



Position Paper

Pantau Gambut's Position on the Proposed Establishment of BPGMN

This document was prepared for the Workshop on the Establishment of the National Peatland and Mangrove Management Agency (BPGMN), held in Jakarta on 1–2 October 2026. Its scope is limited to aspects of peatland protection and management, in accordance with Pantau Gambut's mandate and expertise.

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Pantau Gambut's Position

Pantau Gambut views the proposed establishment of the National Peatland and Mangrove Management Agency (*Badan Pengelola Gambut dan Mangrove Nasional/BPGMN*) within the broader framework of improving peatland governance. The added value of this agency will not be determined by the establishment of a new institutional structure, but by its ability to address gaps in authority, clarify inter-agency coordination, and ensure the protection and restoration of peatland ecological functions.

The draft Presidential Regulation and supporting documents for the establishment of BPGMN have not been made publicly available for review. Consequently, its mandate, authority, working relationships, and accountability mechanisms, particularly those relating to peatland management, cannot yet be comprehensively assessed. Under these circumstances, Pantau Gambut is not yet in a position to support the establishment of BPGMN.

Pantau Gambut's participation in the workshop constitutes an independent contribution in accordance with its mandate and expertise in peatland issues. It does not constitute endorsement of either the establishment of BPGMN or the institutional design currently under discussion. Pantau Gambut's assessment of the proposed BPGMN will be based on the eight demands for peatland protection previously articulated.

Problem Analysis

Indonesia's peatland ecosystems are under increasing pressure, while the ecological and economic losses resulting from their degradation continue to accumulate. These pressures are closely linked to the expansion of agro-extractive activities and large-scale forestry industries, infrastructure development and National Strategic Projects (*Proyek Strategis Nasional/PSN*), land drainage through canal networks, and forest and land burning. In this context, peatland degradation is not merely a matter of fires that occur during the dry season, but rather a consequence of long-term changes in hydrological functions and landscape governance.

If established, BPGMN must be positioned as part of a broader effort to improve peatland governance, rather than merely as an institutional response to forest and land fires. Its mandate should encompass addressing the drivers of degradation, restoring hydrological functions, overseeing concessions, and correcting development policies that increase peatland vulnerability.

The scale of the problem is substantial. Based on Pantau Gambut's analysis, of the approximately 24.2 million hectares of Peat Hydrological Units (*Kesatuan Hidrologis Gambut/KHG*) in Indonesia, around 16.4 million hectares are vulnerable to fire, while approximately 6 million hectares are highly vulnerable to flooding. These figures indicate that peatland issues are not solely related to fire, but also to the degradation of hydrological functions across the landscape. Drainage, land-cover clearance, canal construction, and land-use conversion can reduce the capacity of peatlands

to retain moisture, while increasing their vulnerability to fire and, under certain conditions, flooding.¹

The problem becomes even more serious when canal networks are located within and around concession areas. Pantau Gambut has identified a total of 281,253.51 kilometres of canal networks across Sumatra, Kalimantan, and Papua. Canals within peatland landscapes cannot be viewed merely as technical infrastructure. When constructed and managed without due consideration of peatland hydrological characteristics, canals can accelerate water outflow from the ecosystem, lower groundwater levels, and make peatlands more susceptible to drying. Therefore, the presence of canal networks on this scale must be understood as a landscape governance issue rather than merely a technical land management concern.

These pressures are also associated with the extensive area of KHG under concession control. As of July 2025, Pantau Gambut recorded approximately 8.3 million hectares of KHG under 936 concessions, comprising Land Use Rights (*Hak Guna Usaha/HGU*), Forest Utilisation Business Permits (*Perizinan Berusaha Pemanfaatan Hutan/PBPH*), Natural Forest (*Hutan Alam/HA*), and Ecosystem Restoration (*Restorasi Ekosistem/RE*) concessions. These figures demonstrate that peatland management cannot be separated from how the state grants, oversees, and evaluates permits for land use within ecologically vulnerable ecosystems. The risks of forest and land fires and flooding in concession landscapes should be central considerations in permit evaluations, rather than receiving attention only after disasters have occurred.

Another problem is the gap between the pace of environmental degradation and the effectiveness of restoration. Pantau Gambut's analysis of a decade of peatland restoration found that most areas burned between 2015 and 2019 had not returned to forest. Only around 1–3 per cent were recorded as having recovered into forest, while other areas had transitioned into shrubland and monoculture oil palm plantations. These findings indicate that restoration success cannot be measured solely by the number of rewetting activities, canal-blocking structures constructed, or the area covered by restoration interventions. A more meaningful measure is whether peatland ecological functions have genuinely recovered and whether previously burned areas can be protected from further degradation or land-use change.²

Legal Framework and Institutional Gaps

The protection and management of peatland ecosystems are grounded in Law No. 32 of 2009 on Environmental Protection and Management, as last amended by Law No. 6 of 2023, as well as Government Regulation No. 71 of 2014, as amended by Government Regulation No. 57 of 2016. This framework establishes KHG as the ecological units for determining peatland functions, planning, preventing degradation, and implementing restoration. However, its implementation intersects with regulatory frameworks governing forestry, plantations, spatial planning, business licensing, and the allocation of governmental responsibilities.

¹ Pantau Gambut. (2025). *From Concession to Consequences*. <https://en.pantaugambut.id/publications/from-concessions-to-consequences>.

² Pantau Gambut. (2024). *Drowned Peatland*. <https://en.pantaugambut.id/publications/drowned-peatland>.

The problem is not the complete absence of regulations, but rather the lack of alignment among certain regulatory standards and the fragmentation of authority. A single KHG may span multiple provincial or regency boundaries, forest areas and other land-use areas, as well as different types of permits. Consequently, decisions concerning protection, utilisation, oversight, and restoration may fall under different ministries, local governments, and permit holders. Without mechanisms to resolve policy conflicts and clearly assign responsibility for follow-up action, the protection of KHGs risks becoming fragmented along administrative, land-status, and sectoral lines.

Differences in technical standards illustrate this problem. Minister of Agriculture Regulation No. 14/Permentan/PL.110/2/2009 provides for groundwater levels of 60–80 centimetres for oil palm cultivation on peatland. Meanwhile, Article 23(3) of Government Regulation (*Peraturan pemerintah*) No. 71 of 2014, as amended by Government Regulation No. 57 of 2016, stipulates that a peatland ecosystem designated for cultivation is considered degraded if the groundwater level at a compliance monitoring point is more than 0.4 metres below the peat surface. This discrepancy underscores the need for a consistent ecological protection standard that is binding across sectors, rather than administrative coordination alone.

From an institutional perspective, the conclusion of the Peatland and Mangrove Restoration Agency's (*Badan Restorasi Gambut dan Mangrove*/BRGM) mandate on 31 December 2024 did not eliminate the authority of ministries and local governments. Presidential Regulation No. 120 of 2020 stipulates that, following the conclusion of BRGM's mandate, its duties and functions are to be carried out by the relevant ministries in accordance with their respective authorities. The institutional restructuring in 2024 subsequently separated the Ministry of Environment/Environmental Control Agency (*Badan Pengendalian Lingkungan Hidup*/BPLH) from the Ministry of Forestry through Presidential Regulations No. 182 of 2024, No. 183 of 2024, and No. 175 of 2024. Under this institutional arrangement, responsibilities for protection, degradation control, restoration, area management, licensing, and law enforcement remain distributed across several institutions. The question that needs to be addressed is not merely which institution serves as the focal point, but which authority is empowered to ensure that cross-sectoral decisions are implemented and violations are acted upon.

Accordingly, the draft Presidential Regulation establishing BPGMN must clarify the agency's institutional added value in relation to the existing mandates of the Ministry of Environment/BPLH, the Ministry of Forestry, the Ministry of Agriculture, local governments, and law enforcement authorities. At a minimum, the Presidential Regulation must establish working relationships, access to data, mechanisms for resolving conflicting policies, responsibility for recommendations, follow-up deadlines, and public accountability. Without such clarity, BPGMN risks becoming an additional layer of coordination without the authority to address the underlying drivers of environmental degradation.

Pelajaran dari BRG dan BRGM

The conclusion of BRGM's mandate in 2024 reshaped the institutional arrangements for peatland management. Several functions are now distributed across ministries, government agencies, local governments, and technical implementing units. However, it remains unclear which institution is

responsible for coordinating peatland management nationally across administrative boundaries and sectors. This function is essential because a single KHG may extend across multiple administrative boundaries and sectoral jurisdictions.

The experience of BRG and BRGM also demonstrates that the establishment of a dedicated agency does not automatically resolve governance challenges. Four lessons should inform the institutional design of BPGMN: long-term oversight of restoration, accountability of permit holders, clear allocation of authority, and meaningful public participation.

- **First, restoration oversight must continue after infrastructure has been constructed.** A 2023 investigation by Pantau Gambut found that 70 per cent of the 77 canal blocks examined in Aceh, Riau, and East Kalimantan were damaged.³ Of the 96 measurement points within intervention areas, 60 per cent recorded groundwater levels more than 40 centimetres below the peat surface, while 11 points recorded levels exceeding one metre in depth.⁴ These findings demonstrate the need for long-term maintenance and monitoring of peatland rewetting infrastructure.
- **Second, permit holders' responsibilities must be subject to consistent oversight.** Of the approximately 12 million hectares of peatland designated for protection, Pantau Gambut recorded around 3.8 million hectares subject to Forest Utilisation Business Permits (*Perizinan Berusaha Pemanfaatan Hutan/PBPH*) or Land Use Rights (*Hak Guna Usaha/HGU*).⁵ In 2023, an assessment of 240 peatland sampling points in concession areas that had previously experienced fires and lost tree cover found that only 1 per cent had returned to forest. The remaining areas were dominated by shrubland and dryland crops, including oil palm and acacia.⁶
- **Third, institutional coordination must be accompanied by clear authority and follow-up mechanisms.** The experience of BRG and BRGM demonstrates that coordination alone is insufficient if recommendations are not linked to permitting decisions, compliance monitoring, restoration measures, and law enforcement by the relevant authorities. Because KHGs span administrative boundaries, land-use designations, and concession areas, coordination must be based on a common ecological reference framework and produce decisions that can be implemented across ministries, government agencies, and local governments.
- **Fourth, community participation must influence both planning and implementation.** BRG and BRGM were mandated to facilitate participation, partnerships, and community empowerment, and provided the Peatland Restoration Information and Monitoring System (PRIMS) and annual reports. However, findings of canal blocks damaged by local communities at one intervention site indicate that technical designs have not always adequately accounted for social needs, including community access and transportation.⁷ Participation also requires data transparency. Monitoring information has been more readily available for government intervention areas, while information

³ Pantau Gambut. (2024). *Dread in Wetland Bed*. <https://en.pantaugambut.id/publications/dread-in-wetland-bed>.

⁴ Ibid.

⁵ Pantau Gambut data (*upd.* 2021).

⁶ Pantau Gambut (2024), *Op. Cit.*

⁷ Ibid.

concerning concession areas remains limited. Although BRG conducted supervision in concession areas during 2015–2020,⁸ information on field activities, methodologies, and restoration outcomes has not been disclosed adequately. Without such data, the public faces difficulties in assessing corporate accountability and restoration performance across an entire KHG landscape.⁹

Eight Demands for Peatland Protection in the Design of BPGMN

Pantau Gambut maintains that all policies concerning peatland protection and restoration, including the institutional design of BPGMN, must meet at least the following eight requirements.

1. **Peatland protection must be the primary mandate.** Restoration must not be used to justify environmental damage or diminish the responsibilities of the government and permit holders.
2. **Protection and restoration must be based on Peat Hydrological Units (Kesatuan Hidrologis Gambut/KHG).** Planning must not be constrained by administrative boundaries, concessions, project locations, or sectoral jurisdictions.
3. **No exemptions for concessions or government projects.** All activities must be subject to equivalent ecological assessment and compliance oversight.
4. **Coordination must lead to follow-up action.** Every recommendation must identify the responsible institution, a completion deadline, and progress that can be monitored by the public.
5. **Success must be measured by ecological outcomes.** These indicators must include the recovery of hydrological conditions and vegetation, reduced fire risk, and the prevention of recurring damage—not the number of activities undertaken or the area covered by interventions.
6. **Fires must trigger an evaluation of governance and permitting.** Every fire incident must be followed by an assessment of ecological conditions, regulatory compliance, and permits. BPGMN must receive complaints and refer its findings to the relevant authorities.
7. **Financing must adhere to the polluter-pays principle.** State budget allocations must not substitute for restoration obligations. The amounts of obligations, payments, use of funds, restoration actions, and their outcomes must all be traceable.
8. **Communities must participate meaningfully.** Local communities, Indigenous Peoples, women, and affected groups must have formal opportunities to participate in planning, oversight, grievance mechanisms, and evaluation.

Core Mandate Formulation for Peatland Management

If established, BPGMN should be mandated to manage peatlands by ensuring the protection and restoration of ecological functions based on Peat Hydrological Units; coordinating damage prevention and policy harmonisation; consolidating and making data publicly accessible;

⁸ Piecing Together The Puzzle Pieces of Peat Ecosystem Protection In Concession Areas. Pantau Gambut. (2021). <https://en.pantaugambut.id/publications/piecing-together-the-puzzle-pieces-of-peat-ecosystem-protection-in-concession-areas>.

⁹ Pantau Gambut (2024), Op. Cit.

monitoring ecological outcomes; and ensuring follow-up action on governance and permitting evaluations.

The implementation of this mandate must ensure that concessions and government projects are not exempted from ecological assessment; that every fire incident is followed by an evaluation of governance and compliance; that restoration financing adheres to the polluter-pays principle; and that affected communities are involved in planning, oversight, grievance mechanisms, and evaluation.

BPGMN would not assume the law enforcement powers of ministries, local governments, or law enforcement agencies. However, all findings and recommendations issued by BPGMN must be referred to the competent authorities, receive a response within clearly defined timeframes, and be subject to public monitoring.