

PROCEDURE FOR PROVIDING SUPPORT AND INCENTIVE TO FOREST AND LAND REHABILITATION ACTIVITIES (Regulation of the Minister of Forestry R.I Number P.9/Menhut-II/2013, Dated January 28, 2013)

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

Considering:

That as follow-up action to the provisions in Article 33, Article 34 and Article 40 of Government Regulation Number 76 Year 2008, concerning Forest Rehabilitation and Reclamation, it is necessary to stipulate Regulation of the Minister of Forestry on Procedure for Providing Support and Incentive to Forest and Land Rehabilitation;

In view of:

1. Law Number 41 Year 1999 (BN No. 6400 pgs. 1B-8B), concerning Forestry (Statute Book of the Republic of Indonesia Year 1999 Number 167, Supplement to Statute Book of the Republic of Indonesia Number 3888) as amended by Law Number 19 Year 2004 (Statute Book of the Republic of Indonesia Year 2004 Number 86, Supplement to Statute Book of the Republic of Indonesia Number 4412);

2. Law Number 32 Year 2004 (BN No. 7152 pgs. 9B-18B), concerning Regional Government (Statute Book of the Republic of Indonesia Year 2004 Number 125, Supplement to Statute Book of the Republic of Indonesia Number 4437) as amended by Law Number 8 Year 2005 (Statute Book of the Republic of Indonesia Year 2005 Number 108, Supplement to Statute Book of the Republic of Indonesia Number 4548);

3. Law Number 33 Year 2004 (BN No. 7194 pgs. 9B-12B), concerning Finance Proportion between Central Government and Regional Administration (Statute Book of the Republic of Indonesia Year 2004 Number 126, Supplement to Statute Book of the Republic of Indonesia Number 4438);

4. Government Regulation Number 35 Year 2002, concerning Reforestation Fund (Statute Book of the Republic of Indonesia Year 2002 Number 67, Supplement to Statute Book of the Republic of Indonesia Number 4207) as amended by Government as amended by Government Regulation Number 58 Year 2007 (Statute Book of the

- Republic of Indonesia Year 2007 Number 131, Supplement to Statute Book of the Republic of Indonesia Number 4776);
5. Government Regulation Number 55 Year 2005, concerning Proportionate Fund (Statute Book of the Republic of Indonesia Year 2005 Number 137, Supplement to Statute Book of the Republic of Indonesia Number 4575);
 6. Government Regulation Number 6 Year 2007, concerning Forest System and Preparation of Forest Management Plan, and Forest Utilization (Statute Book of the Republic of Indonesia Year 2007 Number 22, Supplement to Statute Book of the Republic of Indonesia Number 4696) as amended by Government Regulation Number 3 Year 2008 (Statute Book of the Republic of Indonesia Year 2008 Number 16, Supplement to Statute Book of the Republic of Indonesia Number 4814);
 7. Government Regulation Number 38 Year 2007, concerning Distribution of Administration Affairs between the Government, Regional Administration of Province, and Regional Administration of Regency/Municipality (Statute Book of the Republic of Indonesia Year 2007 Number 82, Supplement to Statute Book of the Republic of Indonesia Number 4737);
 8. Presidential Regulation Number 89 Year 2007, concerning National Movement on Forest and Land Rehabilitation;
 9. Regulation of the Minister of Forestry Number P.40/Menhut- II/2010, concerning Organization and Work Procedure of the Ministry of Forestry (State Gazette of the Republic of Indonesia Year 2010 Number 405); as amended by Regulation of the Minister of Forestry Number P.33/Menhut- II/2012 (State Gazette of the Republic of Indonesia Year 2012 Number 779);

DECIDES :

To stipulate:

REGULATION OF THE MINISTER OF FORESTRY ON
PROCEDURE FOR PROVIDING SUPPORT AND IN-
CENTIVE TO REHABILITATION ACTIVITY OF FOREST
AND LAND.

CHAPTER I

GENERAL PROVISION

Part One

Interpretation

Article 1

What is meant in this Regulation of the Minister by:

1. Forest and Land Rehabilitation hereinafter referred to as RHL (or Rehabilitasi Hutan dan Lahan) shall be effort to recover, maintain and improve the function of forest and land so as to maintain

supportability of the system of living.

2. RHL supporting activity shall be all activities pertaining to implementation of RHL with the objective to improve successful RHL activities
3. RHL incentive shall be any instrument in the form of policy that is capable to motivate achievement of the purposes and objectives of forest and land rehabilitation, and at the same time is capable to prevent from occurrence of more serious damage/ degradation to forest and land resources (critical land) in any watershed area (or DAS) ecosystem.
4. Water falls construction shall be water falls construction installed within every certain distance at the water discharge pipe constructed out of rock, log or bamboo (depending on the land slope).
5. Seed shall be vegetation seed or part thereof used to multiply and/or develop vegetation originating from generative seed or vegetative seed.
6. Watershed Area hereinafter referred to as DAS (or Daerah Aliran Sungai) shall be any area of land constituting a unit of the river and its streams, that functions to accommodate, to flow the water originating from rain water to the lake or to the sea by natural means, which border on the land constitutes topographic border and the border at the sea up to the waters area that still influence

the activities on the land..

7. Special Allocated Fund DAK (or Dana Alokasi Khusus) in Forestry shall be fund originating from APBN revenue allocated to the area based on percentage figure to finance the need of particular area with the purpose to assist in the financing of special activity in the field of forestry that constitutes regional affairs and in accordance with national priority.
8. Production Sharing of Reforestation Fund of Forestry Resource hereinafter referred to as DR Forestry DBH SDA shall be fund originating from APBN revenue allocated to the region based on percentage figure to finance the need of the region in the context of decentralization originating from forestry natural resource.
9. Restrainer Dam shall be small dam where water can flow which construction is made of rock bound in bamboos network or bamboo/log truck at the river/ravine channel with maximum height of four (4) meters that functions to control / precipitate sedimentation and prevent soil erosion and subsurface run-off..
10. Control Dam shall be semi-small permanent dam that may accommodate water (water loss resistance) construction made of homogeneous land piling, water proof layer made of reinforced cement

(bow type) to control soil erosion, sedimentation and subsurface flow constructed at river/stream channel with maximum height of eight (8) meters.

11. Water Embung shall be water accommodating construction in the form of lake that functions to accommodate rain water/runoff water or water seepage at rain receptacle that is useful as water resource to fulfill the needs during the dry season.

12. Peat Soil shall be material in the form of organic material (serasah), such as leaves, stem and branch and the root of plants that accumulated in water flooded environment, less oxygen and high acidity and is formed at a location in a long period of time.

13. City Forest shall be any stretch of land with trees growing densely and tightly within the city area on State land or on the land bearing right, stipulated as city forest by the competent authority.

14. Mangrove Forest shall be any formation of trees that grow on alluvial land at the coastal area and around the river estuary that are influenced by the high and low sea water and characterized by existence of the various types of *Avicennia* spp (Api-api), *Sonneratia* spp. (Pedada), *Rhizophora* spp (Bakau), *Bruguiera* spp (Tanjung), *Lumnitzera excoecaria* (Tarumtum), *Xylocarpus* spp (Nyirih), *Anisoptera* dan *Nypa fruticans* (Nipah).

15. Community Forest shall be forest that grows on the land bearing ownership right or other rights offsite the forest zone on the condition that it extends to at least 0,25 (zero comma twenty-five) hectare, covered by more than 50% (fifty percent) canopy of trees and other vegetation.

16. Preserved Land shall be effort for placement of every plot of land use that justifies with the land capability and treat it based on the terms as required to prevent from damaging the land so as to support the lifespan.

17. Critical Land shall be land existing within and outside the forest zone which is less functioning as producing element and as media for controlling watershed system.

18. Selected Land Mapping Unit (LMU) shall be the smallest unit of land at the RTk RHL Watershed having similar biophysical condition (priority on the function of critical land, zone, morphology of watershed and watershed area) based on Rather Critical, Critical and Very Critical erosion.

19. Normal Density Value Index hereinafter referred to as NDVI, namely the value of the result of processing vegetation index from infrared channel satellite imagery and red channel indicating the level of vegetation density in every relevant low quality coffee bean.

20. Community Empowerment shall be effort to improve the capability and independence of the community by providing access to human resource, education, training and support.
21. Vegetation Maintenance shall be treatment of vegetation and its environment so that the vegetation grows healthy and normal by means of hoeing, weeding, replacing dead plants with fresh ones, fertilizing, and eradication of disease and pest.
22. Regreening shall be effort to recover critical land offsite the forest zone so as to regain the function of the land.
23. Environmental Regreening shall be plating trees offsite the forest zone for improvement of environmental quality such as social facilities area. Public area, green open space, green lane, residential area, and park.
24. Information counseling shall be learning process provided to main player and business player so that they are capable to assist and organize themselves to access to information on the market, technology, capital, and other resources, as effort to improve productivity, business efficiency, revenue and their welfare, and improve awareness in preserving the function of the living environment.
25. Forest and Land Rehabilitation (RHL) in Priority I shall be critical land constituting the target of forest rehabilitation and land in category critical and very critical category duly stipulated in the DAS RTk-RHL
26. Forest and Land Rehabilitation (RHL) in Priority II shall be critical land constituting the target of forest and land rehabilitation in category fairly critical as stipulated in the DAS RTk-RHL
27. Forest and Land Technical Rehabilittion Plan in Watershed Area hereinafter referred to as 15 (fifteen) Year RHL Plan hereinaftre referred to as DAS RTk-RHL shall be 15 (fifteen) year plan containing forest and land recovery, erosion and sedimentation control, water resource development and institutional development.
28. Forest and Land Rehabilitation Implementation Plan hereinafter referred to as RPRHL shall be management plan (management plan) in the context of implementation of RHL based on the authority of the Government, Provincial Govrenment and Regency/Municipality Government in accordance with the statutory regulation.
29. Forest and Land Rehabilitation Annual Plan hereinafter referred to as RTnRHL shall be RHL Plan that has been compiled during the year prior to the (T-1) operational activity mentioning the definite location

for RHL activity, volume of activity, requirements for material and wage, and support activity.

30. Rorak shall be blocked or dead end channel functioning as temporary accommodating media for water originating from the surface channel to be absorbed into the soil.

31. Water Sewer Drain hereinafter referred to as SPA shall be water channel constructed by dissecting the contour may be reinforced by water fall construction and/or grass gebalan.

32. Coastal Border shall be land along the coastal line the width of which is in proportion with the nature and physical condition of the coast of at least 100 meters from the point of the highest tide towards the shore.

33. Minister shall be Minister assigned the duty and responsibility on Forestry matters.

34. Director General shall be Director General having the duty and responsibility on the management River Watershed Area.

Part Two

Purposes and Objectives

Article 2

(1) Procedure for carrying out, providing support, and providing incentive for forest and land rehabilita-

tion is meant to provide reference to all parties in exercising RHL activities so that RHL activity may be carried out properly.

(2) The objective thereof shall be recovery of DAS power support and improved welfare of the community.

Part Three

S C O P E

Article 3

The scope of this Regulation covers:

- a. procedure for carrying out RHL;
- b. RHL supporting activity; and
- c. provision of RHL incentive;

CHAPTER II

PROCEDURE FOR EXERCISING FOREST AND LAND REHABILITATION

Part One

General

Article 4

(1) RHL shall be conducted according to Forest Rehabilitation Annual Plan (RTnRH) and/or Land Rehabilitation Annual Plan (RTnRL).

(2) Based on the RTnRH and/or RTnRL referred to in paragraph (1) Plan of Activities have been compiled consisting of:

- a. RHL Planting Activity Plan; and
- b. Land Conservation Activity Plan.

- (3) The Activities Plans referred to in paragraph (2) contain the target of RHL within the Selected LMU.

Article 5

- (1) Based on the RHL Planting Activity Plan referred to in Article 4 paragraph (2) letter a, RHL Planting will be conducted in stages as cited below:
- a. Nursery;
 - b. Planting;
 - c. Vegetation Maintenance;
 - d. Safeguarding; and
 - e. Supporting Activity.
- (2) Based on the Land Conservation Activity Plan referred to in Article 4 paragraph (2) letter b, technical application on land conservation will be conducted.

Article 6

The RHL referred to in Article 5 activities shall be conducted by means of the following:

- a. RHL Planting;
- b. Technical Application on Land Conservation.

Part Two

RHL Planting

Article 7

- (1) The RHL Planting referred to in Article 6 letter a is meant to recover, preserve, and improve the function of forest and land resources either the

functions on production, protection, and conservation.

- (2) The RHL Planting referred to in paragraph (1) shall be conducted within the forest zone and offsite the forest zone.

- (3) RHL Planting consists of the following activities:

- a. Reforestation;
- b. Regreening;
- c. Vegetation Enrichment; and/or
- d. Vegetation Maintenance.

Paragraf 1

Reforestation

Article 8

- (1) The Reforestation referred to in Article 7 paragraph (3) letter a shall be conducted within the zones below:
- a. Forest Preservation;
 - b. Forest Protection; or
 - c. Producing Forest.
- (2) The Reforestation referred to in paragraph (1) shall be conducted by means of planting activity in the forest zone.

Article 9

- (1) The planting referred to in Article 8 paragraph (2) shall be conducted in Selected LMU which area is open and covered by undergrowth and bushes

and young stems of less of than 200 (dua ratus) batang/hektar.

(2) The Selected LMU referred to in paragraph (1) is divided into two (2) levels of priority, namely:

- a. Priority I; and
- b. Priority II.

(3) Based on the priority referred to in paragraph (2) planting will be conducted with the conditions below:

- a. Priority I of at least 1.600 (one thousand six hundred) stems/hectare.
- b. Priority II of at least 1.100 (one thousand one hundred) stems/hectare.

(4) Total volume of vegetation at the end of the third year both original vegetation and new vegetation of at least 700 (seven hundred) stems/hectare.

(5) If the total volume of vegetation referred to in paragraph (4) has been fulfilled, no further maintenance shall be conducted.

Paragraf 2

Regreening

Article 10

(1) The regreening referred to in Article 7 paragraph (3) letter b shall be conducted offsite the forest zone at the protected zone and cultivation zone.

(2) The regreening referred to in paragraph (1) is meant to maintain and improve the function of water system protection and prevention of flood natural disaster, landslide, and/or to improve productivity of the land.

(3) The regreening referred to in paragraph (1) shall cover:

- a. Development of Rural Community's Forest;
- b. Regreening of Environment; and/or
- c. Development of Municipality / City Forest.

Article 11

(1) The development of rural community forest referred to in Article 10 paragraph (3) letter a, shall be conducted among other things, at open area / area covered with undergrowth and bushes and stems in total number of less than 200 (two hundred) stems per hectare.

(2) The development of rural community forest referred to in paragraph (1) shall be conducted at Selected LMU on the conditions below:

- a. Priority I of at least 1.600 (one thousand six hundred) stems per hectare;
- b. Priority II of at least 1.100 (one thousand one hundred) stems per hectare

(3) The total volume of vegetation at the end of the third year both original vegetation and new vegetation of at least 400 (four hundred) stems per hectare.

Article 12

- (1) Regreening of environment referred to in Article 10 paragraph (3) letter b shall be conducted in open green area and empty land allocated as public facilities and social facilities.
- (2) Cultivation for the purpose of regreening of the environment must be adjusted to the desire of the community and the condition of the local physical condition.

Article 13

- (1) The development of City Forest referred to in Article 10 paragraph (3) letter c shall be conducted within the municipality area as appointed by the Governor / Regent with extent of area of at least 0,25 (zero comma twenty-five) hectares.
- (2) Cultivation in the context of development of city forest referred to in paragraph (1) must be at least 1.600 (one thousand, six hundred) stems per hectare. .
- (3) Provision of budget for nursery, cultivation and maintenance of city forest normally shall be maximum twice the budget for rehabilitation of forest or rehabilitation of land for the respective activity.
- (4) Further provision on development of city forest shall be conducted according to the provisions in the statutory regulation.

Paragraf 3

Vegetation Enrichment

Article 14

The vegetation enrichment referred to in Article 7 paragraph (3) letter c, shall be conducted by means of the following:

- a. enrichment of vegetation in line with reforestation; and
- b. enrichment of vegetation in line with regreening program or normally referred to as enrichment of rural community forest.

Article 15

- (1) Enrichment of vegetation in line with reforestation referred to in Article 14 letter a shall be conducted in the smallest selected unit of land (LMU) that holds a total number of stands ranging from 200 (two hundred) to 700 (seven hundred) stems per hectare.
- (2) Implementation of vegetation enrichment at Selected LMU shall at least 500 (five hundred) stems per hectare.
- (3) The total volume of vegetation at the end of the third year both original vegetation and new vegetation shall be at least 700 (seven hundred) stems per hectare.
- (4) If the total volume of vegetation referred to in paragraph (3) has been achieved, no continued maintenance shall be conducted.

Article 16

- (1) Enrichment of rural community forest referred to in Article 14 letter b, shall be conducted at mixed plantation area with a total number of stands of at least 200 (two hundred) stems per hectare.
- (2) Implementation of enrichment of rural community forest at Selected LMU shall at least 200 (two hundred) stems per hectare.
- (3) The total area of vegetation enrichment of rural community forest at the end of the third year both original vegetation and new vegetation shall be at least 400 (four hundred) stems per hectare.
- (4) If the total area of vegetation referred to in paragraph (3) has been achieved, no continued maintenance shall be conducted.

Paragraf 4

Maintenance of Vegetation

Article 17

- (1) Maintenance of vegetation referred to in Article 7 paragraph (3) letter d is meant to maintain RHL vegetation.
- (2) The maintenance referred to in paragraph (1) consists of Maintenance I and Maintenance II.
- (3) The maintenance referred to in paragraph (1) shall be conducted by first evaluating the vegetation in

order to determine intensity of maintenance.

- (4) Intensity of maintenance referred to in paragraph (2) consists of:
 - a. light maintenance shall be weeding and hoeing respectively at one time and replanting of maximum 10% (ten percent).
 - b. medium maintenance shall be weeding, hoeing, and eradication of pesticides respectively one time and inter-replanting of maximum 20% (twenty percent).
 - c. heavy maintenance shall be weeding, hoeing and eradication of pesticides respectively at least one time, and inter-replanting more than 20% (twenty percent).
- (5) The inter-replanting referred to in paragraph (4) is conducted only on Maintenance I.
- (6) Provision of budget for Maintenance I and Maintenance II normally is 30% (thirty percent) of the budget for cultivation each year.

Article 18

- (1) Vegetation maintenance activity for certain type of function, after Maintenance II may carry out continued maintenance.
- (2) Continued maintenance referred to in paragraph

(1) shall be conducted dilakukan sampai dengan Year kelima.

- (3) Continued maintenance may be conducted based on the result of evaluation by the Team duly established by the Director General.

Article 19

- (1) The continued maintenance referred to in Article 18 covers maintenance and control of pesticides and disease. .
- (2) Provision of budget for continued maintenance shall be maximum 15% (fifteen percent) of the budget each year for cultivation or enrichment of the respective vegetation.
- (3) Maintenance of proceeding cultivation shall be conducted by:
- the Government for forest conservation zone;
 - the regency/municipality administration for Forest Management Unit for producing forest zone and protected forest zone;
 - the government of province or regency/municipality administration for big forest park based on the competent authority's respective authority; or
 - the holder of right or permit on forest zone holding the right or permit.

Part Three

Application of Technology on Land Conservation

Article 20

- (1) The application of technology on land conservation referred to in Article 6 paragraph (1) letter b is conducted by means of civil, vegetative and chemical technologies.
- (2) If the application of technology on land conservation is offsite the forest zone other than civil technology, vegetative technology is also applied;
- (3) The application of technology on land conservation using civil and vegetative technology and referred to in paragraph (2), covers development / construction of:
- control dam;
 - retainer dam;
 - ravine control (gully plug);
 - traditional water reservoir (embung);
 - water absorption well (SRA);
 - rorak;
 - grass strip;
 - protection at the right and left sides of the river bank;
 - water sewage (SPA) and water falls construction;
 - terrace;
 - biofori; and
 - mulch;

(4) Technical application on land conservation using chemical as referred to in paragraph (1), consists of:

- a. bitumen;
- b. chemical substance, and/or
- c. soil conditioner

CHAPTER III

REHABILITATION OF FOREST AND LAND AND COASTAL AREAS

Article 21

- (1) The purposes and objectives of RHL at the coastal area, namely, to regain vegetation existence at the coastal area so as to be able to function as coastal area that is protected from abrasion and sea water intrusion and tsunami natural disaster.
- (2) Rehabilitation of mangrove forest or coastal border area shall be conducted based on the result of RTk RHL DAS compilation at Mangrove Ecosystem and Coastal Ecosystem as identified as having mangrove vegetation with density of less than (NDVI -1,00 s/d 0,43) and the area which based on the map on land layout, including KJP, KHY, PGO, LWW, TWH, and PTG the condition of which vegetation is open and/or have been reforested.
- (3) The rehabilitation activity conducted on coastal border to an extent of open / critical area under RTk RHL DAS of at least 100 (one hundred) meters from the highest tidal point towards onshore excluding the habitat and mangrove ecosystem.
- (4) The RHL at the coastal area referred to in paragraph (1) shall be conducted in phases by means of the following activities:
 - a. nursery;
 - b. cultivation; and
 - c. Maintenance I and Maintenance II
- (5) The RHL activity at coastal area covers:
 - a. rehabilitation of mangrove forest; and
 - b. rehabilitation of coastal border area.

Article 22

- (1) The rehabilitation of mangrove forest referred to in Article 21 paragraph (5) letter a to be conducted at Priority I LMU shall be at least 3.300 (three thousand, three hundred) stems per hectare and Priority II LMU of at least 6.000 (six thousand) stems per hectare.
- (2) The total volume of mangrove vegetation at the end of the third year both original vegetation and new vegetation shall at least 1.100 (one thousand, one hundred) stems per hectare.
- (3) If the volume of vegetation referred to in paragraph (2) is achieved, no continued maintenance is needed.

under RTKRHL DAS of Peat Soil Zone having original stands ranging between 200 (two hundred) to 700 (seven hundred) stems per hectare.

(2) The total volume of vegetation at peat soil zone at

the end of the third year both original vegetation and new vegetation shall be at least 600 stems

per hectare.

(3) If the total volume of vegetation referred to in paragraph (2) has been achieved, no continued maintenance shall be needed.

Article 28

Further provision on Technical Guideline on RHL, RHL of Coastal area and RHL on Peat Soil Zone shall be as specified in CHAPTER II, III and IV shall be governed in Regulation of the Director General.

CHAPTER V RHL SUPPORT ACTIVITY

Article 29

(1) RHL support activity is meant to improve successful RHL activity.

(2) Types of RHL Support activities consist of:

- a. development of nursery;
- b. development of RHL technology;
- c. prevention and control of forest and location fire;

Article 30

(1) The development of nursery referred to in Article 29 paragraph (2) letter a is meant for improvement in available volume of seeds and/or vegetation with quality that meets the RHL target.

(2) Development of nursery shall cover the following activities:

- a. plant / tree breeding;
- b. development of seeds source;
- c. conservation of genetic resource;
- d. seeds production;
- e. seeds distribution; and
- f. nursery either by seedling / seed procurement, rural community seedling garden (KBR) and permanent nursery.

(3) Further provision on development of nursery referred to in paragraph (2) shall be governed in separate Regulation of the Minister.

Article 31

(1) RHL Technology Development referred to in Article 29 paragraph (2) letter b is meant to upgrade support to the following:

Article 23

(1) The rehabilitation of coastal border area referred to in Article 21 paragraph (5) letter b to be conducted with Priority I LMU of at least 1.600 (one thousand, six hundred) stems per hectare and Priority II LMU of at least 1.100 (one thousand, one hundred) stems per hectare.

(2) Total volume of vegetation resulting from rehabilitation at coastal border area at the end of the third year both original vegetation and new vegetation shall be at least 600 stems per hectare.

(3) If the total volume of vegetation referred to in paragraph (2) has been achieved, no continued maintenance shall be necessary.

CHAPTER IV

REHABILITATION OF FOREST AND
LAND IN PEAT SOIL ZONE

Article 24

Purposes and objectives of RHL at peat soil zone is to recover critical peat soil zone resource so as to function optimally in providing the benefits of ecology, economy and social to all interested parties, in managing water resource, and develop peat soil zone resource based institution.

(1) Target of RHL location shall be prioritized at peat soil zone that function as protection of vegetation

Article 25

which proceeds possibly will be highest, consisting of Priority I and Priority II based on the result of RTKRHL DAS compilation on Peat Soil Zone;

(2) RHL on peat soil zone shall be conducted in phases by means of the following activities:

- a. nursery;
- b. cultivation; and
- c. Maintenance I and Maintenance II.

Article 26

(1) RHL cultivation in peat soil zone shall be conducted at Priority RHL-G I and Priority RHL-G II under RTKRHL DAS in Peat Soil Zone consisting original stands less than 200 (two hundred) stems per hectare, with a total volume of vegetation of at least 400 (four hundred) stems per hectare.

(2) The total volume of vegetation resulting from RHL vegetation at peat soil zone at the end of the third year both original vegetation and new vegetation shall be at least 600 (six hundred) stems per hectare.

(3) If the total volume of vegetation referred to in paragraph (2) has been achieved, no continued maintenance shall be needed.

Article 27

(1) Vegetation enrichment at peat soil zone shall be conducted at RHL-G I Priority and RHL-G II Priority

- a. planning technology;
- b. implementation; and
- c. monitoring-evaluation of RHL.

(2) Development of RHL technology in the implementation of RHL covers method and technology in the rehabilitation activity including nursery, cultivation and construction at the land conservation construction, maintenance, protection, and safeguard.

(3) RHL technology may be developed by means of cooperation inter-research institution, university and by the local community cultural skill.

(4) The target of development of RHL technology shall be among other things:

- a. RHL in dry area;
- b. RHL in peat soil zone;
- c. seed spreading technology by air (aerial seeding);
- d. RHL at various types of forests and climates;
- e. RHL at heavily populated area;
- f. RHL at vegetables center area; and
- g. RHL using forest farmers pattern (wanatani).

Article 32

(1) Prevention and control of forest and land fire referred to in Article 29 paragraph (2) letter c are series of activities in the effort to prevent, extinguish, control, evaluate the result of fire and

prepare action for rehabilitation of the forest and land area that were previously hit by fire.

(2) The prevention and control activities of forest and land fire at the location of RHL activity shall be conducted as planned and integrated by involving the relevant parties.

(3) Prevention from and control of forest and land fire may be conducted among other things, by identifying the areas that are prone to fire disaster, providing orientation on the technology of prevention and control of forest and land fire to the community, prevent land fire, construct fire partition or screen, water screen at peat soil area.

Article 33

(1) The information provision referred to in Article 29 paragraph (2) letter d is meant to change the attitude and behavior of the community in the RHL effort endeavored through non-formal education.

(2) The information provision through various approaches, such as, field trip, seminar, exhibition, distribution of brochures, leaflets and magazines, campaign, contests, interviews, group discussion, and field trip.

Article 34

(1) The training referred to in Article 29 paragraph (2) letter e is meant to improve the knowledge and

skill of the operator of RHL activities.

- (2) Training may be conducted by the Government, Government of Province, Regency/Municipality Administration, Community Self-Support Institution and/or other related institution.
- (3) The training conducted by the Government is meant to strengthen the planner human resource, operator, supporting human resource and RHL activities supervisory in the field.

Article 35

- (1) The community utilization referred to in Article 29 paragraph (2) letter f is meant to improve the community independence in conducting RHL on its land either individually or in group.
- (2) Community utilization may be conducted by, among other things, by initiating awareness, increased capacity and utilization of the community.
- (3) Utilization in the form of grant of access to management of RHL activities on the land with ownership right by providing direct assistance, support, and strengthening the institution and partnership.

CHAPTER VI

INCENTIVE FOR FOREST AND LAND REHABILITATION

Part One

General

Article 36

The incentive for RHL referred to in Article 3 letter c, consists of:

- a. criteria and standard;
- b. nature; and
- c. procedure for implementing the policy and stipulation.

Part Two

Criteria and Standard of Incentive

Article 37

- (1) Incentive for RHL shall constitute instrument of policy to support RHL in the context of motivating accelerated achievement of:
- a. objective of forest and land rehabilitation; and
 - b. prevention from further damage/degradation to forest and land area.
- (2) Criteria of RHL activities shall be, among other things,:
- a. extent of area;
 - b. total number of trees planted that survive;
 - c. level of success;
 - d. effective construction of soil and water conservation;
 - e. existence and effectiveness of institution;
 - f. local wisdom;
 - g. initiative on environmental preservation; and/
- or

h. level of community's welfare.

(3) Standard incentive for RHL activities shall be determined based on the respective criteria stipulated for particular objective.

(4) The criteria and standard of incentive applied by the central government, regency/municipality provinces shall be based on the objective and/or condition of the area thereof.

Part Three

Nature of Incentive

Article 38

The nature of incentive referred to in Article 36 letter b, shall be, among other things, in the form of:

- a. service facilities; and/or
- b. award.

Article 39

The service facilities referred to in Article 38 letter a, may be implemented in the form of:

- a. available access to capital;
- b. available facilities and infrastructure;
- c. available land/location;
- d. available access to information technology;
- e. available support; and/or
- f. available permits from the Government, regional administration, BUMN/BUMD/BUMS.

Article 40

(1) Available access to capital referred to in Article 39 letter a, shall be in the form of, among other things:

- a. credit with low-interest for the farmers or the community; and/or
- b. provision of capital for cooperatives belonging to farmers group in critical land and various businesses run by cooperatives.

(2) The provision of facilities and infrastructure referred to in Article 39 letter b may be granted to group of farmers/community such as:

- a. provision of road facilities;
- b. facilities for paddy production or saprodi;
- c. means of agricultural producing or saprota;
- d. superior seed.

(3) Provision of land/location referred to in Article 39 letter c may be in the form of provision of facilities to obtain processed land to be cultivated by the group of farmers.

(4) Access to information technology referred to in Article 39 letter d may be in the form of provision of facilities to information technology for forest and land rehabilitation through various communication media.

(5) The support referred to in Article 39 letter e, will be provided to the group of community conducting the rehabilitation on critical land.

(6) The permits referred to in Article 39 letter f, may be granted in the form of permit for community forest or rural forest.

Article 41

(1) The award referred to in Article 38 letter b may be in the form of:

- a. subsidy/support;
- b. gift;
- c. certificate/charter; and/or
- d. trophy.

(2) The award referred to in Article 37 letter b, may be granted to legal/business entity, group of community and individual classified as:

- a. RHL management;
- b. RHL pioneer;
- c. RHL support; and
- d. etc.

(3) The grant of award referred to in paragraph (1) and paragraph (2) shall be stipulated by the Minister, Governor or Regent/Mayor according to the objective of their respective authority.

CHAPTER VII

MANAGEMENT AND CONTROL

Article 42

(1) Management of procedure for implementation of support activity and provision of incentive for forest and land rehabilitation activities may be in the form of coordination, supervision and reporting.

(2) Control and supervision may be in form of monitoring, evaluation, and follow-up action.

(3) The management, control and supervision referred to in paragraph (1) and paragraph (2) shall be exercised by the Government, Regional Administration of Province and Regional Administration of Regency/Municipality according to their respective authority.

CHAPTER VIII

IMPLEMENTATION

Part One

General

Article 43

(1) Finance of RHL activities shall be borne by:

- a. State Revenue and Expenditure Budget (APBN) and Regional Revenue and Expenditure (APBD).

- b. Special Allocated Fund (DAK) for Forestry
- c. Reforestation Sharing Fund (DBHDR);
- d. and other non-binding sources based on the statutory regulation.

(2) RHL activities shall be conducted using the principle of multiyears.

(3) RHL within forest zone may be conducted contractually or self-managed based on the statutory regulation.

(4) Multi-years contractual work valuing below 10 (ten) billion Rupiah originating from APBN of the Ministry of Forestry will be conducted after obtaining consent of the Minister.

(5) Multi-years contractual work originating from other budget shall be conducted based on the statutory regulation.

(6) All tree planting activities within and offsite the forest zone conducted by the community and the program of the Ministry / Institution shall be managed and reported periodically to the Minister by means of the mechanism based on the statutory regulation.

Article 44

(1) Result of the RHL cultivation activities may be accepted based on the provisions below:

- a. growth percentage at delivery of the cultivation work in the first year shall be at least 60% (sixty percent).
- b. for city forest, growth percentage at delivery of the work in the first year shall be at least 80% (eighty percent).

Article 45

(1) RHL activities in forest zone with due consideration of particular condition and aspect of security may be conducted by means of self-manage by the Indonesian National Army or TNI.

(2) RHL activities in protected and producing forest zone without permit and existing within the Forest Administration Zone (KPH) may be conducted by contractual agreement and self-managed under KPH.

(3) RHL activities in protected and producing forest zone with permit for forest utilization or permit for using the forest financed by the holder of permit.

(4) RHL activities in protected and producing forest zone which right for management is assigned to the Forestry Department of BUMN or institution granted the right to manage forest zone with specific objective financed by Forestry Department of BUMN or institution.

Article 46

- (1) RHL activities in forest zone may be conducted by means of utilizing the community offsite the forest zone may be conducted by utilizing the community based on the statutory regulation.
- (2) RHL activities in the form of tree planting offsite the forest zone may be conducted by self-management based on Letter of Cooperation Agreement (SPKS) with the group of farmers.
- (3) RHL activities such in the form of tree planting outside the forest zone through a program organized by the Ministry / Agency can be carried out in accordance with procedures established by the implementing Ministries / Agencies of each round is not contrary to the Regulation of the Minister.

CHAPTER IX

OTHER PROVISION

Article 47

This Regulation of the Minister of Forestry also applies for RHL cultivation in the context of reforestation on the land that is granted compensation in the form of Permit for Using Forest Zone and cultivation in the context of rehabilitation of Watershed Area.

CHAPTER X

TRANSITIONAL PROVISION

Article 48

With this Regulation of the Minister of Forestry comes to force:

1. Forest and Land Rehabilitation Activities conducted based on Regulation of the Minister of Forestry Number P.70/Menhut-II/2008, concerning Technical Guideline for Forest and Land Rehabilitation as amended by Regulation of the Minister of Forestry Number P.26/Menhut-II/2010 is hereby declared survives and shall further be adjusted to this Regulation.
2. If the location of RHL activities referred to in Article 4 paragraph (4) is not containing Selected LMU yet, the plan will be worked out by checking the field and the result of data in-depth analysis existing at the location.

CHAPTER XI

CLOSING PROVISION

Article 49

By the time this Regulation of the Minister of Forestry comes to force, Regulation of the Minister of Forestry Number P.70/Menhut-II/2008, concerning Technical Guideline for Forest and Land Rehabilitation, as amended by Regulation of the Minister of Forestry Number P.26/Menhut-II/2010, shall be revoked and declared null and void.

Article 50

This Regulation of the Minister of Forestry comes to force on the date it is enacted.

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

Stipulated in Jakarta
Dated January 28, 2013
MINISTER OF FORESTRY
OF THE REPUBLIC OF INDONESIA,
sgd.
ZULKIFLI HASAN

Enacted in Jakarta
Dated January 29, 2013
MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,
sgd.
AMIR SYAMSUDIN
(MA)