MULTIPLE LAW ENFORCEMENT INSTRUMENTS ON ENVIRONMENT AND FORESTRY CRIME

COMBATTING FOREST FIRES IN INDONESIA

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PACIFIC ENVIRONMENTAL SECURITY FORUM (PESF) 2019

21-24 May 2019
INDONESIA TROPICAL FOREST
TERRESTRIAL AND MARINE BIODIVERSITY

126 Millions Ha  Tropical Forest  126,824  Terrestrial Species  6,869  Marine Species

“LOCAL, NATIONAL, GLOBAL CLIMATE REGULATOR

(Source: MNDP, IBSAP, 2016)
HOW LONG CAN WE GO
FOREST FIRE BEFORE 2015

- Hotspot (Terra/Aqua):
  - 2013: 39,668
  - 2014: 89,214
  - 2015: 70,971
  - 2016: 3,844
  - 2017: 2,440
  - 2018: 8,459
  - 2019 (April): 814

- Hotspot (NOAA):
  - 2013: 19,353
  - 2014: 31,310
  - 2015: 21,929
  - 2016: 3,915
  - 2017: 2,581
  - 2018: 4,613
  - 2019 (April): 378
“Law enforcement genuinely has to be conducted, whether administrative, civil, or criminal law. The purpose is to create legal certainty and social justice”.

**Green Constitution - UUD 1945**

- **Article 28 H**
  “Everyone has a right to have good and healthy environment”

- **Article 33 Verse 3**
  “The organisation of the national economy shall be conducted on the basis of economic democracy upholding the principles of togetherness, efficiency with justice, continuity, environmental perspective, self-sufficiency, and keeping a balance in the progress and unity of the national economy”

- **Article 33 Verse 4**
  “The land, the waters and the natural resources within shall be under the powers of the State and shall be used to the greatest benefit of the people”

**Presidential Instruction No. 11 Year 2015 Concerning Strengthening Forest and Land Fire Control**

- **Law No. 5/1990** Conservation of Living Natural Resources & Ecosystem
- **Law No. 37/2014** Soil & Water Conservation
- **Law No. 41/1999** Forestry
- **Law No. 4/2009** Mineral & Coal
- **Law No. 18/2008** Waste Management
- **Law No. 39/2014** Plantations
- **Law No. 32/2009** Protection & Management of the Environment
- **Law No. 26/2007** Spatial
- **Law No. 18/2013** Prevention & Eradication of Forest Destruction
- **Law No. 27/2007 jo. Law No. 1/2014** Coastal Areas and Small Islands
- **Law No. 8/2010** Prevention & Eradication of Money Laundering
MOEF DECREE NO.18 TAHUN 2015
SPECIALIST UNIT FOR ENVIRONMENT AND FORESTRY LAW ENFORCEMENT IN 2015

DIRECTORATE GENERAL FOR LAW ENFORCEMENT ENVIRONMENT AND FORESTRY

REGIONAL OFFICE SUMATERA
- Section Area 1 Medan
- Section Area 2 Pekanbaru
- Section Area 3 Pontianak

REGIONAL OFFICE JAWA BALI NUSA TENGGARA
- Section Area 1 Jakarta
- Section Area 2 Surabaya
- Section Area 3 Kupang

REGIONAL OFFICE SULAWESI
- Section Area 1 Makassar
- Section Area 2 Palu
- Section Area 3 Manado

REGIONAL OFFICE MALUKU & PAPUA
- Section Area 1 Manokwari
- Section Area 2 Ambon
- Section Area 3 Jayapura

23 Forest Rangers
137 SPORC
47 Civil Investigators
20 Inspectors

10 Forest Rangers
124 SPORC
31 Civil Investigators
12 Inspectors

9 Forest Rangers
101 SPORC
27 Civil Investigators
13 Inspectors

14 Forest Rangers
19 Civil Investigators
41 Inspectors

17 Forest Rangers
84 SPORC
28 Civil Investigators
39 Inspectors

10 Forest Rangers
79 SPORC
16 Civil Investigators
5 Inspectors
WHY LAW ENFORCEMENT IS NEEDED FOR COMBATTING FOREST FIRES

99% of Forest Fires Caused by Humans

Weather Modification
El Nino
Early Warning
Public Awareness

HUMAN FACTORS

Vulnerable Ecosystems

Weather

Peatland Degradation

Protection Function
Cultivation Function

12,398,482 Ha Protection Function
12,269,321 Ha Cultivation Function
24,667,804 Ha Total Peatland Area

Peatland Ecosystem Restoration

Compliance Culture
Law Enforcement

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**ACTIONS AND EFFORTS TO MITIGATING FOREST FIRES**

- **MULTI AGENCY COLLABORATION-CIVIL, POLICE, MILITARY**
  - Presidential Instruction No. 11 Year 2105 Concerning Strengthening Forest and Land Fire Control

- **Mitigation**
  - 3.1 Million Ha Peat Restoration
  - Weather Modification Rain Seeding
  - 16,496 Days Land Extinguish
  - 35,558 Infrastructures
  - 129 Air Extinguish

- **Early Warning & Detection**
  - SiPongi
  - Fire Danger Rating
  - Online InaRISK
  - Smokies
  - Sasami
  - Fire Weather Index
  - Karhutla Monitoring
  - Mobile Phone Apps

- **Community Involvement**
  - 319 MPA/Fire Care Community
  - 11,619 MPA’s Members
  - 218 Free-Fire Village Program
  - 87 Village Livelihood Empowerment
  - 11,708 Persons Trained

- **Public Awareness**
  - Notice of Head of Local Police
  - TV & Radio Shows
  - 137,900 SMS Blasts
  - 8 Exhibitions & Campaigns

(Source: DG Climate Change MOEF.2019)
FOREST FIRE RELATED CRIME

- Illegal Logging
- Forest Encroachment
- Forest Fire
LAW ENFORCEMENT EFFORTS FOR PROTECTING ENVIRONMENT SINCE 2015

- **Complaint Handling**: 3,130
- **Inspection**: 3,771
- **Administrative Sanction**: 640
- **Lawsuit**: 26

- **Deals**: 133
- **Facilitating Police & Attorney**: 620
- **Prevention & Forest Security Operation**: 1,025
  - 2019: 9

- **Environmental Dispute Resolution (Out of Court)**
- **Criminal Law Enforcement**
- **Forest Encroachment**
- **Wildlife**
- **Forest Product Circulation**

- **Environmental Case Registration**: 780

- **Binding Verdicts USD 1.3 Billion**

- **Environmental Lawsuit**: 10

- **Against X-Crime**

- **DITJENGAKKUM.KLHK**
- **GAKKUM KLHK**
- **GAKKUM_KLHK**
- **GAKKUMKLHK**
LAW ENFORCEMENT ON FOREST FIRES SINCE 2015

**License Inspection**
- 416 cases
- 2015: 170
- 2016: 74
- 2017: 34
- 2018: 27
- 2019: 2

**Administrative Sanction**
- 175 cases
- 2015: 27
- 2016: 130
- 2017: 9
- 2018: 8
- 2019: 1

**Civil Lawsuit**
- 17 cases

**Legal Actions**
- Written Warning: 115
- Government Coercion: 41
- License Revocation: 3
- License Freeze: 16

**Criminal Law Enforcement**
- 225 Million USD
- Binding Verdict
- 69 cases
- 2015: 28
- 2016: 13
- 2017: 13
- 2018: 14
- 2019: 1
GAKKUM KLHK

DITJENGAKKUM.KLHK
KEMENTRIAN LINGKUNGAN HIDUP DAN KEHITAMAN
DITJEN PENEGAKAN HUKUM SEKALI BEBASAMA TIM GABungan TANGKAP 287 KONTAINER
KAYU ILLEGAL ASAL PAPUA DAN PAPUA BARAT DI SURABAYA

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Indonesia investigates 10 firms over smog-causing forest fires

JAKARTA (Reuters) - Indonesia is investigating 10 firms over worsening forest fires that have created a blanket of smog over Southeast Asia, threatening them with sanctions if they are found responsible, a government minister said on Tuesday.

The thick haze from Indonesia's Sumatra and Kalimantan islands has forced the repeated cancellation of flights in the area and pushed air quality to unhealthy levels in neighboring Singapore and Malaysia.

Environment Minister Siti Nurbaya Bakar said companies could face sanctions if found violating their permits.

President orders for immediate action against forest fires

Jakarta (ANTARA News) - President Joko Widodo (Jokowi) has passed order for immediate action to prevent forest fires from spreading and become out of control.

Forest fires have been reported in Riau and West Kalimantan spreading fast over the past week.

Jokowi said it is predicted that forest and bush fires were more devastating in August and September, therefore, action must not be delayed to put an end to fire when they are still easier to control.

He said there were fewer dots of fires compared with the same period last year.

"But I want to draw your attention that there are 217 dots of fire all over the country potential to cause big problem," the president said at limited cabinet meeting here on Friday.

He said the fires already broke out in Riau and South Sumatra and North Sumatra although attempts had been made from the air and over land by fire fighters to isolate and put out the fires.

Indonesia takes unprecedented move to punish firms over deadly forest fires

Indonesia has announced it is punishing more than 25 companies for starting deadly forest fires that killed 10 people.

Three companies have been shut down permanently after having their licenses revoked over their role in the blaze that choked vast expanses of South-East Asia with acrid haze and cost Indonesia $1.6 billion.

It is the first time the government has revoked company licenses over forest fires, an annual occurrence caused by slash-and-burn land clearance.

10 firms probed over Indonesia forest fires

Indonesia has launched an investigation into 10 companies suspected of starting deadly forest fires that killed 10 people.

These companies have been hit with fines and orders to pay reparations to victims.

The latest in a string of fires that have shrouded Southeast Asia in toxic smoke, the companies are accused of starting the blazes.

Government wins in forest fire case

Hans Nicholas Long
The Jakarta Post

Jakarta / Thu, February 9, 2017 / 06:55 am

Five concession areas in W. Kalimantan sealed following forest fires

The Jakarta Post

Jakarta / Mon, August 27, 2018 / 10:29 am
Minister Siti Nurbaya to File Lawsuit Against 10 Companies

Almost 500 companies get sanctions for harming environment

Govt to investigate illegal logging activities in Riau

Indonesian logging firm fined a record US$1.2 billion for deforestation

Three company directors named suspects of illegal logging in Papua

Three bosses of illegal timber named suspects by KLHK

Indonesia thwarts illegal logging in South Sumatra

Paper and pulp company fined $1.19 billion for illegal logging
IMPACT COMBATTING FOREST FIRE IN INDONESIA

HOTSPOT IN ASEAN COUNTRIES (2014-2019)

SIGNIFICANT HOT SPOT REDUCTION

Source: MODIS Satellite (NASA) 2 May 2019

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ENHANCING SURVEILLANCE AND DECISION MAKING INTEGRATED INFORMATION SYSTEMS

INTERNAL

Marine Traffic
Media Monitoring
Forensic
Planet Map
SPACE Map
LAPAN Hotspot
Forest Fire
NFMS
SIPUHH Online
Complaint
SPARTAN
Cyber Patrol
Hotspot Investigation
Company Profile
Citizen Identity

EXTERNAL

Mining Geoportal
Industries Geoportal

INTERNAL

EXTERNAL
LESSON LEARNED

1. LAW ENFORCEMENT EFFECTIVE "SHOCK THERAPY"
   But public awareness is crucial for development of compliance culture

2. IMPORTANT ROLE OF SCIENCE AND TECHNOLOGY
   Information & Communication Technology and Forensic
   • important tools for surveillance and decision making in supporting effective law enforcement

3. MULTI AGENCY COMMITMENT IS IMPORTANT FOR EFFECTIVE COLLABORATION
   Civil, Military, and Law Enforcement Officer
   Collaboration is needed-preconditions for the success of combatting forest fires
   • Prevention
   • Mitigation
   • Law Enforcement

WE FIGHT AGAINST X-CRIME

01 INTEGRITY
02 PROFFESIONAL
03 CARE
04 RESPONSIVE

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