



# Peat Protection No Reason For Destroying Natural Forest:

## “Land swap” policy risks deforestation from Aceh to Papua

photo: AURIGA NUSANTARA

The Government of Indonesia appears to be planning deforestation as a result of its peatlands protection initiative, according to an analysis by the Koalisi Anti Mafia Hutan of the Government’s land swap policy. The land swap policy is intended to compensate timber plantation concessions (Hutan Tanaman Industri, or HTI) impacted by Government-mandated peat restoration. The peatlands protection efforts aim to prevent disastrous fires as occurred in 2015.

As ordered by the Minister of Environment and Forestry’s Regulation P.40/2017 on Government Facilitation of Industrial Timber Plantations in the Framework of Protection and Management of Peat Ecosystems,<sup>1</sup> land swaps are to be granted to HTI license holders with concessions on which 40% or more of the plantation work area is designated as protected peat ecosystems. From 12.94 million hectares of priority peat restoration areas designated by Indonesia’s Peat Restoration Agency (Badan Restorasi Gambut, or BRG), 2.15 million hectares, or 16% of the total area, are HTI concessions – of which 216,044 experienced disastrous fires in 2015.<sup>2</sup>

The land swap allocation map is contained in the Appendix of Directive Decree of the Minister of Environment and Forestry SK. 4732/MenLHK-PHPL/KPHP/HPL.0/9/2017 on Indicative Maps of Unfulfilled Production Forest Utilization for Forest Utilization Enterprises (hereafter referred to as SK 4732)<sup>3</sup> published on the Ministry’s website.<sup>4</sup> Although the land swap allocation map’s scale is small (1:500,000) and does not meet the Geospatial Information Agency’s requirements for operational maps<sup>5</sup>, **the Koalisi Anti Mafia Hutan has conducted spatial analysis and found that from the total land swap allocation of 921,230 hectares, 362,390 hectares, or 40%, is primary or secondary forest.**<sup>6</sup>

The allocations for land swaps are spread across most of Indonesia’s big islands (except Java), including Sumatra, Kalimantan, Sulawesi, Maluku, Nusa Tenggara, and Papua. **Table 1** (below) shows the provinces where the allocations for land swap are located and the extent of forest cover in each province that is threatened by this policy. Of the 19 provinces containing allocations for land swaps, allocations in only five provinces (West Sumatra, Riau, South Sumatra, West Nusa Tenggara, and Central Sulawesi) do not contain natural forests. However, the area allocated for land swaps in those five provinces is relatively small, i.e. 36,070 hectares, or 3% of the overall allocation.

<sup>1</sup>Peraturan Menteri Lingkungan Hidup Dan Kehutanan Republik Indonesia Nomor P.40/MENLHK/SETJEN/KUM.1/6/2017 tentang Fasilitas Pemerintah Pada Usaha Hutan Tanaman Industri Dalam Rangka Perlindungan Dan Pengelolaan Ekosistem Gambut, [http://www.forda-mof.org/files/P.40\\_2017.2.pdf](http://www.forda-mof.org/files/P.40_2017.2.pdf) (Accessed July 23, 2018).

<sup>2</sup> Badan Restorasi Gambut. 2016. Rencana Strategis Badan Restorasi Gambut 2016-2020. Jakarta: Badan Restorasi Gambut, [https://brg.go.id/files/RENSTRA%20BRG%202016-2020%20\(November%202016\).pdf](https://brg.go.id/files/RENSTRA%20BRG%202016-2020%20(November%202016).pdf), pada 22 Juli 2018 (Accessed July 23, 2018).

<sup>3</sup> Keputusan Menteri Lingkungan Hidup dan Kehutanan No: SK.4732/MenLHK-PHPL/KPHP/HPL.0/9/2017 tentang Peta Indikatif Arah Pemanfaatan Hutan Produksi yang Tidak Dibebani Izin Untuk Usaha Pemanfaatan Hutan, <https://drive.google.com/file/d/0B0WeKk7HPvj7V0QwTEhUeFhVc2M/view>, (Accessed July, 23 2018).

<sup>4</sup> Keputusan Menteri Lingkungan Hidup dan Kehutanan No: SK.4732/MenLHK-PHPL/KPHP/HPL.0/9/2017 tentang Peta Indikatif Arah Pemanfaatan Hutan Produksi yang Tidak Dibebani Izin Untuk Usaha Pemanfaatan Hutan, <http://www.menlhk.go.id/berita-216-keputusan-menteri-lingkungan-hidup-dan-kehutanan-no-sk4732menlhkphplkphpl092017-tentang-peta-indik.html>, (Accessed July, 23 2018)

<sup>5</sup> Badan Informasi Geospasial. 2015. Skala Peta Operasional Mempercepat Pengukuhan Kawasan Hutan. Jakarta: Badan Informasi Geospasial. hlm. 109, diakses dari <http://www.big.go.id/assets/download/2017/Geospasial-Ebook/Skala-Peta-Operasional.pdf>

<sup>6</sup> This area is found after converting the SK 4732 maps published in pdf format to shp files and then overlaying with the forest cover map. Primary forest in this analysis is a combination of three primary forest types: primary dryland forest, primary mangrove forest, and primary swamp forest. Secondary forest in this analysis is a combination of secondary dryland forest, secondary mangrove forest, and secondary swamp forest. Details about these landcover classifications can be found at: <http://webgis.menlhk.go.id:8080/pl/pl.htm>.

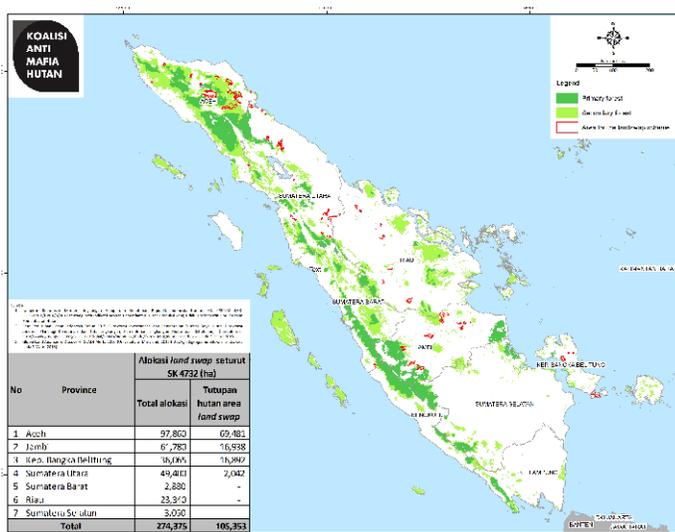
Areas allocated for land swaps that threaten natural forest cover are largest in the provinces of Aceh, Papua, Central Kalimantan, East Nusa Tenggara, and Maluku. Around 70% (251,137 hectares) of the primary and secondary natural forest cover threatened by the land swap policy is in these five provinces.

**Table 1. Land swap allocation by province based on SK Menteri LHK No. 4732**

No	Province	Land swap allocation based on SK 4732 (hectares)	
		Total allocation	Forest cover inside the allocation
1	Aceh	97,860	69,481
2	Papua	153,255	65,759
3	Central Kalimantan	152,440	48,314
4	East Nusa Tenggara	58,260	36,931
5	Maluku	69,550	30,652
6	West Kalimantan	100,825	24,427
7	East and North Kalimantan	47,805	22,337
8	North Maluku	31,660	18,106
9	Jambi	61,780	16,938
10	Kep. Bangka Belitung	36,065	16,892
11	Gorontalo	6,515	6,213
12	West Papua	4,890	3,566
13	North Sumatera	49,400	2,042
14	South Kalimantan	14,855	732
15	West Sumatera	2,880	-
16	Riau	23,340	-
17	South Sumatera	3,050	-
18	West Nusa Tenggara	2,255	-
19	Central Sulawesi	4,545	-
<b>Total</b>		<b>921,230</b>	<b>362,390</b>

Sources :

1. Lampiran Keputusan Menteri Lingkungan Hidup dan Kehutanan Republik Indonesia Nomor: SK. 4732/MenLHK-PHPL/KPHP/HPL.0/9/2017 tentang Peta Indikatif Arah Pemanfaatan Hutan Produksi Yang Tidak Dibebani Izin Untuk Usaha Pemanfaatan Hutan.
2. Peta Penutupan Lahan Indonesia Tahun 2015 (Direktorat Inventarisasi dan Pemantauan Sumber Daya Hutan, Direktorat Jenderal Planologi Kehutanan dan Tata Lingkungan, Kementerian Lingkungan Hidup dan Kehutanan). Diunduh dari <http://www.greenpeace.org/seasia/id/Global/seasia/Indonesia/Code/Forest-Map/data.html>, diakses pada 3 Maret 2018.
3. *Global Land Analysis & Discovery (GLAD) Alerts 2016* (University of Maryland, 2016 <http://glad.geog.umd.edu/alerts>, diakses pada 3 Maret 2018).



**Figure 1.** Land swap allocation in Sumatra based on SK 4732

The land swap policy threatens a total of 105.353 hectares of natural forest in Sumatra spread across four of the islands seven provinces. These provinces (in order of most forest cover area under threat) are Aceh, Jambi, Bangka Belitung, and North Sumatra (see **Figure 1**).

Kalimantan has the most natural forest area threatened under the land swap policy. The policy threatens 95,810 hectares in the five provinces of (in order of most forest cover area under threat) Central Kalimantan, West Kalimantan, East and North Kalimantan, and South Kalimantan (see **Figure 2**).

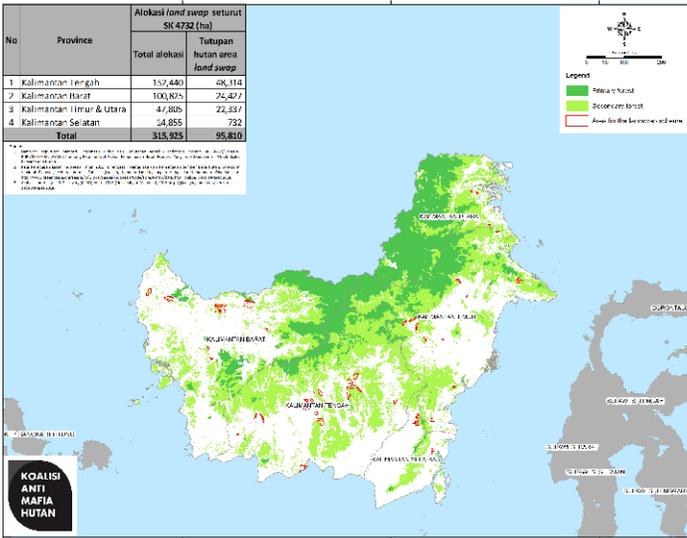


Figure 2. Land swap allocation in Kalimantan based on SK 4732

The allocation of new areas under SK 4732, which were not previously allocated for HTI concessions, is inconsistent with earlier statements by the Ministry. The Ministry's Secretary General, Pak Bambang Hendroyono, indicated in a previous statement published as a press release that the allocations for land swaps would be from unproductive HTI concessions and areas already reserved for future HTI concession licenses.<sup>7</sup> Based on data from the Directorate General of Sustainable Production Forest Management (Pengelolaan Hutan Produksi Lestari, or PHPL), the Koalisi Anti Mafia Hutan has found that at least 1,153,949 hectares of HTI areas are currently inactive and should be revoked.<sup>8</sup> If the land swap policy must be carried out, the allocations should come from these areas already allocated for HTI and not involve an expansion of licensed areas.

Figure 3 shows the allocations for land swap in Sulawesi, Maluku islands, and Nusa Tenggara. In Sulawesi, the land swap allocation is only 11,060 ha, located in Gorontalo and Central Sulawesi. However, the land swap allocations in East Nusa Tenggara, Maluku, and North Maluku provinces pose a serious threat to natural forest cover amounting to 89,920 hectares.

As feared, the Government of Indonesia still views Papua as an area to exploit natural resources, evidenced by the land swap allocation in Papua province containing 65,758 hectares of natural forest cover (see Figure 4). The land swap allocations are largest in the southern part of the province where the land is relatively flat. In West Papua province, land swap allocations of 4,890 hectares contain 3,565 hectares of natural forest cover.

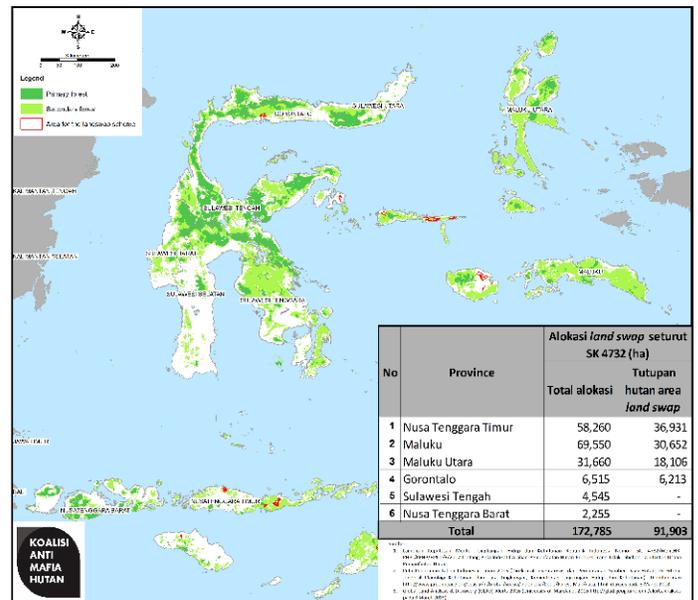


Figure 3. Land swap allocation in Sulawesi, Maluku islands, and Nusa Tenggara based on SK 4732

The existing land swap policy has so far not provided a detailed, robust, and legally binding mechanism to ensure companies that developed plantations on drained peatlands are responsible for the recovery of those peatlands. Therefore, the allocation of replacement land without a clear policy in this regard raises its own concerns. Significant funding is required for restoration,<sup>9</sup> the exact costs of which are determined on a site-by-site basis based on many factors such as location, drainage structures, and current condition of the peat. General estimates indicate restoration costs can reach into thousands of dollars per hectare.<sup>10</sup> Of the 2.1 million hectares prioritized for peat restoration on HTI concessions, 1.4 million hectares have been developed as pulpwood plantations by draining the peatlands.

<sup>7</sup> KLHK Tetapkan Mekanisme Land Swap Dan Alokasikan Lahan Pengganti, [http://ppid.menlhk.go.id/siaran\\_pers/browse/644](http://ppid.menlhk.go.id/siaran_pers/browse/644) (Accessed July 23, 2018).  
<sup>8</sup> Koalisi Anti Mafia Hutan, 2018, "Indonesian civil society calls on Government for transparency and accountability to protect and restore peatlands and forests", April 5, <http://pasopatiproject.id/wp-content/uploads/2018/04/HTI-land-swap-policy-indicates-nearly-1-million-hectares-deforestation-risk.pdf>.  
<sup>9</sup> Direktorat Pengelolaan Hutan Produksi Lestari. 2017. Perbaikan Tata Kelola HTI Gambut Berbasis Fungsi Ekosistem Gambut (Melalui Revisi RKUPHHK, Pemulihan & Landswap). Powerpoint presentation. December 6.  
<sup>10</sup> Hansson, Amanda and Dargusch, Paul. 2018. "An Estimate of the Financial Cost of Peatland Restoration in Indonesia." Case Studies in the Environment. University of California Press. January. <https://doi.org/10.1525/cse.2017.000695>.

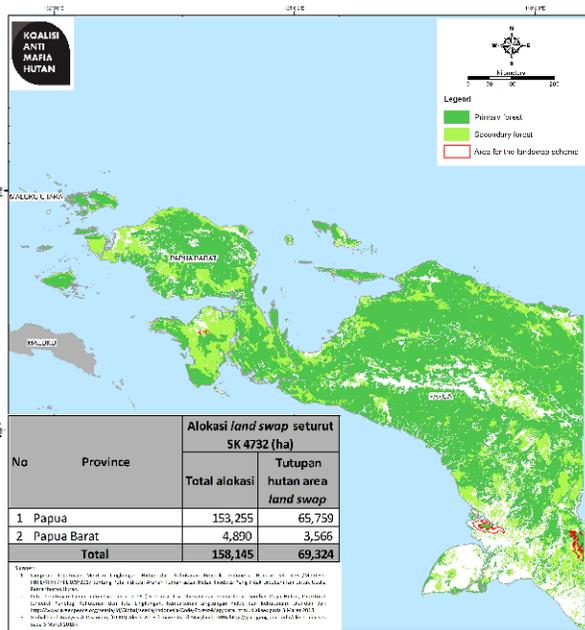


Figure 4. Land swap allocation in Papua based on SK 4732

Land swap areas should be allocated after the company first restores the drained peatlands. Once the restoration is considered successful, then KLHK can provide the replacement areas. Without this provision, the companies can simply walk away from the disaster they have created. Restoration may never take place, and abandoned areas may be vulnerable to catastrophic fires for decades to come.

Therefore, the Government of Indonesia should undertake an in-depth review of the proposed land swap areas through a transparent process. Pressure on natural forests should be minimized, and the land swap allocations should avoid adding to widespread social conflict from HTI areas overlapping with lands already inhabited or managed by local communities and/or indigenous peoples.

The Koalisi Anti Mafia Hutan proposes that areas allocated for land swaps, at minimum, meet the following three criteria:

- (1) Prioritize mineral soils under existing HTI licenses that are currently inactive;
- (2) Avoid areas that have remaining natural forest, including degraded forest;
- (3) Avoid lands that are claimed or managed by customary/local communities;

The Koalisi further recommends that the Government of Indonesia:

1. Publish the results of revisions to the RKU (general workplans) and RKT (annual workplans) of HTI companies subject to liability, especially those whose lands burned during 2015-2018, including the names of companies that have submitted revisions to their RKU and RKT and those who are unwilling to revise their RKU and RKT;
2. Publish the plans for restoration of peatland ecosystems, which have been proposed by IUPHHK license-holders and approved by the Ministry of Environment and Forestry.
3. Identify the areas available for new allocations, in accordance with the above criteria, and invite stakeholder input to select “clean and clear” lands based on the above guidelines.
4. The granting of allocations under the land swap policy is carried out in a transparent manner and involves public participation
5. Ensure that companies that acquire new areas remain responsible for the restoration of the peatlands they leave behind.

### THE KOALISI ANTI MAFIA HUTAN



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