



GOVERNMENT REGULATIONS

GENERAL PATTERN, CRITERIA, AND STANDARD OF FORETS REHABILITATION AND RECLAMATION

(Regulation of RI Forestry Minister No. 39/MENHUT-II/2010, dated August 11, 2010)

WITH THE BLESSING OF THE ONE AND ONLY GOD
FORESTRY MINISTER OF THE REPUBLIC OF INDONESIA,

Considering:

That in order to exercise provisions of Article 7 of Government Regulation No. 76 Year 2008 concerning Forest Rehabilitation and Reclamation, it is necessary to stipulate a regulation of the Forestry Minister of the Republic of Indonesia concerning General Pattern, Criteria and Standard of Forest Rehabilitation and Reclamation;

In view of:

1. Law No. 41 Year 1999 (BN No. 6400 pgs 1B-8B etc) concerning Forestry (State Gazette of the Republic of Indonesia Year 1999 No. 167, Supplement to State Gazette of the Republic of Indonesia No. 3888) having been amended by Law No. 19 Year 2004 (BN No. 7140 pgs 31B-32B) concerning Stipulation of Government Regulation in Lieu of Law No. 1 Year 2004 (BN No. 7034 page 9B) concerning Amendment to Law No. 41 Year 1999 concerning Forestry to Become a Law (State Gazette of the Republic of Indonesia Year 2004 No. 86, Supplement to State Gazette of the Republic of Indonesia No. 4412);
2. Law No. 32 Year 2004 (BN No. 7152 pgs 9B-18B etc) concerning Regional Government (State Gazette of the Republic of Indonesia Year 2004 No. 125, Supplement to State Gazette of the Republic of Indonesia No. 4437) having been amended several times, lastly by Law No. 12 Year 2008 (BN No. 7661 pgs 11B-18B etc) (State Gazette of the Republic of Indonesia Year 2008 No. 59, Supplement to State Gazette of the Republic of Indonesia No. 4844);
3. Government Regulation No. 35 Year 2002 (BN No. 6826 pgs 1B-6B) concerning Reforestation Fund (State Gazette of the Republic of Indonesia Year 2002 No. 67, Supplement to State Gazette of the Republic of Indonesia No. 4207) having been amended by Government Regulation No. 58 Year 2007 (BN No. 7594 page 15B) (State Gazette of the Republic of Indonesia Year 2007 No. 131, Supplement to State Gazette of the Republic of Indonesia No. 4776);
4. Government Regulation No. 44 Year 2004 concerning Forest Planning (State Gazette of the Republic of Indonesia Year 2004 No. 146, Supplement to State Gazette of the Republic of Indonesia No. 4453);
5. Government Regulation No. 45 Year 2004 concerning Forest Protection (State Gazette of the Republic of

- Indonesia Year 2004 No. 147, Supplement to State Gazette of the Republic of Indonesia No. 4453) having been amended by Government Regulation No. 60 Year 2009 (State Gazette of the Republic of Indonesia No. 147, Supplement to State Gazette of the Republic of Indonesia No. 4453);
6. Government Regulation No. 6 Year 2007 (BN No. 7487 pgs 12B-16B etc) concerning Forest Management and Compilation of Forest Management Plan and Utilization of Forest (State Gazette of the Republic of Indonesia Year 2007 No. 22, Supplement to State Gazette of the Republic of Indonesia No. 4696) having been amended by Government Regulation No. 3 Year 2008 (BN No. 7630 pgs 17B-20B etc) (State Gazette of the Republic of Indonesia Year 2008 No. 16, Supplement to State Gazette of the Republic of Indonesia No. 4814);
 7. Government Regulation No. 38 Year 2007 (BN No. 7576 pgs 1B-6B) concerning Division of Government Affairs between the Government, Provincial Regional Governments, and Regency/City Regional Governments (State Gazette of the Republic of Indonesia Year 2007 No. 82, Supplement to State Gazette of the Republic of Indonesia No. 4737);
 8. Government Regulation No. 76 Year 2008 (BN No. 7881 pgs 18B-22B) concerning Forest Rehabilitation and Reclamation (State Gazette of the Republic of Indonesia Year 2008 No. 201, Supplement to State Gazette of the Republic of Indonesia No. 4947);
 9. Presidential Decree No. 84 Year 2009 (BN No. 7875 pgs 13B-14B) Establishment of Indonesia United Cabinet;
 10. Presidential Regulation No. 47 Year 2009 (BN No. 7927 pgs 2B-12B) concerning Establishment and Organization of State Ministries;
 11. Presidential Regulation No. 24 Year 2010, concerning Position, Mission, and Functions of State Ministries, and Organization Composition, Duties, and Functions of Echelon-I Officials;
 12. Forestry Minister Regulation No. P.13/Menhut-II/2005 concerning Organization Structure and Work Mechanism of the Forestry Department, having been amended several times, lastly by Forestry Minister Regulation No. P.64/Menhut-II/2008 (State Gazette of the Republic of Indonesia Year 2008 No. 80);
 13. Forestry Minister Regulation No.: P. 70/Menhut-II/2008 concerning Technical Guidelines on the Rehabilitation of Forest and Land (State Gazette of the Republic of Indonesia Year 2008 No. 96);
 14. Forestry Minister Regulation No. P.60/Menhut-II/2009 (BN No. 7690 pgs 13B-18B) concerning Valuation Guidelines for Successful Forest Reclamation (State Gazette of the Republic of Indonesia Year 2009 No. 317);

D E C I D E S :

To stipulate:

FORESTRY MINISTER REGULATION CONCERNING GENERAL PATTERN, CRITERIA, AND STANDARD OF FOREST REHABILITATION AND RECLAMATION.

CHAPTER I

DEFINITION

Part One

General

Article 1

In this Forestry Minister Regulation, definitions of terms used are as follows:

1. General pattern is the basic frame and reference in the performance of Forest Rehabilitation and Reclamation activities.
2. Forest and land rehabilitation is an effort to restore, maintain, and improve the functions of forest and land so that its support capability, productivity and role to support life support system can always be secured.
3. Forest reclamation is an effort to correct or to restore damaged forest land and vegetation so that it can function at an optimum in accordance with its allocation.
4. Re-vegetation is an effort to repair and restore damaged vegetation thru planting and maintenance activities on former forest zones.
5. River Basin, hereinafter abbreviated DAS (Daerah Aliran Sungai), is a land area being a unity with a river and its tributaries, functioning to accommodate, store, and to flow rain water naturally to lakes or to the sea, wherein its border on land is a topographical separator and border on the sea is until waters still affected by land activities.
6. DAS Management is a human effort to regulate an inter-relation of man and all of his activities and the natural resources within a DAS, in order to materialize the preservation and harmony of the ecosystem and to increase the utility of natural resources for man continuously.
7. Forest and critical terrain is forest and land within and outside of forest zones no more functioning as media to regulate water and land productivity elements causing disturbances on the balance of DAS ecosystem.
8. Forest zone is a certain zone appointed and/or stipulated by the Government to be secured as of its existence as a permanent forest.
9. Reforestation is an effort planting types of trees forest in damaged forest zones in the form of empty space, along-alang (course grass), or underbrush to restore the functions of forest.
10. Reforestation is an effort to restore critical terrain outside of forest zones to restore the functions of the land.
11. Coastal forests are trees growing on the shore and not affected by climate, and existing at the highest tide line, with tree types among others *Casuarina equisetifolia*, *Terminalla catapa*, *Hibiscus tiliaceus*, *Cocos nucifera* and *Artocarpus altilis*.
12. Turf/swamp zone is a zone where a majority of its land forming elements is in the form of organic substance remains accumulated for a long time
13. Vegetation enrichment is an activity to add its variety by utilizing growth space at an optimum by planting trees.
14. Maintenance of forest is an activity to keep, secure, and increase the quality of vegetation being the product of reforestation, greening and vegetation enrichment activities.
15. Use.

- 15. Use of forest zones for the interest of development outside of forestry activities, hereinafter referred to as use of forest zones, is the use for unavoidable strategic purposes, among others, activities of mining, development of electricity, telephone, and water installation nets, religion interests, and security and defense interests.
- 16. Central Government, hereinafter referred to Government, is the President of the Republic of Indonesia holding the power of government of the State of the Republic of Indonesia as meant in the 1945 State Constitution of the Republic of Indonesia.
- 17. Minister is the minister assigned the duty and responsibility in the field of forestry.
- 18. Regional Government is the governor, regent/mayor, and regional apparatus as performing elements of the regional government.

Part Two

Purpose and Objective

Article 2

- (1) Purpose of general pattern is to provide a basic frame in the performance of rehabilitation of forest and land, and forest reclamation containing principles and approach.
- (2) Objective of general pattern is to obtain a common basis on basic approach and its principles, pattern of performance, and performance control mechanism, in order to achieve an effective product and impact in

accordance with the objective of Forest Rehabilitation and Reclamation.

- (3) Purpose of criteria and standard of Forest Rehabilitation and Reclamation is to provide a reference and measurement to be used as criteria as basis in the performance of Forest Rehabilitation and Reclamation.
- (4) Objective of criteria and standard of rehabilitation and reclamation is to provide guidelines and/or signs in the performance of Forest Rehabilitation and Reclamation.

CHAPTER II

PERFORMANCE OF RHL

Part One

General

Article 3

Performance of Forest Rehabilitation and Reclamation shall be carried out guided by:

- a. General pattern;
- b. Criteria and standard of forest rehabilitation and reclamation.

Part Two

General Pattern

Article 4

General pattern referred to in Article 3 letter a covers:

- a. Principles; and
- b. Approach.

Paragraph 1

Principles

Article 5

Basic principles for the performance of forest and land rehabilitation and forest reclamation referred to in Article 4 letter a cover:

- a. Continuous budgeting system (multi years);
- b. Clarity of authority;
- c. Tenurial System knowhow;
- d. Cost sharing;
- e. Implementation of incentive system;
- f. Empowerment of community and institution capacity;
- g. Participative approach; and
- h. Transparency and accountability.

Article 6

Principle of multi-years continuous budgeting system referred to in Article 5 letter a, is performed with the following method:

- a. Adopting the silvi-culture system and condition of the climate and weather;
- b. Timely planning and performance;
- c. Multi-years based budgeting administration system;
- d. Multi-years reclamation funding by reclamation performers

Article 7

Principle of clarity of authority, referred to in Article 5 letter b, is performed with the following method:

- a. Performance of forest and land rehabilitation is carried out by the Government, Provincial Governments, and Regency/City Governments in accordance with its authority;
- b. Performance of forest and land rehabilitation on areas that had been granted with permit/right is performed by the permit/right holder.

Article 8

Principle of Tenurial System knowhow referred to in Article 5 letter c, is performed with the following method:

- a. Forest rehabilitation efforts and forest reclamation for each forest functions shall be adjusted to stipulated forest functions;
- b. Rehabilitation of forest and land and forest reclamation shall be based on certainty of right on land and a clear understanding of the character of the zone functions.

Article 9

Principle of cost sharing referred to in Article 5 letter d, is performed with the following method:

- a. In the performance of forest and land rehabilitation, involvement of the community both in the form of manpower and means and infrastructures can be accounted for as costs, hence forest and land rehabilitation efforts can contribute benefit to the State and the community;
- b. In the reclamation of forest struck by natural disaster, the Government can allocate budget proportionally to holders of right.

Article 10

Principle of implementation of incentive system referred to in Article 5 letter e, is performed with the following method:

- a. In the performance of rehabilitation of forest and land, the Government can provide support in the form of policy instruments that can motivate the achievement of the rehabilitation purpose and objective among others permit facilities, market access, and awards;
- b. In forest reclamations, Government incentive can be provided in the form of technical guidance, monitoring and evaluation.

Article 11

Principle of empowerment of the community and institution capacity referred to in Article 5 letter f, is performed with the following method:

- a. Performance of forest and land rehabilitation shall be able to provide forest resources benefits for the community at an optimum and justly thru the development of capacity and the provision of access in the context of prosperity improvement;
- b. In the improvement of the capacity of community institutions, the Government can provide technical guidance, elucidation, and to offer full role.

Article 12

Principle of participative approach referred to in Article 5 letter g, is performed with the following method:

- a. Motivate the participation of the community and related parties;
- b. Paying due observance on local institutions, local inputs, and local technologies.

Article 13

Principle of transparency and accountability referred to in Article 5 letter h, is performed with the following method:

- a. Compilation of planning, preparation, performance and control shall be performed transparently, can be accessed by the community, and its products can be accounted for;
- b. In forest reclamation, holders of right of management or permit for the utilization of forest shall report reclamation performance process periodically to the Government.

Paragraph 2

Approach

Article 14

Approach in the context of the performance of Forest Rehabilitation and Reclamation referred to in Article 4 letter b, covers the aspects of:

- a. Politics;
- b. Social;
- c. Economy;
- d. Ecosystem; and
- e. Institution and organization.

Article 15

Approach thru the aspect of politics referred to in Article 14 letter a, is performed by using issues on global heating/warming, natural disaster/catastrophe, flood, landslides and drought to augment RHL activities as priority program in the National Development.

Article 16

Approach thru social aspects referred to in Article 14 letter b is performed with the following method:

- a. Performance of forest and land rehabilitation is expected to be able to provide a benefit for the improvement of community prosperity;
- b. Forest and land rehabilitation efforts shall be adjusted to the social culture condition of the local community and shall avoid horizontal conflicts in the community;
- c. Motivate the growth of social awareness on togetherness, augmenting community institutions, and development of tree planting culture.

Article 17

Approach thru economy aspects referred to in Article 14 letter c is performed with the following method:

- a. Forest and land rehabilitation in the long term shall be directed to improve the economy and income of the community;
- b. Forest and land rehabilitation efforts shall be developed thru the augmentation of institutions such as business partnership, market access and capital for the community.

Article 18

Approach thru ecosystem aspect referred to in Article 14 letter d is performed with the following method:

- a. Forest rehabilitation efforts and land and forest reclamation shall be placed within a DAS frame as a Management Unit by paying due observance on land support capability and land suitability, and by observing the variety of types;
- b. Forest and land rehabilitation and forest reclamation shall be adjusted to the National Space Layout Plan and Provincial Space Layout Plan;
- c. In order to support the planning, performance, monitoring of evaluation of products and impacts of rehabilitation, it is necessary to develop forest and land information system based on DAS.

Article 19

Approach thru institution and organization aspects referred to in Article 14 letter e is performed with the following method:

- a. RHL planning and performance is performed by competent human resources thru education and training;
- b. Reinforcing of central and regional organization structures that are effective in the handling of RHL activities;
- c. Preparation of mechanism of organization work relationship order of the Central and Regional Governments down to field performers, creating a two way communication, culture empowering and healthy control, same perception to achieve objectives and manage decision-making process and management of conflicts.

CHAPTER III

CRITERIA AND STANDARD

Part One

General

Article 20

Criteria and standard referred to in Article 3 letter

b cover:

- a. Criteria and standard of rehabilitation;
- b. Criteria and standard of reclamation.

Part Two

Criteria and Standard of Rehabilitation

Article 21

- (1) Criteria and standard of rehabilitation cover the aspects of:
 - a. Zone;
 - b. Institution; and
 - c. Technology.
- (2) The aspects of zone, institution and Technology are performed in one management system of Forest Rehabilitation and Reclamation performance.

Paragraph 1

Zone Aspect

Article 22

- (1) Zoning aspect referred to in Article 21 paragraph (1) letter a is performed both on state forest zones and forest zones outside of state forests.
- (2) Rehabilitation of State Forest Zones is carried out on:
 - a. Conservation Forest Zones;

b. Protection Forest Zones; and

c. Production Forest Zones.

(3) Rehabilitation in zones outside of state forests is performed on land having right there-on covering:

a. Land Rehabilitation / Reforestation; and

b. Rehabilitation of Mangrove and Coastal Forest.

Article 23

Zoning aspect of conservation forest covers:

- a. Rehabilitation of conservation forests except in natural reserves and national park chore zone, with the purpose to maintain and improve the variety and the preservation of flora and fauna;
- b. In conservation zones except in natural reserves and national park chore zones, performance of forest rehabilitation shall be carried out without damaging the functions of conservation;
- c. Stipulation and selection of vegetation types shall be oriented to local types performed with enrichment method.

Article 24

Zoning aspect in protected forests is performed with the following provisions:

- a. Rehabilitation of protected forests is meant to restore the functions of DAS upstream hydrology and land stability to ensure the quantity, quality, continuity of water supply and prevention of slides and flood disasters;

- b. In protected forests, selection of vegetation types shall be oriented to vegetation types producing non-wood forest products thru the development of forestry variety business.

Article 25

Zoning aspect of production forest is performed with the following provisions:

- a. Rehabilitation of production forest is meant to restore and improve forest productivity;
- b. Selection of vegetation types in production forests may be adjusted with the types of industrial forest vegetation simultaneously related with the supply of raw material for industries.

Article 26

Zoning aspect in the performance of land rehabilitation covers:

- a. protection zone; and
- b. cultivation zone.

Article 27

Zoning aspect outside of state forest zone in protection zones is performed with the following provisions:

- a. Land rehabilitation in protection zones is directed to secure and improve the functions of water order protection and prevention of flood and land slide natural disasters;
- b. Land rehabilitation in protection zones shall continue to accommodate the local community farming busi-

ness culture, in the event the culture farming business culture is not in accordance with the ability and suitability of the land;

- c. The Government and regional governments shall take efforts to develop patterns of incentives for the community among others in the form of aid in the form of seed, technical assistance, tax facilities.

Article 28

Zoning aspect outside of state forest zones in cultivation zones is performed with the following provisions:

- a. Land rehabilitation in cultivation zones is meant to maintain and improve the productivity of land;
- b. Land rehabilitation shall be developed in accordance with the class of land ability.

Article 29

Zoning aspect outside of state forest zones in mangrove and coastal forest areas is performed with the following provisions:

- a. Rehabilitation of mangrove forest is performed thru activities on the development of vegetation, vegetation maintenance, vegetation enrichment and/ or implementation of land conservation techniques by vegetative means and civil techniques means;
- b. The general pattern of rehabilitation performance in the zone is as follows:
 - 1) Rehabilitation of mangrove forests is directed for the development of forest vegetation as determinant element of shore ecosystem;

- 2) Rehabilitation of degraded mangrove forests is performed by overall planting whereas for locations used as fish ponds is performed by vegetation enrichment, among others thru silvo-fishery (wanamira =forest fish) system;
- 3) Performance of rehabilitation activities on mangrove forests is carried out by the Government, Provincial Governments, Regency/City Governments, BUMN/ BUMD, and the community.

Article 30

Zoning aspect in turf/swamps area is performed with the following provisions:

- a. Rehabilitation on turf/swamps area is performed thru activities development of vegetation, maintenance of vegetation, enrichment of vegetation and/or implementation of land conservation by vegetative and civil technical methods;
- b. Performance of rehabilitation of turf/swamp area is as follows:
 - 1) Rehabilitation of turf/swamp area is directed to restore the functions of turf/swamp ecosystem as micro climate support and in the context of mitigation of climate change;
 - 2) Rehabilitation of turf/swamp area is performed based on turf/swamp depth criteria.
- c. For turf/swamps within forest zones, activities shall be performed by the Government, Provincial Governments, Regency/City Governments, BUMN/ BUMD by involving the community;

- d. Rehabilitation of turf/swamps outside of forest zones shall be performed by the community with the support of the Government, Provincial Governments, Regency/ City Governments.

Paragraph 2

Institution Aspect

Article 31

Criteria and standard of institutions in the rehabilitation of forest covers:

- a. Development of existing institutions due to the transformation of Government institution structures as well as the low efficiency of institution making it necessary to perform adjustments there-to;
- b. At operational level, performance of forest and land rehabilitation shall be institutionalized in accordance with potentials of the community and local business institutions;
- c. Re-development of institution structures shall be accompanied with the preparation of its capacity in the form of socialization, preparation of mechanism and work relation order, formulation of guidelines for the preparation of fund sources and means, preparation of criteria and standard, and training/leveling of staff is performed on normal performance structure of forest and land rehabilitation;
- d. Improvement of community institutions is also performed thru potential basis of local institutions, local inputs, and local technology accompanied with the provision of economy incentives and institution services

and clear protection from the Regional Government on rehabilitation efforts initiated and performed by local institutions and the community;

- e. Exercising DAS - based forest resources management information as an objective basis for the performance, monitoring, evaluation and control of performance, products and impacts of rehabilitation;
- f. Perform studies on market structure, behavior, and performance of various forest products including environmental services. This study is required as basis for the utilization of economy/market structure for local institutions moving in forest and land rehabilitation efforts, and as basis for the Government to provide appropriate incentives in accordance with existing market behavior;
- g. All economy potentials shall be planned and worked on carefully in every performance of rehabilitation.

Paragraph 3

Technological Aspect

Article 32

Criteria and standard of technology for the rehabilitation of forest and land cover:

- a. Performance of forest rehabilitation efforts shall take into consideration the functions and status of forest zones, so that the rehabilitation of forest shall not disturb and change forest functions both in the micro and macro scale;
- b. In conservation zones, the performance of forest rehabilitation shall not damage forest conservation functions;

- c. Stipulation of vegetation types shall not decide the cultural relationship having been woven between the community and forest resources, so that the protected forest and conservation zones, selection of vegetation types is oriented to vegetation types producing non-wood forest products thru the development of forestry variety business.

Part Three

Reclamation Criteria and Standard

Article 33

Besides using the criteria and standard referred to in Article 3, the reclamation of forest shall use among others the following criteria and standards:

- a. Characteristics of activity locations;
- b. Types of activities;
- c. Land arrangement;
- d. Control of erosion and waste;
- e. Re-vegetation; and
- f. Social economy development.

Paragraph 1

Characteristics of Activity Locations

Article 34

- (1) Characteristics of forest reclamation activity locations referred to in Article 33 letter a are:
 - a. Former mines;
 - b. Former means and infrastructures.
- (2) Areas that must undergo reclamation cover:
 - a. Former mines;

- b. Development of electricity net;
- c. Telephone;
- d. Water installation;
- e. Religion interests;
- f. Security and defense interest, or
- g. Natural disaster.

Paragraph 2

Types of Activities

Article 35

Types of forest reclamation activities referred to

in Article 33 letter b cover:

- a. Inventorying of locations;
- b. Stipulation of locations;
- c. Planning; and
- d. Performance of reclamation.

Article 36

Guidelines for activities of inventorying, stipulation of location, planning and performance of reclamation shall be regulated with a separate Minister Regulation.

Paragraph 3

Land Arrangement

Article 37

(1) Arrangement of land referred to in Article 33 letter c covers:

- a. Refilling former mine holes;
- b. Arrangement of ground surface;
- c. Stabilizing slopes; and

d. Spreading top soil.

(2) Land arrangement activity is used as criteria to determine the success of forest reclamation.

(3) Guidelines on the valuation of success of forest reclamation shall be regulated a separate Minister Regulation.

Paragraph 4

Control of Erosion and Waste

Article 38

(1) Control of erosion and waste referred to in Article 33 letter d, covers:

- a. Development of land conservation buildings (check dams, restraining dams, ravine controllers, drop structures, drainage channels, etc);
- b. Planting of cover crops to slow down the speed of water runoff and increase infiltrations;
- c. Erosion and sedimentation (to be observed from the occurrence of gully erosion and ditch erosion).

(2) Activities on the control of erosion and sedimentation shall be used as criteria for the success of forest reclamation.

(3) Guidelines on the valuation of success of forest reclamation shall be regulated with a separate Minister Regulation.

Paragraph 5

Re-vegetation

Article 39

(1) Re-vegetation or tree planting referred to in 33 letter e, consist of:

- a. Width of planting area;
 - b. Percentage of vegetation growth;
 - c. Number of vegetation per hectare;
 - d. Composition of vegetation types; and
 - e. Growth or health of vegetation.
- (2) Re-vegetation or tree planting activities shall be used as criteria of the success of forest reclamation.
- (3) Guidelines on the valuation of success of forest reclamation shall be regulated with a separate Minister Regulation.

Paragraph 6

Development of Social Economy

Article 40

Development of social economy referred to in Article 33 letter f, is performed with the following method:

- a. Besides the role to restore the functions of forest through forest reclamation and re-vegetation, the performance of forest reclamation shall also be able to develop the social economy of the community;
- b. Involvement of the community as supporting force and performer in the performance of forest reclamation.

CHAPTER IV

EMPOWERING THE COMMUNITY

Article 41

- (1) The community shall be given the opportunity and shall

be empowered so that it can play an equivalent and empowered role, so as to be able to play an equivalent role and as partner of the Government, regional government, and holders of right/permit in the performance of Forest Rehabilitation and Reclamation.

- (2) Empowering the community is performed through a participative approach, namely through empowerment, improvement of capacity, actualization of effectiveness and efficiency, and creation of cost sharing of the community in funding.

- (3) Empowering the community in Forest Rehabilitation and Reclamation covers:

- a. Provision of authority/right/access;
- b. Improving the position/status of weak groups so as to have the same position as other groups;
- c. Provision of support to the community to act so as to be able to control its future.

- (4) Improvement of community capacity is oriented to the growth of a condition wherein the community can study while working for itself.

- (5) Empowering the community through a participative approach is based on the following principles:

- a. The community as main player in planning, performance and utility user;
- b. The community as decision maker;
- c. The Government as associate and controller of activities;
- d. Certainty of rights and obligations of all parties;
- e. Community

- e. Community institutions are determined by the community;
- f. Approach based on the preservation of forest functions includes variety of biological resources and variety of culture.

CHAPTER V

MANAGEMENT AND CONTROL

Article 42

- (1) Management and control are emphasized on the aspect of process products of Forest Rehabilitation and Reclamation.
- (2) Considering that the performance of Forest Rehabilitation and Reclamation has a nature that is site-specific, multi years, and involving stake holders, a more independent valuation is required, and reports on control/valuation of products shall be more transparent to the public.
- (3) Role of a professional community for supervision and control duties is required to be increased.

CHAPTER VI

CLOSING PROVISIONS

Article 43

With the stipulation of this Forestry Minister Regulation, Forestry Minister Decision No. 20/Kpts-II/2000 concerning General Pattern, Standard and Criteria on the Rehabilitation of Forest and Land, is revoked and declared as not in effect any more.

Article 44

This Forestry Minister Regulation commences to come to effect from the date of enactment.

For public cognizance, this Forestry Minister Regulation shall be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on August 11, 2010

FORESTRY MINISTER

THE REPUBLIC OF INDONESIA,

sgd.

ZULKIFLI HASAN

Enacted in Jakarta

on August 11, 2010

MINISTER OF LAW AND HUMAN RIGHTS

THE REPUBLIC OF INDONESIA,

sgd.

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

YEAR 2010 NO. 391

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