition/stipulation, the provincial level plays a very crucial role, namely issuing a Regional Regulation (Perda) stipulating the existence of indigenous people and their territories in its jurisdiction. Many proposals of customary forests cannot be processed because of lack of this Perda. Perda can only be issued with the approval of the Governor and the Legislative so that initiative from both government branches is important.

## Emissions reduction programs

- In emissions reduction programs in the forestry sector, especially REDD+, the provincial level becomes the locus of implementation (Indonesia adopts a national approach, sub-national implementation principle for REDD+), meaning that MRV will be conducted at sub-national level and aggregated at the national level. For this purpose, after determining FREL at the national level, the MoEF is currently determining FRELs at the sub-national level.<sup>69</sup> In the previous regime of RAN and RAD GRK (National Action Plan on GHG Emissions Reduction), each province is required to develop and implement Regional Action Plan on GHG Emissions Reduction (RAD-GRK) and then several provinces that had a MoU with the then REDD+ Agency developed SRAP REDD+ (Provincial Strategy and Action Plan on REDD+) and established its own REDD+ institution at the provincial level. That is why Governors play an important role in REDD+ and NDC implementation. However, in the transition from the RAN-GRK and REDD+ regime to the NDC regime, the status and progress of institutions and processes at the provincial level are rather vague and needs further study.
- NDC implementation. Regarding NDC implementation, the provincial level is not explicitly mentioned in the NDC implementation strategy, but subsumed under “regional government,” which is mentioned in terms of following programs:<sup>70</sup>
  - **Building ownership and commitment;**
    - From observation so far, this is done through socialization done by MoEF (DGCC) to the provincial level regarding NDC, REDD+ and its components such as SRN, SIS-REDD+, etc.
  - **Developing capacity regarding NDC implementation**
    - From observation, this is done through inviting regional government entities to national workshops and socialization conducted at the provincial level. But in NDC implementation strategy, this is to be done through development of a CBNA (capacity-building needs assessment) and capacity building roadmap including what has to be done at provincial and district level. The implementation of this strategy is unknown.
  - **Enabling environment**
    - Review of laws and regulations is mentioned in NDC implementation strategy to identify gaps to support emissions reduction. However, this strategy does not mention review of regional regulations that can support/hamper emissions reduction. This is a gap that must be addressed especially because currently there are so many emissions reduction initiatives at sub-national level by various actors under different names.

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<sup>69</sup> See for example in West Kalimantan, retrieved 29 July 2018 from <http://ditjenppi.menlhk.go.id/index.php/berita-ppi/3159-pertemuan-teknis-frel-sinkronisasi-baseline-frel-nasional-sub-nasional-provinsi-kalimantan-barat>

<sup>70</sup> Ministry of Environment and Forestry, NDC Implementation Strategy, 2017.

- **Developing work framework and communication network (coordination and synergy)**
  - The shape of work framework and communication network is still unknown, but in the NDC implementation strategy, a communication forum shall be established (status of implementation unknown).
- **Developing intervention policies, plans, and programs**
  - This is very important to enable NDC programs to be implemented on the ground. Intervention policies, plans, and programs, including mitigation actions and REDD+ must be synchronized or integrated to the Regional Mid-Term Development Plan (RPJMD) and RKPD (Government Work Plan) at the provincial and district level to be able to obtain budgets for the activities. Otherwise, the good programs and actions at the national level cannot be implemented optimally.
- **Developing guidance for NDC implementation**
  - Guidance for NDC implementation is controlled at the national level (by DGCC).
- **NDC implementation**
  - NDC implementation will be coordinated under two central government institutions: MoEF and Bappenas. The role of regional government is uncertain.
- **One GHG Data**
  - Will be coordinated/controlled by the central government.
- **Monitoring and Review of NDC**
  - This element is fully controlled by central government. NDC monitoring and review only involves ministries and does not explicitly mention regional government.

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