

INFORMATION PAPER ON THE ENFORCEMENT EFFORT BY THE REPUBLIC OF INDONESIA

Prepared by the CITES Management Authority of Indonesia

Approximately 157 regulations directly or indirectly related to Protected Area Management and Species conservation (ICEL 1999) have been put in place. The most important of those regulations is the 1990 Act on the Conservation of Living Natural Resources and their Ecosystem. The implementing regulation namely Government Regulation No. 7 of 1999 Concerning Preservation of Wild Animal Species, Government Regulation No. 8 Concerning Utilization of Wild Animal Species have also been enacted to further enable effective enforcement on the ground.

As it has been mentioned in Indonesian earlier report for the 54th meeting of the Standing Committee, I would like to reiterate further that law enforcement concerning the illegal capture, keeping and trade in orang-utans has been improved since the early 1990's. A number of facilities (i.e. quarantine, rehabilitation and release/re-introduction facilities), that meet national and international operating standards have been established to deal with the confiscated animals. At the moment rehabilitation centres have been set up in East Kalimantan, Central Kalimantan and North Sumatra.

Community participation is essential in protecting the orang-utan's habitat and in combating orang-utan capture and trade. In fact there are some examples of community participation which have been quite successful in protecting orang-utan and other endangered species. These include the orang-utan protection and monitoring units in Gunung Palung National Park, tiger patrol units in Kerinci Seblat National Park; rhino patrols in Way Kambas National Park and the Leuser Ecosystem and the orang-utan and tiger patrol units in Jambi. Each utilizes special forestry police (forest rangers = *Polisi Hutan*) and local villagers to patrol and obtain intelligence on local animal hunters and traders in and to monitor habitats.

This approach has had some successes and is expected to become increasingly effective with time and with more experience. These types of community participation help to reduce conflict between the protected area management unit and the community and direct social and some financial benefits to community members taking an active role. The government, therefore, will continue to support and encourage community participation in protecting orang-utan habitat and preventing illegal trade in orang-utans and will ensure that illegal operators are apprehended and prosecuted.

Community based patrol has been developed in Kalimantan (Orang-utan Protection and Monitoring Units at Gunung Palung National Park in West Kalimantan) and in Sumatra (Tiger & Orang-utan Protection Units). Both involve community members and forest rangers (*Polisi Hutan*) to patrol and monitor illegal activities such as illegal logging, poaching and trading. The benefits of involving local communities in these protection units is that accurate information on illegal practices is often readily available. The improved data on the potential threats and perpetrators and other intelligence information provides the basis for more effective law enforcement.

Involvement of civil, local community people is in no way diminishing the role of the Forest Police and rangers of the Department of Forestry. Forest rangers represent the official law enforcement capacity of the Unit, authorised to carry fire arms and able to process suspects through usual legal channels.

Equipped with portable satellite telephones, geographical information systems, compasses and four-wheel drive cars, the patrol teams are highly mobile and perfectly fitted to conduct intelligence and security operations. The sophisticated navigation equipment helps to establish a comprehensive wildlife field database for key species.

The recently established specially trained mobile Forest Police called SPORC (Quick Response Forest Police Unit) has now recruited and trained 600 personnel, currently distributed in 11 susceptible provinces, which include Jakarta, Special Capital Area. By the end of 2009, recruitment will be undertaken for more 900 personnel.

In addition to our earlier report, I am glad to advice you that the current procedure for criminal prosecution has change considerably. The civil investigators can now directly pursue the case of forest and wildlife related crimes to prosecutor attorney, without having to go through Police Investigators. For the purpose of increasing the judiciaries awareness on the magnitudes of problems of wildlife crimes, a new judiciary guidelines has been published in collaboration with WWF. This guideline consists of the elaboration of laws and acts relevant for the judiciaries to decide a proper penalty on certain wildlife crime. The Ministry of Forestry as the Management Authority of CITES currently employs more than 8000 forest rangers (forest police) and about 800 civil investigators to perform enforcement on the Act No 5 of 1990 (for wildlife and protected areas related crimes) and Act No. 41 of 1999 (for forest and protected areas related crime). In certain cases, civil investigators may make joint investigation with police investigators.

Indonesia is among the member countries of the Association of South-East Asian Nations (ASEAN) which founded and launched the ASEAN Wildlife Enforcement Network (ASEAN-WEN) in December 2005. The network focuses on enhancing wildlife law enforcement at the national level, and increasing cooperation between government authorities dealing with CITES, Customs and Police jurisdictions to counteract wildlife crime at regional and international levels.

For this purpose of the implementation of Task Force, Indonesia has established at national level an ASEAN-WEN Task Force. The Task Force comprises of officials in charge with law enforcement from several institutions and ministries, namely: Ministry of Forestry as CITES MA, Coordinating Ministry of Politics, Law and Security Affairs, Indonesian Attorney General, Indonesian Customs, Quarantine, NCB Interpol, Police Head Quarters, Ministry of Marine Affairs and Fisheries and the Ministry of Transportation. The Task Force will be responsible to coordinate exchange of general wildlife crime information, exchange of intelligence information related to violation of national regulation on wildlife trade, to organize training activities, to asses regulation on enforcement of wildlife, to build coordination mechanism among enforcement institutions contained in the Task Force at national level. The national task force will coordinate the establishment of task forces at local level (provincial and district). The Task Force also to monitor the enforcement and judiciary processes during investigation through prosecution and tribunal on wildlife crime.