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The Impact of Government Policy on Industrial Forest Plantation Management for Indigenous People in North Gorontalo

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Abstract: The policy on the management of Industrial Forest Plantation (HTI) is a great opportunity for the local government of North Gorontalo Regency to develop the potential and quality of forest resources. This study aims to examine the impact of government policies on the management of Industrial Forest Plantation for indigenous peoples in North Gorontalo District. Data collection methods are carried out through survey stages, namely field observations, interviews and Focus Group Discussion (FGD) activities with stakeholders. The results obtained that the Industrial Plantation Forest policy on the one hand have a positive impact, but on the other hand have a negative impact. The positive impact is that it can spur regional and rural economic growth and open jobs to overcome unemployment. In addition, the negative impact is a decrease in community agricultural yields and interventions in the utilization of forest products. It is suggested that the regional government provide assistance and supervision on the policies of Industrial Plantation Forests which cover the ownership of Industrial Plantation Forests and community lands. So that the community has certainty about structuring the HTI work area, and the community can actively participate without causing conflict.

Keywords: Policy, Forest Management, Indigenous Peoples

INTRODUCTION

Basically, forests have an important influence on climate for environmental sustainability [1]. But in reality the management of forest areas is not as expected. Indonesia has a vast forest resource, but from year to year the forest condition is decreasing in size. While the greening activities carried out are not comparable to the forest products taken. In addition, the existence of illegal logging activities can cause forest degradation and deforestation. As a result, the ability of forest resources to decline [2, 3]. In the optimize function of the forest, the government uses the forest as Industrial Forest Plantation (HTI).

Industrial Plantation Forests are plantations that are built in order to increase the potential and quality of production forests by applying intensive silviculture to meet the raw material needs of the forest products industry [4]. Based on the Minister of Forestry Decree Number SK.325 / Ministry of Forestry-II / 2010, dated May 25, 2010 the area of Gorontalo Province's forest area based on Central Bureau of Statistics data is 824,668 Ha or 63.65% of the total area of Gorontalo Province. While the forest area of North Gorontalo Regency covers 111,037.25 Ha or 64.72% of the area of North Gorontalo Regency. Of the total area of the forest area around 86,797.15 hectares or 78% are production forest areas that are not managed intensively. This results in increasing and uncontrolled levels of forest damage. Thus, the government began to arrange the legal arrangements for forest management in accordance with the conditions of the area as stipulated in Regional Regulation No. 4 of 2011 concerning the Gorontalo Province Spatial Plan 2010-2030 that the community forest designation area was some of the community-owned land that was used consciously for forestry plants in several scattered places, one of which is in North Gorontalo District. Given that most of the main livelihoods for the community are from the agricultural sector related to oil palm companies and Industrial Forest Plantation. This supports the government in opening investment for the sector.

Regional policies in the field of Industrial Plantation Forest become an opportunity or wide opportunity for all regions including North Gorontalo District to bridge the policy in developing the potential of natural resources in the region by building cooperation especially in the field of Industrial Plantation Forest in North Gorontalo District. Insudtri Plantation Forest in North Gorontalo District is divided into two GNJ 29,750 Ha with SK. Minister of Forestry

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Number 6109 / MENHUT-II / 2011. While for GCL 17,500 Ha with Minister of Forestry Decree Number 261 / MENHUT-II / 2011 consisting of 7,763 Ha of protected forest, 16,035 Ha of Forest S.M. In that area there are also two companies that hold forest processing rights through the Industrial Forest Plantation (HTI) program covering an area of 29,750 Ha spread across three sub-districts, namely Tomilito, Anggrek and Gentuma.

The existence of HTI in Tomilito Subdistrict, especially in Bubode Village, started in 2009. Industrial Plantation Forest located in North Gorontalo Regency is managed by PT. Gema Nusantra Jaya (GNJ) with an area of ± 75,283 Ha, so that the overall area of Industrial Plantation Forest is ± 46,000 Ha and the remaining ± 29,283 Ha are in Gorontalo Regency. The granting of Industrial Plantation Forest licenses in North Gorontalo District has caused many conflicts related to land and limited value that can be obtained by landowners [5].

Especially on the subject of rights whose access to economics, social, politics is weak, the subject can easily lose his land rights when dealing with the government or regional government for reasons of structuring space for the construction of infrastructure and facilities for the public interest. How many times the conflict between the community and the company happened, including in November 2012, then the conflict happened again in 2015.

This conflict was caused by the refusal of local residents regarding the existence of Industrial Forest Plantation, which would certainly have an impact on environmental damage. Seeing this, there should be a measure or parameter that must be taken into consideration before the policy that the local government wants to take is decided. Therefore, more serious and prudent forest management in the context of sustainable forest development is needed to prevent [6]. Based on several descriptions in this background, the purpose of this study is to examine the impact of government policies on the management of Industrial Plantation Forests for indigenous peoples in North Gorontalo District.

RESEARCH METHODS

This research was carried out in the area of North Gorontalo, especially in the Bubode Village, Tomilito District. Because the area has been categorized as an industrial plantation area. Data collection methods are carried out through survey stages, namely field observations, interviews and Focus Group Discussion (FGD) activities with stakeholders. The analysis technique used is descriptive qualitative analysis.

RESULTS AND DISCUSSION

This study first examines the aspects of industrial forest plantation management and then examines the impact of the management of industrial plantations for indigenous peoples to be more clearly described as follows.

Management of Industrial Forest Plantation (HTI)

North Gorontalo Regency consists of 11 sub-districts, and 123 villages with a population of 104,068 people and an area of 1,230.07 km². Determination of the area of Production Forest Management Unit (KPHP) and Protection Forest Management Unit (KPHL) of Gorontalo Province in accordance with the Minister of Forestry Decree Number 65 / Minister of Forestry II / 2010 dated 28/01/2010 covers an area of ± 581,500 ha consisting of 3 units KPHL with an area of ± 240,759 ha and 4 KPHP units with an area of ± 340,741 ha.

Gorontalo Province, especially North Gorontalo Regency, is an area that is categorized as a Community Forest allotment area as referred to in Article 54 paragraph (1) of Gorontalo Province Regional Regulation Number 4 of 2011 concerning the Gorontalo Provincial Spatial Plan 2010-2030, that the Community Forest designation area is some community-owned land is used consciously for forestry crops. This is what causes North Gorontalo Regency to be designated as a KPHP Model with a Minister of Forestry Decree Number SK.766 / Menhut-II / 2012 dated 26/12/2012 with an area of ± 105,808 ha, consisting of Production Forest (HP) covering an area of ± 15,759 ha; Limited production forest (HPT): 71,417 and Protection Forest (HL) with an area of ± 18,632 ha.

Based on the interpretation of Landsat imagery in 2011, KPHP Model North Gorontalo dominant land cover is secondary dryland forest with an area of 54,622.80 Ha. This spurred the development of Industrial Plantation Forests in Gorontalo Regency at a speed of 400,000 Ha. Information from the Forestry Secretary of North Gorontalo HTI is the authority of the center, with the Minister of Forestry's Decree Number / 6109 / menhut-II / 2011 only saying that HTI is developed in a less productive natural forest area (shrub forest, former low productivity natural logging, used farming, and alang-alang grasslands. Forestry development policy states that permanent production forests that are confirmed from all forest products must originate from plantations, as well as agriculture which all agricultural products come from plants. Thus HTI will reach an area of 33.9 million ha.

In the meantime some of the permanent production forests that are managed are still retained to obtain timber that is long recycled (over 30 years)

before HTI is old enough to replace it. Natural forests can also be cultivated as a permanent production forest to produce wood in a long period of time, while HTI is devoted to producing wood for short periods of around 10 years and 25 years of intermediate recycling. Bubode Village is a village located in Tomilito District, North Gorontalo District, Gorontalo, Indonesia. The village consists of 4 hamlets, namely: the north bordering the village of Molantadu, the south bordering the village of Leyao and the subdistrict of Kwandang, the west bordering the villages of Bulango Raya and Milango, and the east bordering Desa Gentuma Raya with livelihoods mostly farming , and grow crops.

The existence of Industrial Forest Plantation in Bubode Village has existed since 2009 and began operating in 2010, as in the following figure. The existence of Industrial Plantation Forest in Bubode Village has existed since 2009 and began operating in 2010, as in the following figure.



Fig-1: Industrial Forest Plantation location North Gorontalo Regency

The Industrial Forest Plantation in the village consists of Sengon and Jabon production types which are fast growing hardwood plants. Both trees are indeed widely used in furniture and plywood industries. The Industrial Forest Plantation in Bubode village is managed by PT. Gema Nusantara Jaya. The company has had a land clearing permit since 2007 and began expanding its land in 2011. To date, the area of Industrial Plantation Forest in North Gorontalo is precisely in Bubode Village around 46,000 Ha and there are ± 20,000 Sengon and Jabon trees on the land.

The Impact of Government Policy on Industrial Plantation Forest Management for Indigenous Peoples

Industrial Forests or better known as HTI stands for one of the industrial-style forest management systems. HTI's work system in managing forests through the replacement of tropical rain plants with monoculture forests. This certainly has an impact on the environment and forest sustainability. Therefore, according to indigenous peoples, HTI is a versus in the management system of customary forests or customary forests.

According to Government Regulation No. 7 of 1990 concerning the Concession Rights of Industrial Forests, HTI is a plantation forest that was built in order to increase the potential and quality of production forests by applying intensive silviculture to meet the needs of raw materials for forest product industries. The aim of HTI's business is to support the development of domestic forest product industries in order to increase added value and foreign exchange, increase land productivity and environmental quality, and expand employment and business fields.

The existence of HTI development is expected to save natural forests from damage because HTI is a potential for renewable, maximally and sustainably used natural wealth for national development in a sustainable manner for the welfare of the population. HTI development has 3 main objectives that can be achieved, namely economic, ecological and social goals. Based on the target, the development of HTI must certainly have a positive influence on the economic, social and environmental life of the community around the HTI area.

In realizing the development of HTI, many parties and stakeholders are involved, one of which is precisely the community in the forest area. The role and participation of the surrounding community, both in providing material and non-material support and in collaboration with other parties involved can facilitate and accelerate the implementation of HTI development. Therefore, communities around the forest area will

certainly be affected by HTI development both socially and economically.

The Industrial Forest Plantation (HTI) policy can change the life of the surrounding environment through community empowerment. Because, with the presence of HTI, it can absorb labor to become contract laborers or daily, especially unskilled laborers and open isolation of rural areas [7]. HTI policies can also alleviate poverty and underdevelopment, especially in rural areas.

However, the majority of the community only applies as a factor of production (labor) in return for wages that are in accordance with the limited supply of its workforce and cannot receive added value that can increase their productivity. In addition, the positive impact is that it can spur regional and rural economic growth and open employment opportunities to overcome unemployment. But on the other hand, the policy of Industrial Plantation Forests has been more towards an administrative technical approach.

The fact is, with the existence of Industrial Plantation Forests there will be employment interventions. Where, community activities are intervened by related parties, so that people cannot freely utilize forest products. The existence of Industrial Plantation Forest in Bubode Village is managed by PT. Gema Nusantra Jaya (GNJ) North Gorontalo with an area of ± 75,283 Ha, so that the entire area of Industrial Plantation Forest is ± 46,000 Ha in North Gorontalo and the remaining 29,283 H is in Gorontalo District, for HTI in North Gorontalo, there are many conflicts. The community considers that the entry of Industrial Plantation Forests makes it difficult for the community to access the forest. This has led to several conflicts between citizens and the company, including in November 2012, related to the rejection of PT. GJJ's presence in the village, then the conflict occurred again in 2015 which resulted in the beating of company employees and destruction of heavy equipment the company. Communities who reject generally are around Industrial Land.

Industrial Plantation Forests do not provide benefits for them, besides, HTI certainly has an adverse impact, especially on the harvest of the people. According to residents that in their village there are rice fields as their livelihood to meet the needs of their families. The area of the rice field is 115 Ha equipped with irrigation. Every year, rice fields produce around 400 tons of rice in a single harvest if the weather is good, but in 2017-2018 the harvest results of the community decrease, this is caused by the water that is made as irrigation in the rice fields of the community has been contaminated with fertilizer that is used by the company in Industrial Plantation Forests, namely fertilizer of Sangon and Jabon trees. Considering the existence of Industrial Plantation Forest land on the mountain, the water automatically flows and pollutes the local rice fields.

Observing the impact caused by Industrial Plantation Forests in North Gorontalo District is currently not running optimally in accordance with the Annual Work Plan. The low income of the community through the forestry business has an impact on the high conversion of forest land into non-forestry business. In addition, villagers around the forest are not separated from the forest because of their livelihood. Because basically the community has a reciprocal relationship with forest resources which constitute an integrated ecosystem that is mutually influential, it is necessary to strive for a model of forestry development that is combined with efforts to meet the needs, increase income and the welfare of communities around the forest [8]. Considering that the socio-economic conditions of this community are generally still low. There are several requirements for good forest management [9], first is the ability to supply raw materials sustainably in sufficient quantities, both of which supply acceptable raw materials [10]. The third requirement for wood supply is delivered within the agreed time [11]. The fourth condition is that the price must be competitive so that the price of the final product is still competitive in global and domestic markets. And the fifth condition is that the business must be able to improve the employment opportunities of the community around the Industrial Plantation Forest area and at the same time improve the business climate of all community groups and professional groups and the sixth condition is that the Industrial Forest Plantation development program must be able to improve the environment [12]. This is further manifested by the spatial arrangement of Industrial Plantation Forests by setting aside around 10% to build and maintain conservation areas that may exist.

From the explanation that has been stated implicitly, with the issuance of government regulation No. 7 of 1990, it has changed the orientation of non-commercial foresters and non-industrial foresters to commercial foresters as well as industrial foresters. Thus the construction of HTI indicates that the development policy of Industrial Plantation Forest in North Gorontalo Regency is still having problems in its implementation.

CONCLUSION

Industrial Forest Plantation Policy has both positive and negative impacts. The positive impact is that it can spur regional and rural economic growth and open jobs to overcome unemployment. In addition, the negative impact is a decrease in community agricultural yields and interventions in the utilization of forest

products. It is expected that the regional governments as policy makers, in order to assist and supervise the policies of Industrial Plantation Forests covering the ownership of Industrial Plantation Forests and community land. Better synergy is needed between the local government, the company and the local community in providing better understanding of Industrial Plantation Forests.

REFERENCES

1. Astana, S., Sinaga, B. M., Soedomo, S., & Simangunsong, B. C. (2012). Dampak kebijakan makroekonomi dan faktor eksternal ekonomi terhadap laju deforestasi dan degradasi hutan alam: Studi kasus deforestasi untuk perluasan areal tanaman pangan dan perkebunan serta hutan tanaman industri dan degradasi hutan alam areal konsesi. *Jurnal Analisis Kebijakan Kehutanan*, *9*(3), 155-175.
2. Laurance, W. F. (1999). Reflections on the tropical deforestation crisis. *Biological conservation*, *91*(2-3), 109-117.
3. Sasaki, N., & Putz, F. E. (2009). Critical need for new definitions of "forest" and "forest degradation" in global climate change agreements. *Conservation Letters*, *2*(5), 226-232.
4. Priyono, I. S., Yusuf, Y., & Bempah, I. (2016). Implementasi Kebijakan Hutan Tanaman Industri Di kabupaten Gorontalo Utara, J. Sains & Teknologi, 16(2), 191-196
5. Pirard, R., Petit, H., Baral, H., & Achdiawan, R. (2016). *Dampak Hutan Tanaman Industri di Indonesia: Analisis Persepsi Masyarakat Desa di Sumatera, Jawa dan Kalimantan* (Vol. 153). CIFOR.
6. Subari, D. (2014). Sustainabilitas Hutan Tanaman Industri Sengon (Albizia falcataria). *Jurnal Riset Industri Hasil Hutan*, *6*(1), 9-14.
7. Jusdin Puluhulawa dan Hayati Ningsih Gubali, Industrial Policy Forestry Policy (HTI) Impact f or Social Life of Community in Huyula Village Mootilango District Gorontalo District Prosiding Seminar Nasional Pengembangan Teknologi Pertanian Politeknik Negeri Lampung 07 September 2017 ISBN 978-602-70530-6-9 halaman 228.
8. Sunderlin, W. D., Angelsen, A., Belcher, B., Burgers, P., Nasi, R., Santoso, L., & Wunder, S. (2005). Livelihoods, forests, and conservation in developing countries: an overview. *World development*, *33*(9), 1383-1402.
9. Noss, R. F. (2001). Beyond Kyoto: forest management in a time of rapid climate change. *Conservation Biology*, *15*(3), 578-590.
10. Barbour, R. J., & Kellogg, R. M. (1990). Forest management and end-product quality: a Canadian perspective. *Canadian Journal of Forest Research*, *20*(4), 405-414.
11. Carlsson, D., & Rönnqvist, M. (2005). Supply chain management in forestry—case studies at Södra Cell AB. *European Journal of Operational Research*, *163*(3), 589-616.
12. Bishaw, B. (2001). Deforestation and land degradation in the Ethiopian highlands: a strategy for physical recovery. *Northeast African Studies*, 7-25.