

## Accelerating legal recognition and protection of the tenure rights of Indigenous Peoples in Indonesia



AMAN advanced tenure security over **1.5 million hectares** of land belonging to 200 indigenous communities and achieved recognition of 230,000 hectares in 30 months

Project duration  
28 May 2015  
to 30 October 2017

Indigenous Peoples and local communities in Indonesia have been managing forestlands under customary systems for generations, and their rights are enshrined in the country's constitution. Yet most of their territory remains unrecognized, and 30 percent of the country is under industrial concession, resulting in massive forest fires and significant conflict and inequality. After decades of advocacy, a 2013 Constitutional Court ruling declared that the state had wrongly appropriated Indigenous Peoples' customary forests and must return them, and the government subsequently committed to transfer management of 12.7 million hectares of forestland to indigenous communities. The Indigenous Peoples Alliance of the Archipelago (AMAN) is capitalizing on this new political momentum to implement the government's commitments to recognize and protect Indigenous Peoples' land rights.

With technical and financial assistance from the Tenure Facility, AMAN is supporting the drafting and adoption of district-level regulations to recognize rights. Securing rights at the district level immediately benefits indigenous livelihoods, reduces conflict, and strengthens natural resources management. In an innovative new approach, these regulations not only establish procedures for recognizing indigenous lands but also include recognition of specific territories by embedding community maps directly in the legislation. This scalable model is already spreading to other districts and creating bottom-up momentum toward national recognition of indigenous rights.





## Results

- AMAN assisted local governments in drafting 28 district-level regulations. Once passed, these will lead to titles for 200 indigenous communities over 1.5 million hectares.
- Three local regulations have already been approved, including in Lebak, where the legislation includes recognition of six community territories covering 66,300 hectares.
- Another four regulations are expected to be enacted in 2017, and would recognize an additional 26 territories covering nearly 93,000 hectares.
- The project contributed to recognition at the national level of three indigenous forests covering 6,000 hectares. AMAN supported local legislation in these districts, which was a prerequisite for national recognition.
- AMAN achieved these important victories by working with district government institutions, supporting community mapping in 41 community territories covering more than 125,000 hectares, and training more than 220 district-level government officials and indigenous and community organizations in regulatory processes and legal pathways.
- AMAN ensured that community mapping included women's voices, both to support their personal agency and to integrate their extensive knowledge into the maps.
- The project complemented these efforts with national-level advocacy to advance the draft Bill on the Recognition and Protection of Indigenous Peoples, accelerate the establishment of the Presidential Task Force on Indigenous Peoples, and successfully establish an Indigenous Peoples' caucus.

For the full story, visit [thetenurefacility.org/projects/indonesia](http://thetenurefacility.org/projects/indonesia)







AMAN supported the drafting and adoption of district regulations to recognize the land and forest rights of Indigenous Peoples in five pilot districts in Indonesia (above). News of the success of these pilots inspired a movement that spread quickly to 28 districts (below). In just 29 months, these districts advanced tenure security over 1.5 million hectares of land and achieved recognition of 230,000 hectares, helping to secure the lives and livelihoods of more than 200 communities.



# Indigenous community of Lebak used local legislation to secure its land rights

Through peer-to-peer exchanges, such as those in Lebak, AMAN ignited a movement that is spreading from district to district as local authorities adopt the approach of using local legislation to secure Indigenous Peoples' land and forest rights

The Lebak indigenous community has faced threats from an industrial mining concession as well as a national park. With the support of the Tenure Facility, Lebak was the first district to use local legislation as a tool for securing indigenous land rights. The legislation, which was approved in December 2015, included recognition of three indigenous territories covering 66,300 hectares of land. This was also the first district where AMAN implemented new procedures to ensure that the voices of women were included in the mapping process. Finally, local level recognition led to official recognition of one of the first community forests under the Ministry of Environment and Forestry. Lebak held a dialogue for local parliament members from other districts, and became a source of inspiration and information for many other local legislation processes. With support from AMAN, Mr. Junaidi (Chairman of Lebak Parliament) became a champion of local rights recognition. He and other local indigenous parliament members have visited or received visits from several other districts, during which they shared their experience and facilitated high-level dialogue on local legislation processes.



Lebak was the first district in Indonesia to use local legislation as a tool for securing indigenous land rights.

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The Tenure Facility is the first and only international, multi-stakeholder institution exclusively focused on securing land and forest rights for Indigenous Peoples and local communities. It provides grants to implement tenure reform within existing government and international structures and shares the knowledge, innovations and tools that emerge. Launched in 2014 by the Rights and Resources Initiative (RRI), the Tenure Facility is dedicated to scaling up recognition of collective land and forest rights globally. The Tenure Facility is an international foundation registered in Sweden.

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