

PRESIDENT OF THE REPUBLIC OF INDONESIA

DECREE NUMBER 62 YEAR 2013

REGARDING

MANAGING AGENCY FOR THE REDUCTION OF EMISSION FROM
DEFORESTATION AND DEGRADATION OF FOREST AND PEATLANDS

WITH THE BLESSING OF THE ONE SUPREME GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

1. a. That to reduce global warming that impacts environmental damage, various efforts are needed to reduce the emission of greenhouse gases from deforestation and degradation of forest and peatlands;
2. b. That the Government of Indonesia made a commitment to reduce emission of greenhouse gases of 26 percent using their own effort and 41 percent with international assistance by the year 2020 from a condition without any action plan (business as usual);
3. c. That to ensure efforts to reduce emission of greenhouse gases from deforestation and degradation of forest and peatlands to be effective, efficient, just and sustainable there is a need for an agency to manage the reduction of emission of greenhouse gases from deforestation and degradation of forest and peatlands;
4. d. That in relation to the consideration on letter a, letter b and letter c above, there is a need for a Presidential Decree on a Managing Agency for the Reduction of Emission from Deforestation and Degradation of Forest and Peatlands;

Bearing in Mind:

1. 1. Article 4 point (1) of the 1945 Constitution of the Republic of Indonesia;
2. 2. Law Number 41 of 1999 on Forestry (State Gazette of the Republic of Indonesia 1999 no 167, State Gazette Supplement of the Republic of Indonesia No 3888) amended by Law Number 19 of 2004 on the Enactment of Government Regulation in Lieu of Law Number 1 of 2004 on the Amendment of Law Number 41 of 1999 on Forestry (State Gazette of the Republic of Indonesia Number 86 of 2004, State Gazette Supplement Number 4412);
3. 3. Law Number 17 of 2004 on The Ratification of Kyoto Protocol to The United Nations Framework Convention On Climate Change (State Gazette of Republic of Indonesia Number 72 Year 2004, State Gazette Supplement Number 4403);
4. 4. Law Number 32 of 2009 on Environmental Protection and Management (State Gazette of Republic of Indonesia Number 140 Year 2009, State Gazette Supplement Number 5059);
5. 5. Presidential Decree Number 46 of 2008 on the National Council on Climate Change;
6. 6. Presidential Decree Number 61 of 2011 on the National Action Plan to Reduce Emissions of Greenhouse Gases;
7. 7. Presidential Decree Number 71 of 2011 on the National Greenhouse Gases Inventory System;

HAS DECIDED:

To Enact: PRESIDENTIAL DECREE REGARDING THE MANAGING AGENCY FOR THE REDUCTION OF EMISSION FROM DEFORESTATION AND DEGRADATION OF FOREST AND PEATLANDS.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Presidential Decree what is referred to as:

1. 1. Reducing emissions from deforestation and forest degradation in which from herewith shall be referred to as REDD+ refers to all efforts to reduce emission of greenhouse gases from deforestation and degradation of forest and peatlands carried out on forested land and peatlands in Forest Area and non-Forest Area and carbon maintenance and improvement with the added benefit of the increase of biodiversity, the improvement of local/indigenous people's welfare and the increase of sustainability of other production of ecosystem services.
2. 2. Safeguard framework is a collection of criteria and indicators to ensure the implementation of REDD+ does not deviate from its original objective related to program management and financial accountability, impact to the social relation and position of vulnerable communities, and impacts to the environment.
3. 3. REDD+ Program are efforts implemented through a series of projects and/or activities to achieve REDD+ objective in Indonesia.
4. 4. REDD+ Project is one or more activities managed by a certain administrative unit to achieve REDD+ objective in Indonesia.
5. 5. REDD+ Activity is an activity managed by a certain legal subject to achieve REDD+ objective in Indonesia.
6. 6. Emission of Greenhouse Gases from herewith will be referred to as GHG Emissions is the release of greenhouse gases to the atmosphere in a certain area for a certain period of time.
7. 7. GHG are gases in the atmosphere be it natural or anthropogenic, that absorbs and radiate back infrared radiation.
8. 8. Deforestation is permanent change from forested area to non-forested area.
9. 9. Forest degradation is the decrease in quantity of forest cover and carbon stock in a certain period of time.
10. 10. Forest Area is a certain area designated by the government to be maintained as permanent forest.
11. 11. National Strategy to Reduce Emissions from Deforestation and Degradation of Forest and Peatlands from herewith will be referred to as REDD+ National Strategy is the document containing main strategy guidelines and planning direction as stipulated by the Government that will be used as reference by all parties concerned in the preparation and implementation of REDD+ activities.
12. 12. Government is the President of the Republic of Indonesia that governs the Republic of Indonesia as stated in the 1945 Constitution of the Republic of Indonesia.
13. 13. Funding Instrument is a fund management instrument formed by the Head of REDD+ Managing Agency to guarantee fund management that is transparent,

accountable and effective based on REDD+ funding guidelines and safeguards in accordance to prevailing law.

Article 2

The act to reduce emission of greenhouse gases from deforestation and degradation of forest and peatlands has objectives to:

1. a. reduce emissions from deforestation;
2. b. reduce emissions from forest degradation and/or peatlands degradation;
3. c. maintain and increase carbon stock through forest conservation, sustainable forest management, and/or rehabilitation and restoration of damaged forest area; and
4. d. provide benefit to the increase of environmental services, biodiversity, and local/indigenous community welfare.

CHAPTER II

AGENCY

Part One

REDD+ Managing Agency

Paragraph 1

Formation and Positions

Article 3

1. (1) To implement objectives as referred to in Article 2, by way of this Presidential Decree will be formed a Managing Agency for the Reduction of Emission from Deforestation and Degradation of Forest and Peatlands that herewith will be referred to as the REDD+ Managing Agency.
2. (2) REDD+ Managing Agency will be situated in the Capital of the Republic of Indonesia.
3. (3) REDD+ Managing Agency will be lead by a Head that is directly responsible to the President of the Republic of Indonesia.

Paragraph 2

Tasks and Functions

Article 4

REDD+ Managing Agency is tasked to help the President in coordinating, synchronising, planning, facilitating, managing, monitoring, overseeing and controlling REDD+ in Indonesia.

Article 5

In implementing tasks as referred to in Article 4, REDD+ Managing Agency will carry out the following functions:

1. a. Forming and developing REDD+ national strategy to implement REDD+ in Indonesia;
2. b. Forming and developing REDD+ safeguard framework in social, environmental and funding matters;
3. c. Coordinating the formation and development of REDD+ policies and REDD+ mainstreaming in national development;
4. d. Preparing and coordinating instruments and mechanisms of REDD+ funding and distribute benefit to parties that are implementing REDD+ programs, projects and/or activities in accordance to prevailing regulations;
5. e. Managing aid in the form of funds or other legal forms related to REDD+ in accordance to prevailing regulations;
6. f. Developing standard and methodology to measure GHG emissions and sequestration from REDD+ programs, projects or activities and consolidation and reporting of data on GHG emissions and sequestration from REDD+ programs, projects or activities;
7. g. Increasing capability and capacity in ministries/agencies, implementing partners and community and quality of implementing instruments in the implementation of REDD+;
8. h. Preparing recommendation in determining Indonesia's position in international fora;
9. i. Coordinating law enforcement related to the implementation of REDD+ programs, projects and/or activities;
10. j. Coordinating and facilitating dispute and conflict resolution related to the implementation of REDD+ programs, projects and/or activities in accordance to prevailing regulations;
11. k. Monitoring and evaluating implementation of REDD+ programs, projects and/or activities;
12. l. Carrying out administration of the REDD+ Managing Agency;
13. m. Carrying out other tasks assigned by the President.

Paragraph 3

Organisational Structure

Article 6

1. (1) REDD+ Managing Agency consists of:
 1. a. Head;
 2. b. 4 (four) Deputies; and
 3. c. Professional Staffs.
1. (2) Deputies is directly under and directly responsible to the Head of the REDD+ Managing Agency.
2. (3) Professional Staffs as referred to point (1) letter c, consist of Expert Assistants, Assistants, Junior Assistants and Skilled Staffs, all totalling not more than 60 (sixty) people.
3. (4) In carrying out their tasks, function, and authority, the Head of the REDD+ Managing Agency can form special teams or task force to address particular issues.

Article 7

Details of tasks and function of Deputies and Professional Staffs referred to in Article 6, will be determined later by the Head of REDD+ Managing Agency bearing in mind tasks and function of the REDD+ Managing Agency stipulated in this Presidential Decree.

Paragraph 4

Secretariat

Article 8

1. (1) In providing technical and administrative support to the REDD+ Managing Agency, a REDD+ Managing Agency Secretariat will be formed.
2. (2) The REDD+ Managing Agency Secretariat as referred to in point (1) is lead by a REDD+ Managing Agency Head Secretary and will be under and directly reponsible to the Head of the REDD+ Managing Agency and administratively coordinated by the Minister-State Secretary.
3. (3) REDD+ Managing Agency Secretariat is tasked with providing administrative and technical support in implementing tasks and function of the REDD+ Managing Agency.
4. (4) In implementing their tasks as referred to in point (3), the REDD+ Managing Agency Secretariat will perform the following functions:
5. (5) REDD+ Managing Agency Secretariat will at most consists of 3 (three) Sections.
6. (6) Each Parts as referred to in point (5) will at most consists of 2 (two) Sub-Sections.
 5. a. Draft plan for agency program development and budget;
 6. b. Manage finances for the operation of the REDD+ Managing Agency;
 7. c. Manage staffing, general matters and house-keeping;
 8. d. Administration.

Article 9

1. (1) REDD+ Managing Agency Head Secretary is a structural position of echelon IIa.
2. (2) Head of Section is a structural position of echelon IIIa.
3. (3) Head of Sub-Section is a structural position of echelon IVa.

Article 10

Echelon II, echelon III, and echelon IV staffs at the REDD+ Managing Agency Secretariat are appointed and dismissed by the Minister-State Secretary with recommendation of the REDD+ Managing Agency Head.

Paragraph 5

Appointment and Dismissal

Article 11

1. (1) Head of the REDD+ Managing Agency is appointed and dismissed by the President.

2. (2) Deputies are appointed and dismissed by the President with recommendation of the Head of the REDD+ Managing Agency.
3. (3) Professional Staffs, Special Teams and Task Force within the REDD+ Managing Agency are appointed and dismissed by the Head of the REDD+ Managing Agency.

Article 12

Deputies and professional staffs within the REDD+ Managing Agency can be civil servants or non-civil servants.

Article 13

1. (1) Civil servants appointed as staffs of the REDD+ Managing Agency will be resigned from their organic workstations during their term within the REDD+ Agency without losing their status as civil servant.
2. (2) Civil servants appointed as staffs of the REDD+ Managing Agency will be granted promotion in accordance to prevailing regulations.
3. (3) Civil servants as referred to in point (1) bear the status employed.

Article 14

1. (1) Civil servants that resigned or ended their service as staffs of the REDD+ Managing Agency will be activated again to their previous workstations, when they have not reach their retirement age.
2. (2) Civil servants that resigned or have reached their retirement age will be dismissed with honour as Civil servants and will be given their rights for their service in accordance to prevailing regulations.

Article 15

Non-civil servant staffs of the REDD+ Managing Agency, after resigning or ended their service period will not be granted pension and/or severance pay.

Paragraph 6

Financial Rights and Facilities

Article 16

Head of the REDD+ Managing Agency will be provided with financial, administrative rights and other facilities at par with Ministers.

Article 17

1. (1) Deputies will be granted position, financial rights and other facilities at par with structural echelon Ia official.
2. (2) Professional Staffs, that are appointed as Expert Assistants, will be granted position, financial rights and other facilities at par with structural echelon Ib official.
3. (3) Professional Staffs, that are appointed as Assistants, will be granted position, financial rights and other facilities at par with structural echelon IIa official.

4. (4) Professional Staffs, that are appointed as Junior Assistants, will be granted position, financial rights and other facilities at par with structural echelon IIIa official.
5. (5) Professional Staffs, that are appointed as Skilled Staffs, will be granted position, financial rights and other facilities at par with structural echelon IVa official.

Paragraph 7

Work Procedure

Article 18

Provisions related to work procedure, relations and working coordination mechanisms of the REDD+ Managing Agency with Ministries/Agencies, Provincial Heads and Head of Regencies/Municipalities and other stakeholders are determined by the Head of the REDD+ Managing Agency.

Article 19

Head of the REDD+ Managing Agency will report at least once every 6 (six) months to the President of the Republic of Indonesia or any time required.

Part Two

Stakeholder Committee

Article 20

In order to institutionalise the involvement of stakeholders, a Stakeholder Committee will be formed and will be under and directly responsible to the REDD+ Managing Agency.

Article 21

The Stakeholder Committee is tasked with providing advice and suggestions to the Head of the REDD+ Managing Agency regarding implementation of REDD+ Programs, Projects and/or Activities based on requests or the Committee's initiative.

Article 22

1. (1) Stakeholder Committee as referred to in point (1) consists of figures each of which has background and/or expertise in fields including but not limited to:
2. (2) Members of the Stakeholder Committee are appointed by the Head of the REDD+ Managing Agency for 2 (two) years of service period and can be extended for 1 (one) period.
3. (3) Members of the Stakeholder Committee are not staff of the REDD+ Managing Agency.
 2. a. Natural environment;
 3. b. Community empowerment including indigenous communities;
 4. c. Women empowerment;
 5. d. Business role in development;
 6. e. Good and clean governance; and

7. f. Science and technology.

Part Three

REDD+ Agency Instruments

Article 23

1. (1) To guarantee transparent and accountable fund management, the Head of the REDD+ Managing Agency will form a REDD+ funding instrument based on prevailing regulations;
2. (2) REDD+ funding instrument as referred to in point (1) will adopt REDD+ funding guidelines and safeguard framework;
3. (3) Further provisions on REDD+ funding instrument as referred to in point (1) will be stipulated by law.

Article 24

1. (1) Measurement of emission reduction and sequestration [of greenhouse gases] from REDD+ programs, projects or activities will be carried out by each REDD+ program, project or activity managers under coordination of the REDD+ Managing Agency;
2. (2) Measurement as referred to in point (1) will be conducted based on standards and methodologies of GHG emission and sequestration from REDD+ programs, projects and activities as determined by the REDD+ Managing Agency;
3. (3) Reporting of GHG emission and sequestration from REDD+ programs, projects and activities will be made by the REDD+ Managing Agency to the minister that governs environmental protection and management for verification;
4. (4) Verification process of GHG emission and sequestration from REDD+ programs, projects and activities will be conducted by the minister that governs environmental protection and management.

CHAPTER III

FUNDING

Article 25

All funding needed for the implementation of tasks and function of the REDD+ Managing Agency will be sourced from the National State Budget, Regional State Budget, and other legal and unbinding sources, in which dispensing will be carried out in accordance to prevailing law.

CHAPTER IV

OTHER PROVISIONS

Article 26

Head of the REDD+ Managing Agency will be responsible to equip the REDD+ Managing Agency organisation by conducting recruitments, empowerment and training of Professional Staffs and other staffs as needed.

CHAPTER V

TRANSITION PROVISIONS

Article 27

1. (1) Tasks, function and programs carried out by the Task Force for the Preparation of the REDD+ Agency formed under the Presidential Decree Number 25 of 2011 on Task Force for Preparing the Establishment of REDD+ Agency as amended by Presidential Decree Number 5 of 2013 will be continued by the REDD+ Managing Agency.
2. (2) Before the complete formation of the organisational structure of the REDD+ Managing Agency, tasks and function as referred to in point (1) will be carried out by President's Delivery Unit for Development Monitoring and Oversight .

CHAPTER VI

CLOSING PROVISIONS

Article 28

This Presidential Decree comes to effect on the date issued.

To be known by everyone, orders the issuance of this Presidential Decree to be placed in State Gazette of the Republic of Indonesia.

Issued in Jakarta

on the date

PRESIDENT OF THE REPUBLIC OF INDONESIA,

DR. H. SUSILO BAMBANG YUDHOYONO

Stipulated in Jakarta

on the date

MINISTER OF JUSTICE AND HUMAN RIGHTS

of the REPUBLIC OF INDONESIA,

AMIR SYAMSUDIN

STATE GAZETTE REPUBLIC OF INDONESIA 2013 NUMBER ...