

THE DECREE OF THE MINISTER OF FORESTRY OF THE REPUBLIC OF INDONESIA

Number: SK.199/Menhut-II/2012

ON

CREATION OF THE PREPARATORY UNIT FOR THE MACRO PLAN FOR FORESTRY TENURE

BY THE GRACE OF ALMIGHTY GOD

THE MINISTER OF FORESTRY OF THE REPUBLIC OF INDONESIA

- Considering:
- a. That, based on Article 4 of Law No. 41 of 1999 on Forestry, and as a follow-up to the international workshop on Forest Tenure, there should be clarity of what is meant by State's forest tenure;
 - b. That stakeholder's interests frequently cause diverse perceptions of the forest tenure system leading to differences in and conflicts over forest ownership or tenure;
 - c. That tenurial conflicts cause economic, ecological, social and political loss so that they should be addressed and resolved;
 - d. That, based on consideration of what is meant in points a, b and c, it is deemed necessary to determine a Decree of the Forestry Minister on Creation of the Preparatory Unit for the Macro Plan for Forestry Tenure;

- Reminding:
1. Law No. 5 of 1990 on Conservation of Biological Resources and Their Ecosystems;
 2. Law No. 28 of 1999 on Clean and Corruption-, Collusion- and Nepotism-Free Government;
 3. Law No. 41 of 1999 on Forestry, as amended by Law No. 19 of 2004;
 4. Law No. 32 of 2004 on Regional Government, which has been amended several times, most recently being amended by Law No. 12 of 2008;
 5. Law No. 26 of 2007 on Spatial Planning;
 6. Government Regulation No. 44 of 2004 on Forestry Planning;
 7. Government Regulation No. 45 of 2004 on Forest Protection;
 8. Government Regulation No.6 of 2007 on Forest Management and Development of Forest Management Plan, and Forest Utilization, as amended by Government Regulation No. 3 of 2008;

9. Government Regulation No. 38 of 2007 on Division of Governance Roles among the National, Provincial and District/City Governments;
10. Government Regulation No. 26 of 2008 on the National Spatial Plan (RTRWN);
11. Government Regulation No. 10 of 2010 on Procedures for Forest Area Use and Function Change;
12. Government Regulation No. 11 of 2010 on Control and Utilization of Wastelands;
13. Government Regulation No. 15 of 2010 on Implementation of Spatial Plan;
14. Government Regulation No. 24 of 2010 on Use of Forest Areas;
15. Decree of the President of the Republic of Indonesia No. 187/M of 2004, which has been amended several times, most recently being amended by the President's Decree No. 31/P of 2007;
16. Decree of the President of the Republic of Indonesia No. 84/P of 2009 on Formation of the Second United Indonesia Cabinet (*Kabinet Indonesia Bersatu II*), as amended by the President's Decree No. 59/P on Formation of the Second United Indonesia Cabinet (*Kabinet Indonesia Bersatu II*);
17. Decree of the President of the Republic of Indonesia No. 47 of 2009 on Formation and Organizational Structure of the State Ministries;
18. Decree of the President of the Republic of Indonesia No. 24 of 2010 on the Position, Tasks, and Functions of the State Ministries, and the Organizational Structure, Tasks and Functions of Echelon I of the State Ministries;
19. Decree of the Forestry Minister No. P.40/Menhut-II/2010 on Organizational Structure and Working Procedures of the Forestry Ministry.

DECIDING:

Determining: **DECREE OF THE FORESTRY MINISTER ON CREATION OF THE PREPARATORY UNIT FOR THE MACRO PLAN FOR FORESTRY TENURE**

FIRST: Creating the Preparatory Unit for the Macro Plan for Forestry Tenure, hereinafter referred to as the Working Unit with the organizational structure set forth in the Attachment to this Decree.

SECOND: The Team has the following tasks:

1. To develop a macro plan for forestry tenure;

2. To hold public meetings and consultations with the stakeholders in the framework of developing the macro plan for forestry tenure;
3. To identify and map conflicts over forestry tenure;
4. To assess the management of conflicts over forestry tenure; and
5. To formulate alternative resolutions to conflicts over forestry tenure.

- THIRD: In implementing its tasks, the Team is responsible to and reports on the progress to the Forestry Minister.
- FOUR: With the enactment of this Decree, the Forestry Decree No. SK.254/Menhut-II/2008 on Creation of the Mediation Team for Forest-Related Conflicts is declared null and void.
- FIVE: Any cost to be incurred for the purpose of the enactment of this Decree shall be taken from the Forestry Ministry's budget and other non-binding financial sources.
- SIX: The Decree is valid from the date it is issued.

Copies are identical to the original

Determined in Jakarta
On April 30, 2012

HEAD OF LEGAL DEPARTMENT AND ORGANIZATION

THE MINISTER OF FORESTRY OF
THE REPUBLIC OF INDONESIA

(signed)
KRISNA RYA

(signed)
ZULKIFLI HASAN

Copies are sent to:

1. Officials of Echelon I of the Forestry Ministry
2. Related Team Members

ATTACHMENT

DECREE OF THE FORESTRY MINISTER

NO. SK.199/Menhut-II/2012

ON

CREATION OF THE PREPARATORY UNIT FOR THE
MACRO PLAN FOR FORESTRY TENURE

THE PREPARATORY UNIT FOR THE MACRO PLAN FOR FORESTRY TENURE

Person in charge	:	Minister of Forestry
Steering Committee	:	<ol style="list-style-type: none">1. Secretary General2. Inspector General3. Director General of Forestry Planology4. Director General of Forest Protection and Nature Conservation5. Director General of Watershed Management and Social Forestry6. Director General of Forest Business Management7. Head of Forestry Research and Development8. Head of Extension Service and Development of Forestry Human Resources
Chairman concurrently member	:	Ir. Made Subadia Gelgel, M.Sc (Expert Staff of the Minister of Inter-Agency Relations)
Vice-Chairman concurrently member	:	Dr. Hadi S Pasaribu (Expert Staff of the Minister of Economy and International Commerce)
Secretary I	:	Krisna Rya, SH, MH (Head of Legal Department and Organization)
Secretary II	:	Dr. Suhaeri (Head of Institutional Structure of Legal Department and Organization)

Unofficial translation

- Members
- : 1. Prof. Dr. Hariadi Kartodihardjo (National Forestry Council);
 - 2. Martua Sirait (National Forestry Council);
 - 3. Ir. M. Awriya Ibrahim, M.Sc (Director of Natural Forest Business Management of the Directorate General of Forestry Business Management);
 - 4. Ir. Herry Prijono, MM (Director of Plantation Forest Business Management of the Directorate General of Forestry Business Management);
 - 5. Ir. Sonny Partono, MM (Director of Region and Forest Conservation of the Directorate General of Forest Protection and Nature Conservation);
 - 6. Dr. Hariadi Himawan (Director of Social Forestry Management of the Directorate General of Watershed Management and Social Forestry);
 - 7. Myrna Safitri, PhD (Epistema);
 - 8. Siti Rakhma Mary Herwati, SH, M.Si (HuMA);
 - 9. Muayat Ali Muhshi (Working Group Tenure);
 - 10. Idham Arsyad (Agrarian Reform Committee);
 - 11. Dr. Bambang Widiantoro (Indonesia's Forest Business Association); and
 - 12. Hasbi Berliani (Kemitraan).

Secretariat:

Chairman : Dewi Yuniarti, SH, MM (Legal Department and Organization)

Vice-Chairman : Ir. Timbul Batu Bara (Directorate of Plantation Forest Management of the Directorate General of Forestry Business Management)

- Members
- : 1. Hendra Noviadry, ST, MMSI (Legal Department and Organization);
 - 2. Ricky Budiman Faried, S.Sos (Legal Department and Organization); and

Unofficial translation

3. Sussi (General Affairs Department)

Copies are identical to the original
HEAD OF LEGAL DEPARTMENT AND ORGANIZATION

THE MINISTER OF FORESTRY OF
THE REPUBLIC OF INDONESIA

(signed)
KRISNA RYA

(signed)
ZULKIFLI HASAN