

A permit is not enough: community forests (HKM) in Bulukumba



Implications

Since HKM is a central government policy but implemented through local government, local governments need to have strong policy support and clear discretionary powers. Empowerment of local governments is as important as empowerment of local people.

More effort needs to be focused on the technical issues of small-scale forestry and the function of HKM rather than its administrative structure and forest status. Facilitation should not stop with the issuance of permits but continue to support farmers in managing HKM.

To establish good local forest governance, one key element in building HKM is to deconstruct and reform the forest farmers' groups, strengthen the institutions and, when well established, start negotiations to reach an agreement on how tenure is to be clarified, what kind of HKM is to be developed (not one decided unilaterally by government) and a division of rights and responsibilities. Another key element is to empower local governments to do this and a third is to develop technical capacity in small-scale forest management, including how to establish nurseries, tree/system management and marketing.

Introduction

'Community Forest' (Hutan Kemasyarakatan/HKM) first emerged as a national regulation in 1995. The current regulation, Minister of Forestry Decree P. 37/2007 (as revised by P. 18/2008, P. 13/2010 and P. 52/2011) defines HKM as state forest managed for community empowerment.

Main messages

- In promoting HKM, the government is focusing more on administrative issues, yet often verification of requirements is not done well.
- HKM is designed to secure tenure and avoid conflicts but in the process neglects issues of forest management and/or business management.
- Since HKM permits are issued to groups, institutional building of the groups is essential, including building the knowledge and skills of permit holders to understand and operationalize management plans.
- HKM is aimed for empowerment. Therefore the process to get HKM, however, requires long-term facilitation by competent facilitators understanding community dynamics and having technical knowledge of small-scale forest management, such as on reforestation, nurseries, tree/system management and marketing.

Forest farmers' groups, cooperatives and or communities are granted use permits for both production and protection forests for a period of 35 years, which can be extended. The HKM scheme today is greatly improved from the earlier regulations of SK Menteri Kehutanan No. 622/Kpts-II/1995, SK Menhutbun No. 677/Kpts-II/1998 and SK Menhut No. 31/Kpts-II/2001. It provides clearer rights and is also more explicit in promoting bottom-top participation and provides conditions for self-financing and/or partnerships.

The district government of Bulukumba in South Sulawesi has been actively promoting HKM. Reports show how livelihoods have improved through HKM. For example, one group of 129 farmers managing 127 ha of forest reported earnings of up to IDR 1 million per week in a good year from just the cocoa in the agroforestry system (Sinar Harapan 2013, Chandra 2013). This success has made Bulukumba a model for other districts. There are, however, villages where forest boundaries are disputed and people refuse to accept the HKM scheme with its limited rights. Instead, they demand the forest be recognized as community property.

This brief is not intended to explain the legal procedures for obtaining permits, as that has been well explained in Forum Komunikasi Kehutanan Masyarakat's (FKKM/Community Forest Communication Forum) info brief series no. 1 on Community Forestry (FKKM 2012) and subsequently analyzed by the Partnership for Forestry Reform (2001). Rather, this brief will present lessons from a case study in Bulukumba on the challenges faced by communities implementing HKM in the field.

HKM: who are the actors? Does coordination exist?

One source of confusion for local communities is the many actors involved at different levels of government.

The community has to deal with the village head to complete different documents, submit a proposal to the district head, cooperate with a verification team from the ministry as well as the district and provincial forestry agencies and finally is issued a management permit by the district head. At national level, documents need to pass 29 desks in four directorates general (Land Rehabilitation and Social Forestry, Planning, Legal Bureau and the Secretary General) and the Minister of Forestry (Partnership for Governance Reform 2011, Jakarta Post 2014).

After the permit is issued by the local government, implementation consists of boundary marking and compiling management and operational plans. To do this, the local government is expected to provide support and facilitation.

According to law, facilitation for empowerment is to be provided by the local government. However, the government (local forestry agencies, mainly) are constrained in budget and skilled staff. As a result, actual facilitation is weak and often provided by a third party as allowed under the different regulations (P. 49/2008, part III, P. 39/2013, part V and P. 37/2007 part II), involving yet another actor.

The watershed agency of the directorate general of Land Rehabilitation and Social Forestry and, more recently, the newly established Forest Management Units (Kesatuan Pengelolaan Hutan/KPH) are also mandated with facilitation.

All these agencies are expected to work closely with local government agencies at provincial and district levels, but in practice the different accountability lines complicates coordination.

From the local community perspective, these different agencies seem to have contradictory and overlapping mandates and different views on what HKM should be.



Farmer harvesting coffee in a community forest in Borong Rappoa, Bulukumba. © World Agroforestry Centre/Balang

For example, the KPH in Bulukumba envisions HKM as a profit-making enterprise in partnership with a business, whereby the business will have the right to 70% of profits with the 30% to be divided between government and community. In Southeast Sulawesi, the KPH wants to develop a model HKM with bamboo as its main product. The Watershed Management Agency (Balai Pengelolaan Daerah Aliran Sungai/BPDAS), meanwhile, sees HKM more as providing environmental services as a vehicle for forest and soil rehabilitation while the local agency might see HKM as a way to solve conflict. But how do local communities perceive HKM? And how free are they to make their own decisions?

In practice, most people simply continue their traditional practices, cultivating cocoa and/or coffee on individual plots. HKM provides the legal security to do so but does not significantly change their ways of managing forests.

HKM: does it empower?

Empowerment through HKM appears, as noted by Luttrell et al (2009) in other development projects, to focus heavily on the importance of access to assets and resources, with access to information somewhat neglected. This is certainly the case in Bantaeng. To improve welfare and self-reliance (Kabupaten Bantaeng 2008), the government provides capital and assets to the villages to run village enterprises.

Empowerment should be understood as a multi-dimensional social process that helps people gain control over their own lives. It is a process that fosters power, or the capacity to implement, in people for use in their own lives, their communities and in their society by acting on issues that they define as important (Page and Czuba 1999). The World Bank (2011) defines empowerment as the process of increasing the capacity of individuals and groups to make choices and to transform those choices into desired action and outcomes. This should include access to technical resources, information and training so that people can enhance their resource management skills (Roshetko et al 2008). The bottom line is that empowered people have freedom of choice and action to better influence the course of their lives and the decisions that affect them.

Four key elements lead to empowerment:

1. Access to information
2. Inclusion and participation
3. Accountability
4. Local organizational capacity

Although attempts are made to disseminate information about HKM opportunities, requirements and regulations pertaining to state forest, these are often in the form of 'socialization', whereby an official provides information

without ensuring that people actually understand. Like with most HKM, information dissemination to forest farmers in Bantaeng and Bulukumba has also been aided by third parties with external funding. The University of Hasanuddin has been an important actor along with the non-governmental organization Balang. Both have been consistently active in the region. Facilitation by these actors has certainly improved participation and inclusion. But as the forestry agencies admit, lack of funds and personnel has limited their efforts. Projects, while providing funds and personnel, are typically short term and tend to end before a proper free, prior and informed consent process has been conducted. A survey in Borong Rappoa showed that only three out of the 113 respondents interviewed had obtained information on HKM from the government; 13 had received information through the Agroforestry and Forestry in Sulawesi (AgFor) project; and 91 (88%) knew about HKM from other community members.

Continuous facilitation is therefore needed not only to provide information frequently and repeatedly but also to ensure inclusion and participation. Efforts to ensure inclusion and participation do not stop when permits are issued but need to continue in the subsequent processes of group strengthening, planning management of the forest, decisions about division of tasks in the implementation of the management plan and sharing the benefits from the products.

HKM provides rights to community or farmers' groups. In Bulukumba, many of the groups that were formed during the national reforestation and rehabilitation program (Gerakan Nasional Rehabilitasi Hutan dan Lahan/GNRHL) in the 1980–90s were revived for the HKM program. Even though reports claim that the forest farmers' groups involved in HKM are well informed, have strengthened their institutions and are managing the forests in a profitable manner, our study found that forest farmers listed as members of farmers' groups (Kelompok Tani Hutan/KTH) were not aware of their membership or did not understand the HKM scheme itself (Balang 2013).

In recent years, more attention has been given to strengthening group capacity, with mixed results. Working with local groups necessitates understanding the local context. A recent study on gender relations in South and Southeast Sulawesi (Colfer et al 2015), for example, shows that in many cases women do have a voice in decisions on land-use issues. Ignoring this voice might result in weakening rather than strengthening. The strength of a group depends on the strength of all its members.

Fostering inclusion and participation is also necessary to establish accountability and the power of the group to hold individuals accountable for managing the area according to the management plan. But it also requires more facilitation as well as monitoring by the government.

Empowerment is thus a long process and requires trust in the willingness of actors to embrace change and the long-term commitment of all. It needs a mutual understanding of the positions, strengths and weaknesses of each actor and it needs actors to be competent in empowering and willingness to be empowered. As well, it requires technical capability to support practical activities in the field: establishment of nurseries and tree plots, management of the plots, harvesting and marketing.

HKM: does it solve conflict over forest tenure?

Though ostensibly designed for community empowerment, as the case of Borong Rappoa shows HKM is also perceived as a tool to solve conflict over forest tenure. The experience in Borong Rappoa is that HKM is primarily a solution to conflict over forest land and only secondarily a tool for empowerment. The national government might state that HKM is not 'pemutihan' (whitening) or absolving the sin of encroachment but the reality is that HKM is seen more as a tool to legalize forest occupation by local people. HKM is thus more often accepted by 'accident' rather than because of understanding the benefits of collaboration and/or improved forest governance.

Perhaps for this reason, there is not enough effort spent on institutional building and ensuring free, prior and informed consent nor on clarifying forest boundaries and completing the formal gazettement process. The HKM in Borong Rappoa, Bulukumba, for example, was proposed because the people claimed the forest as theirs. The local agency, at the recommendation of BPDAS (which had established the groups for GNRHL) and facilitated by a third party, fulfilled all administrative requirements and submitted the request for HKM to the Ministry in 2009 (Wawo n.d.). In 2011, the Ministry of Forestry agreed on designating 2265 ha for HKM in Bulukumba, including the area claimed by the forest farmers' group in Borong Rappoa.

Unfortunately, the state forest gazettement process was never completed and state forest boundaries were not clearly demarcated.

As revealed by a review of maps, the area for HKM in Borong Rappoa is in fact outside the designated state forest area. Yet the area was considered forest and while claiming the land people felt insecure enough to consider HKM. The implications of this mistake are not clear yet.

HKM is a national policy and the stated intention is to empower local people through provision of access to forest land. However, HKM is implemented by local government through a long, complicated process and the consequences of mistakes at national level are blamed on local government. Local communities demand their local government solve the problems but the local government has no authority to change designated forest areas.

In addition, collaboration in formal government institutions usually favors the local elite who have the educational and financial capacity to engage with outsiders. Such a scheme, just like any other participatory forest management, has been subject to serious power struggle as well as conflicts between forest officials and communities over valuable timber resources and land rights.

Will HKM lead to effective local forest governance?

In theory, after being granted a management permit a group can decide on how to manage the forest and submit their work plan. In practice, such a plan is an administrative exercise, often rejected because it does not follow the forms required. Since the forestry agency



Coffee cherries harvested from a community forest area in Borong Rappoa, Bulukumba. © World Agroforestry Centre/Balang

seldom provides a reason for the rejection nor help in making corrections, many HKM stop at this point. Even when accepted, the plan might not be followed as it bears no link to actual practices.

In Bulukumba and Bantaeng, most groups do not collectively manage forests. Indeed, where HKM is adopted as a solution to conflict, people see HKM as a license to continue their traditional land management practices. In Borong Rappoa, this means planting coffee. Although the coffee is usually planted in an environmentally appropriate agroforestry system, it is not considered acceptable for state forest land. On the other hand, the local government is allowing the practice as it is a much better use of land than conversion to maize and/or vegetables.

For HKM to become local forest governance, three factors need to be emphasized. First, fulfilment of the 'clean and clear' test. The status of the forest has to be verified, boundaries marked and institutions established and made well informed. Second, facilitation beyond the issuance of the permit needs to be carried out by competent facilitators with technical skills in (a) strengthening local institutions and application of good governance; and (b) small-scale group forest management and improving technical capacity in nurseries, tree/system management and marketing. And, lastly, there needs to be the freedom for local people to decide on how to manage the forest within certain parameters set by the government, for example, ensuring soil and water conservation but not prescribing how it will be done. Observation in the field shows that local practices can be very effective in preventing erosion and yet these same local practices are often forgotten in the pressure to produce cash crops.

Further, devolving management rights to local communities does not diminish the role of government. The national government is required to provide standards and criteria of guidelines for the governance of forests, including those managed by communities. Local government is to provide facilitation, technical support and conduct monitoring. Each actor has strengths but also weaknesses. The government has the authority to draft regulations, compile and evaluate management plans. It also has control over information and data and is able to raise issues to higher levels of government through the administrative network. The government, however, is weak in empowering communities and communicating with local people, in law enforcement where law enforcers are the ones breaking the law, and in coordination with others.

Through local practices and resource use, including for survival and adaptation, many local communities have developed traditional knowledge systems and perspectives (Berkes et al 2000). Nevertheless, at the AgFor project sites many people have incorporated soil and water conservation measures into their

farming practices without HKM benefits. Although not exclusively, local systems often incorporate trees and some sort of erosion control and slope stabilization, such as terracing.

Understanding and respecting each other is the basis of trust. In both Bantaeng and Bulukumba, trust is slowly being built through the willingness of officials in local government to visit isolated communities, stay in the village and listen to problems. These 'champions' are also building capacity within their organizations, which includes a change in attitude where communities are not subjects to be 'developed' and 'empowered' but partners in developing and empowering.

One guiding framework is land-use planning. However, land-use planning should not only differentiate between forest and non-forest but should also provide guidelines regarding where specific activities are best located, taking into account environmental, economic and social aspects. This might include the placement of HKM in specific areas within an area not designated as forest by the state. Indeed, HKM does not stand alone but needs to be integrated into overall development planning.

References

- Balang. 2013. Report on field activities in Bantaeng. Unpublished. Bantaeng, Indonesia: Balang.
- Berkes F, Colding J, Folke C. 2000. Rediscovery of traditional ecological knowledge as adaptive management. *Ecological Applications* 10(5):1251–1262.
- Chandra, W. 2013. Mengintip Hutan Kemasyarakatan di Bangkeng Buki' Bulukumba. Mongabay Indonesia. November 15, 2013 <http://www.mongabay.co.id/2013/11/15/mengintip-hutan-kemasyarakatan-di-bangkeng-buki-bulukumba/Makassar>
- Colfer CJP, Achdiawan R, Roshetko JM, Mulyoutami E, Yuliani EL, Mulyana A, Moeliono M, Adnan H. 2015. The Balance of Power in Household Decision-Making: Encouraging News on Gender in Southern Sulawesi. *World Development Journal* 76: 147-164. DOI: doi:10.1016/j.worlddev.2015.06.008.
- [FKKM] Forum Komunikasi Kehutanan Masyarakat. 2012. *Info KM seri 001 Mei 2012*. Online. Forum Komunikasi Kehutanan Masyarakat. <https://fkkehutananmasyarakat.wordpress.com/2012/07/24/info-km-seri-hutan-desa/>
- Sinar Harapan 10 Mei 2013. Melongok Hutan Kemasyarakatan di Bulukumba. <http://www.HKMhd.ditbps.com/?u=detail&kode=25>
- Jakarta Post. 2014. Government told to cut red tape in forestry sector. 22 February. <http://m.thejakartapost.com/news/2014/02/22/government-told-cut-red-tape-forestry-sector.html>.

Kabupaten Bantaeng. 2008. *Rencana pembangunan jangka menengah daerah Kabupaten Bantaeng 2008–2013*. Bantaeng, Indonesia: Kabupaten Bantaeng.

Luttrel C, Quiroz S, Scrutton C, Bird K. 2009. *Understanding and operationalising empowerment*. Working Paper 308. London: Overseas Development Institute. Page N, Czuba CE. 1999. Empowerment: what is it? *Journal of Extension* 37(5): commentary. <http://www.joe.org/joe/1999october/comm1.php>.

Partnership for Governance Reform. 2011. *Mendorong percepatan program Hutan Kemasyarakatan dan Hutan Desa*. Partnership Policy Paper no. 4/2011. Jakarta: Partnership for Governance Reform.

Roshetko JM, Snelder DJ, Lasco RD, van Noordwijk M. 2008. Future challenge: a paradigm shift in the forestry sector. In: DJ Snelder, R Lasco, eds. *Smallholder tree growing for rural development and environmental services*. p. 453–485.

Wawo M. 2012. Pelembagaan HKM dalam kebijakan dan program dalam mendukung implementasinya. Unpublished paper. Presented at national seminar and meeting of partners of the Forest Governance Program 2.

World Bank. 2011. *Empowerment: an overview*. Poverty Net. Washington, DC: World Bank. <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPOVERTY/EXTEMPowerment/0,,menuPK:486417~pagePK:149018~piPK:149093~theSitePK:486411,00.html>.

Laws and regulations

UU No. 41/1999 tentang Kehutanan (Law No. 41 on Forestry).

PP No. 6/2007 tentang Tata Hutan dan Penyusunan Rencana Pengelolaan Hutan, Serta Pemanfaatan

Hutan (Government regulation No. 6/2007 on Forest Governance).

Peraturan Menteri Kehutanan No. P. 39/Menhut-II/2013 tentang Pemberdayaan Masyarakat Setempat melalui Kemitraan Kehutanan (Ministerial Decree No. P.39/Menhut-II/2013 on Empowerment of Local Communities through Partnership in Forestry).

Kementerian Kehutanan. 2011. *Rencana Kehutanan Tingkat Nasional 2011–2030*. Jakarta: Ministry of Forestry. http://www.dephut.go.id/uploads/files/DitRenHut_RKTN_2011.pdf.

Peraturan Menteri Kehutanan No. P. 49/Menhut-II/2008 tentang Hutan Desa (Ministerial Decree No. P. 49/Menhut-II/2008 on Village Forests (Hutan Desa).

Peraturan Menteri Kehutanan No. P. 88/Menhut-II/2014 tentang Hutan Kemasyarakatan. (Ministerial Decree No. P. 88/Menhut-II/2014 on Community Forests).

SK Menhut No. 31/Kpts-II/2001 tentang Penyelenggaraan Hutan Kemasyarakatan (Ministerial Decree No. 31/Kpts-II/2001 on Implementation of Community Forests).

SK Menhut 890/1999 tentang Penunjukkan Kawasan Hutan (dan Perairan) di Wilayah Propinsi Sulawesi Selatan (Ministerial Decree 890/1999 on Designation of Forest (and Water) Area in the Province of South Sulawesi).

SK Menhutbun No. 677/Kpts-II/1998 tentang Hutan Kemasyarakatan (Ministerial Decree 677/Kpts-II/1998 on Community Forests).

SK Menteri Kehutanan No. 622/Kpts-II/1995 tentang Pedoman Hutan Kemasyarakatan (Ministerial Decree 622/Kpts-II/1995 on Guidance for Community Forests).

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