

Indonesia: Environment ministry to 'pardon' 869 companies operating illegally in forest land

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Jakarta — The Indonesian Forum for the Environment (Walhi) has criticised a plan by the Environment and Forestry Ministry (KLHK) to pardon hundreds of companies operating illegally in forest areas based on Law Number 11/2020 on Job Creation.

Walhi Forestry and Agriculture Campaign Head Uli Arta Siagian said that the KLHK is going against the Constitutional Court's (MK) ruling by using the Jobs Law to pardon the companies. He reminded the KLHK that the court has declared the Jobs Law to be conditionally unconstitutional.

"This is a form of rebelling against the constitution. It cannot be justified legally because the [Jobs] law is not currently operational," Siagian told CNN Indonesia on Friday July 8.

Siagian said that pardoning these companies will worsen the environmental and social situation. Shifting the land function of forest areas, said Siagian, could potentially cause a rise in greenhouse gas emissions.

According to Siagian, this contradicts Indonesia's public policies. On several occasions, Indonesia has touted its intention to reduce greenhouse gas emissions.

"Just these 14 companies [which have met the requirements to restart operations] will defiantly have a bad impact on the environment, society and in general and this contradicts Indonesia's commitments to reduce emissions," he said.

And not only that, Siagian said that pardoning companies operating in forest areas also contradicts the social forestry program. The program's achievements are already far below its target, namely less than 50 percent.

"This is one of the contradictory forms by state officials where on the one hand they say they will allocate space for the ordinary people. But on the other hand they are currently trying to whitewash the crimes [so companies] can operate legally in forest areas," he said.

The KLHK has revealed that there are some 869 companies operating illegally in forest areas which could potentially be pardoned and allowed to continue to operations if they pay an administrative fine.

This is possible because of Articles 110A and 110B of the Jobs Law. Out of these companies, 14 have already met the requirements to be pardoned.

Late last year, the Constitutional Court found in favour of a challenge against the Jobs Law. The court declared the law to be conditionally unconstitutional and ordered the government to revise the

law within two years.

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