Law Enforcement and Preventing Forest Fires in Indonesia

FAO Asia Pacific Forestry Week (APFW)
Philpine, February 24th 2016
Negative Impact of Forest Fire in Indonesia - 2015

- Losses = Rp. 221 T (World Bank) (Ex: Riau in 2014 Rp. 20T)
- > 20 peoples died, 500,000 ISPA
- 2.6 Mil Ha Forest and Land
- 1 Billion Ton CO2 = Indonesia 3rd after US and China.
- 70-80 % of Indonesia Territory was cover by haze, also entering Malaysia, Singapore, Thailand, Philipine,
Law Enforcement require:

a. The ability to detect violations
b. The ability to respond quickly and appropriately
c. The ability to punish early and not discriminated

Constraints in law enforcement:

a. Quantity and quality of law enforcement officers
b. Facilities and infrastructure
c. Welfare
d. Coordination
e. Integrity and independency
f. Comprehensiveness and approach
g. Community demand
Integrated Strategy of Law Enforcement in Indonesia

- Strong Political will & Leadership
- First & Second line enforcement
- "Greening the Bench"
- Voluntary Compliance Program
- Complaint Management Mechanism
- One Roof Enforcement System (ORES)
- Strong National And Local Institutions
- Permit Compliance Mechanism
- Pressure and Public Control

Improvement integrity and Quality institutions of Justice, Prosecutors, Police, and ENR Institutions

Voluntary Compliance Program

Formal and Material Legal Improvement

"Greening the Bench"

One Roof Enforcement System (ORES)
Legal Actions by MOEF

<table>
<thead>
<tr>
<th>Administrative</th>
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<tr>
<td>• Lisence suspension (16)</td>
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<td>• Revoke lisence (3)</td>
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<td>• Government coercion (4)</td>
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<tr>
<td>• In progress (30)</td>
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<tr>
<td>• Re-clarification (3)</td>
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<td>• Total: 56</td>
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<table>
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<tr>
<th>Litigations</th>
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<tr>
<td>• Court Verdict (3)</td>
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<tr>
<td>• PT. Kalista Alam (Supreme of Court)</td>
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<td>• PT. Surya Panen Subur (PT)</td>
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<td>• PT. Bumi Mekar Hijau (PN)</td>
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<tr>
<td>• Trial process</td>
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<td>• PT. Kalista Alam (Kasasi)</td>
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<td>• PT. Surya Panen Subur (PT)</td>
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<tr>
<td>• PT. Bumi Mekar Hijau (PN)</td>
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<td>• Preparing Law Suit (4)</td>
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## Legal Actions by CSO

<table>
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<tr>
<th>Riau</th>
<th>South Sumatera</th>
<th>West Kalimantan</th>
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<tbody>
<tr>
<td>Legal actions of 37 corporations in Riau (Oil Palm and forest concession)</td>
<td>Review of legality permit, Next legal actions will be conduct based on findings off permit’s violations (procesural and practices)</td>
<td>Citizen Lawsuit, progress: send notifications to government (local and national)</td>
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</tbody>
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Recommendation

- Optimize administratif law of enforcement:
  - Government and CSO Collaboration in term of monitoring and data sharing
  - Naming and shaming mechanism (publishing list of corporation incendiary forest)
  - Second line enforcement (monitoring by local governance)
- Economic disincentives:
  - Suspension of membership company on the stock market
  - Naming and shaming
  - IPO cancellation
  - Withdrawal of product from market
- Multidoors approach
- Optimize One Roof Enforcement System (ORES)
- Community based fire management: MPA
- Reforestation, Reklamations, and Restorations ecosystem (Land, forest, peatland)
Thank You