

Law 'should settle' definition of forest areas

Before moving forward with a bill on illegal logging, the government and the House of Representatives should focus on a revision of the Forestry Law, a legal expert has said.

Agus Surono, legal expert from Al Azhar University, said that the bill was not the right solution for forestry-related problems, especially in terms of it establishing a special agency under the ministry.

"Rather than deliberating the bill, they should conduct a thorough revision of the Forestry Law, especially on criminal-related articles, because they will affect the law enforcement of illegal logging," Agus said.

He said that one of the Forestry Law's articles in need of revision was the definition of forest areas.

The government often misunderstood the definition of forest areas, which had triggered uncertainty in how forest areas were defined, added Agus.

He explained that the definition of forest areas constituted four steps: the appointment of a forest area, forest border management, mapping and determining of a forest area.

"How can we fight illegal logging if we have yet to have a clear definition of a forest? With vague forest definitions there are loopholes for illegal loggers to carry out their activities," he said.

Deliberation between the government and the House over the illegal logging bill was facing deadlock as the government refused to grant authority to the Forest Destruction Eradication Agency (BP2H) to implement the bill because the authority belonged to the police and the attorney general.

The bill was considered important, as in 2006 the Forestry Ministry reported that destroyed forest areas had reached 59.6 million hectares from a total of 120.35 million hectares, with an estimated Rp 83 billion (US\$9.13 million) of financial losses per day.

Agus said that a group of people from Central Kalimantan had brought the articles to Constitutional Court. He believed that the review would impact on how the government handled illegal logging cases in the future.

Nabiel Al Musawa, legislator of the House's Commission IV on agriculture, plantations, maritime affairs, fisheries and food, said that the House hoped to revise the Forestry Law and deliberate the illegal logging bill because it wanted to separate forestry regulations from law enforcement.

"There are many overlapping laws. For example, a plot of land that is already designated as forest according to the Forestry Law can be changed through the Spatial Planning Law, with local administrations issuing bylaws to change the land use. We hope to close such loopholes through the illegal logging bill," he said.

According to Nabiel, only House factions from the Democratic Party and the National Mandate Party (PAN) agreed with the government that a special body on illegal logging eradication should be created under the Forestry Ministry. The remaining factions wanted the body to be an independent institution.

"If the government insists on creating a special body under the ministry, we had better revise the Forestry Law and include such a body in that law. With deliberations in deadlock, it is now up to how the Commission's heads lobby the President. We all need to keep watch over this bill," he said.