

# MINISTRY ENVIRONMENT AND FORESTRY



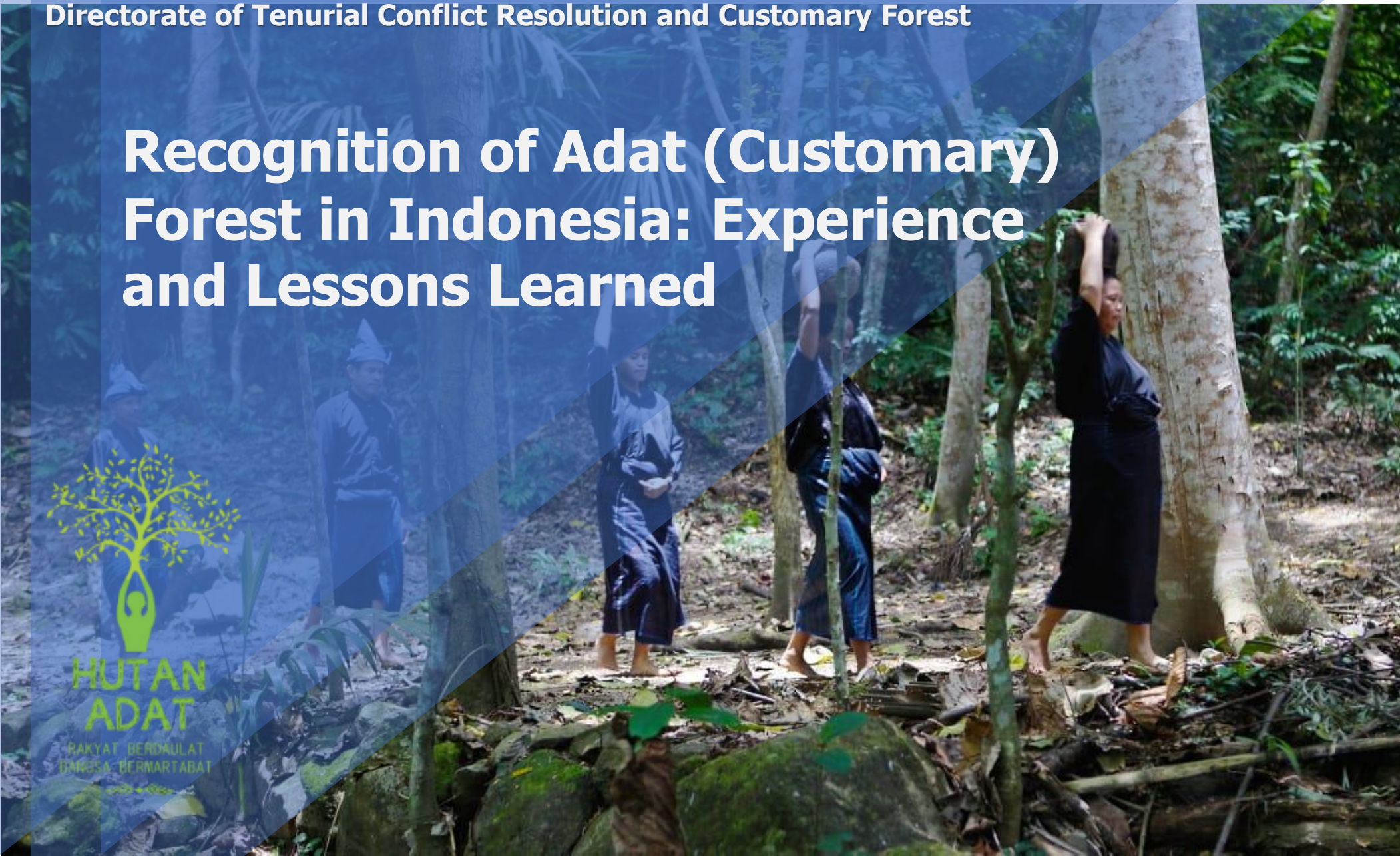
Directorate General of Social Forestry and Environmental Partnership  
Directorate of Tenurial Conflict Resolution and Customary Forest

## Recognition of Adat (Customary) Forest in Indonesia: Experience and Lessons Learned



**HUTAN  
ADAT**

RAKYAT BERDAULAT  
BANGSA BERMARTABAT





# SOCIAL FORESTRY

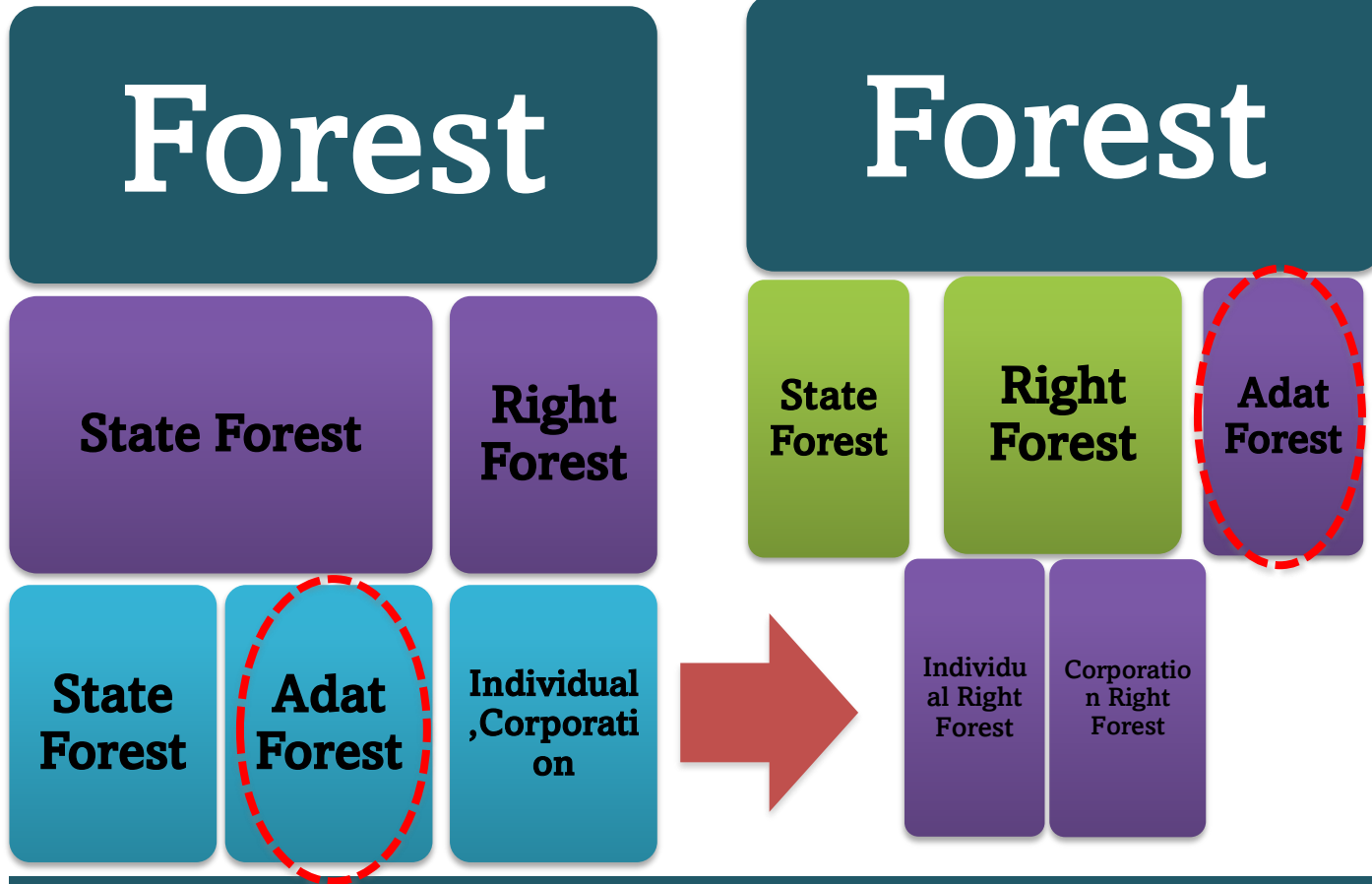
Social Forestry is a sustainable forest management system implemented in state forest areas or Private Forests/Customary Forests carried out by Local Communities or Customary Law Communities as the main actors to improve their welfare, environmental balance and socio-cultural dynamics in the form of Village Forests, Community Forest, **Adat (Customary) Forests**, Forests Community Plants, and Forestry Partnerships



# Decision of Indonesian Constitution Court Number 35 year 2012

Before Decision of Constitution Court No 35 year 2012

After Decision of Constitution Court No 35 year 2012



1. Adat Forests **are not part of State Forests**, but are **part of Private Forests**
2. The state's authority is limited to Adat forests, **but the government still has general authority in the forestry sector which is applied to all forest statuses**, including state forests, adat forests and private rights forests.
3. The existence of customary communities must abide by the national constitution.

The change of land tenure in forest areas



# ADAT FOREST

*The forest that located within the territory of customary law community*

The existence of customary law communities is recognized, if it fulfills the following elements:

- The community is still in the form of an **association/paguyuban** (recht-gemeenschap);
- There are institutions in the form of **traditional rulers**;
- There is a **vivid customary law area**;
- There are legal institutions and instruments, particularly **customary/adat courts**, which are **still being adhered to**; and
- Still preserving the collection of forest products in the surrounding forest area to meet the needs of daily life.

## The Purpose of Designating Adat Forests:

1. Guaranteeing the living area of the Customary Law Community;
2. Preserving Ecosystems;
3. Protection of Local Wisdom and Traditional Knowledge;
4. One of the strategy in conflict resolution regarding the community in and around the forest area







The momentum for state recognition of customary forests began on December 30, 2016. For the first time, 8 Ministerial Decrees on the determination of customary forests were handed over to customary law communities by President Jokowi at the State Palace. Since then, the *adat* forest policy has been continuously strengthened and the implementation of the recognition of *adat* forest has increased significantly.



Since 2015, specific laws and regulations pertaining to community forests have been passed. These include:

(1)

The procedure for determining private forest area and the requirements for determining customary forest (2015) No P.32/Menlhk/Setjen/2015;

(2)

Mapping the customary territory, customary forest, and their indicative areas (2019) P.21/Menlhk/Setjen/Kum.1/4/2019 ;

(3)

the customary territory, customary forest, and forest rights (2020) P.17/Menlhk/Setjen/Kum.1/8/2020 ;

(4)

the forestry management which includes the customary forest (2021), and 5 the social forestry, Government Regulation No 23 of 2021 concerning Forestry Management that include the governance of the Customary Forest; and Minister of the Environment and Forestry Regulation No 9 of 2021 concerning the management of Social Forestry.

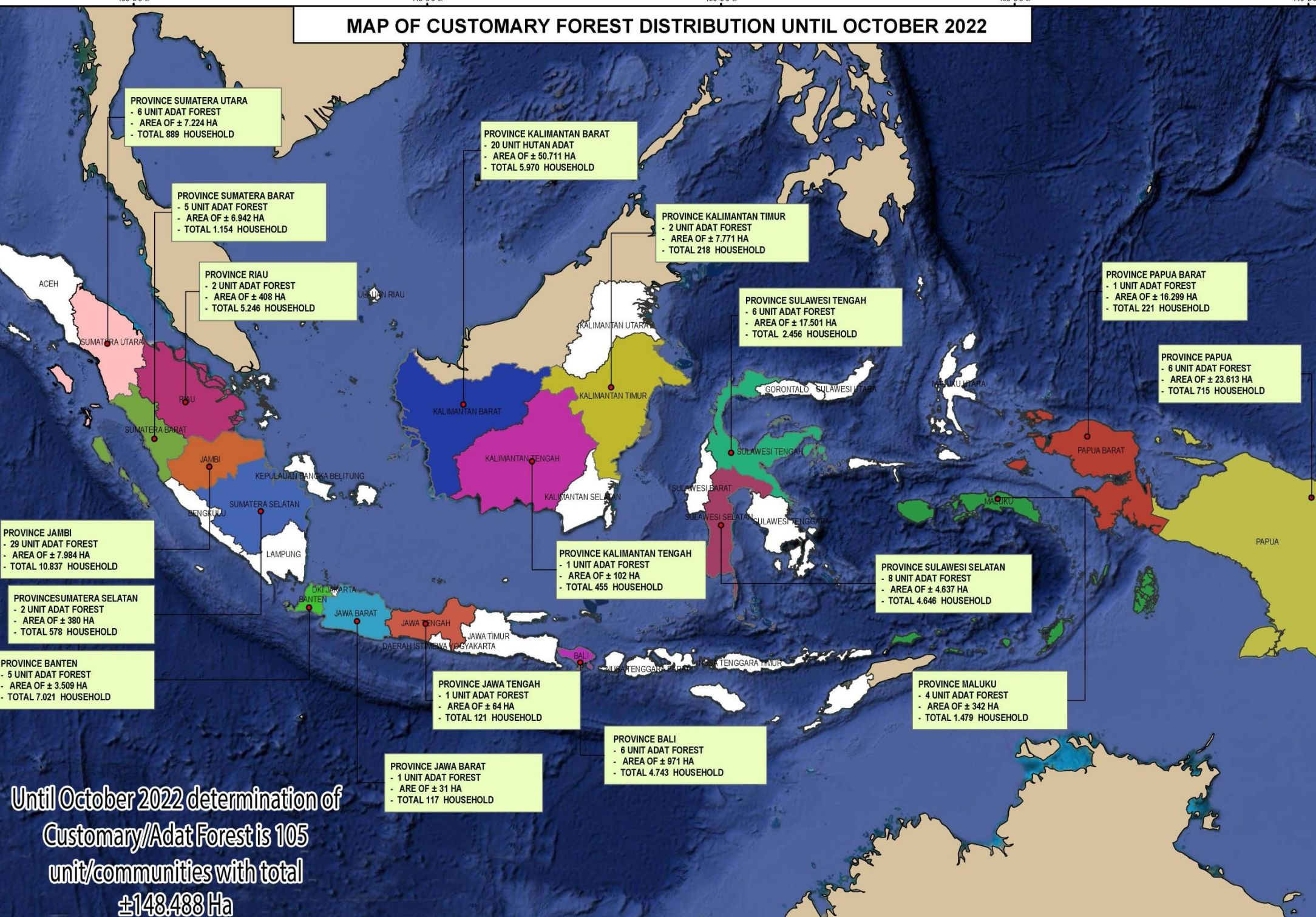
## THE BREAKTHROUGH TO ACCELERATE THE DETERMINATION OF ADAT FOREST

- 1) Approval of the various regional products regarding the recognition and protection of customary law community based on regulations;
- 2) Establishing an "Integrated Team" in order to identify customary law community and their proposed customary territories, through the field verification;
- 3) Establishing maps of adat forests and indicative areas of adat forests.





# MAP OF CUSTOMARY FOREST DISTRIBUTION UNTIL OCTOBER 2022



**PROVINCE SUMATERA UTARA**  
 - 6 UNIT ADAT FOREST  
 - AREA OF ± 7.224 HA  
 - TOTAL 889 HOUSEHOLD

**PROVINCE SUMATERA BARAT**  
 - 5 UNIT ADAT FOREST  
 - AREA OF ± 6.942 HA  
 - TOTAL 1.154 HOUSEHOLD

**PROVINCE RIAU**  
 - 2 UNIT ADAT FOREST  
 - AREA OF ± 408 HA  
 - TOTAL 5.246 HOUSEHOLD

**PROVINCE KALIMANTAN BARAT**  
 - 20 UNIT HUTAN ADAT  
 - AREA OF ± 50.711 HA  
 - TOTAL 5.970 HOUSEHOLD

**PROVINCE KALIMANTAN TIMUR**  
 - 2 UNIT ADAT FOREST  
 - AREA OF ± 7.771 HA  
 - TOTAL 218 HOUSEHOLD

**PROVINCE SULAWESI TENGAH**  
 - 6 UNIT ADAT FOREST  
 - AREA OF ± 17.501 HA  
 - TOTAL 2.456 HOUSEHOLD

**PROVINCE PAPUA BARAT**  
 - 1 UNIT ADAT FOREST  
 - AREA OF ± 16.299 HA  
 - TOTAL 221 HOUSEHOLD

**PROVINCE PAPUA**  
 - 6 UNIT ADAT FOREST  
 - AREA OF ± 23.613 HA  
 - TOTAL 715 HOUSEHOLD

**PROVINCE JAMBI**  
 - 29 UNIT ADAT FOREST  
 - AREA OF ± 7.984 HA  
 - TOTAL 10.837 HOUSEHOLD

**PROVINCE KALIMANTAN TENGAH**  
 - 1 UNIT ADAT FOREST  
 - AREA OF ± 102 HA  
 - TOTAL 455 HOUSEHOLD

**PROVINCE SULAWESI SELATAN**  
 - 8 UNIT ADAT FOREST  
 - AREA OF ± 4.637 HA  
 - TOTAL 4.646 HOUSEHOLD

**PROVINCESUMATERA SELATAN**  
 - 2 UNIT ADAT FOREST  
 - AREA OF ± 380 HA  
 - TOTAL 578 HOUSEHOLD

**PROVINCE BANTEN**  
 - 5 UNIT ADAT FOREST  
 - AREA OF ± 3.509 HA  
 - TOTAL 7.021 HOUSEHOLD

**PROVINCE JAWA TENGAH**  
 - 1 UNIT ADAT FOREST  
 - AREA OF ± 64 HA  
 - TOTAL 121 HOUSEHOLD

**PROVINCE MALUKU**  
 - 4 UNIT ADAT FOREST  
 - AREA OF ± 342 HA  
 - TOTAL 1.479 HOUSEHOLD

**PROVINCE JAWA BARAT**  
 - 1 UNIT ADAT FOREST  
 - ARE OF ± 31 HA  
 - TOTAL 117 HOUSEHOLD

**PROVINCE BALI**  
 - 6 UNIT ADAT FOREST  
 - AREA OF ± 971 HA  
 - TOTAL 4.743 HOUSEHOLD

Until October 2022 determination of Customary/Adat Forest is 105 unit/communities with total ±148.488 Ha

# **DETERMINATION OF ADAT FOREST DECREE**

- **105 Adat Forest's Decree, 148,488 hectare, 47,158 households**

<b>NO</b>	<b>YEAR</b>	<b>QUANTITY of DECREE</b>	<b>AREA (hectare)</b>	<b>QUANTITY of HOUSEHOLD</b>	<b>LOCATION (PROVINCES)</b>
1	2016	8	7,690	4,959	Jambi, Central Sulawesi, South Sulawesi, Banten
2	2017	9	3,341	3,284	Jambi, Central Sulawesi, Central Kalimantan, East Kalimantan
3	2018	17	6,396	5,424	Jambi, West Java, West Kalimantan, South Sulawesi, South Sumatera
4	2019	31	17,490	22,771	Bali, Banten, Jambi, Central Java, West Kalimantan, Riau, South Sulawesi, Central Sulawesi, South Sumatera, West Sumatera
5	2020	10	23,758	2,933	West Kalimantan, East Kalimantan, Jambi, Maluku, North Sumatera, South Sulawesi
6	2021	14	17,229	5,719	Bali, West Kalimantan, Maluku, Central Sulawesi, North Sumatera
7	2022	16	72,584	2,068	West Kalimantan, Papua, West Papua

- The Indicative Adat Forest Area ±1,090,754 ha





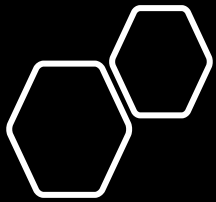
# ADAT FOREST: AMMATOA KAJANG

## Bulukumba District, South Sulawesi

- The Kajang community has an Adat belief called "Kamase-mase," a simple life, far from greed for worldly things, and more concerned with certain aspects of life, such as the obligation to protect and care for the forest, and other natural resources.
- For people of Kajang, the forest is a symbol of stairs that enable the soul to descend from heaven down to earth, and then re-ascend from the earth back to the sky. Forests are the place used for connecting between the supernatural and the real world.
- According to Kajang Adat Community Belief, their main village of Tana Toa is the birthplace of the first humans (Tutowa Mariolo, Mula Tau, and Ammatoa). Humans are required to maintain the biodiversity of the forest and its surroundings, as it is considered a gift from 'Turie A'ra'na (God).







# Adat Forest Leuweng Gede

Leuweung Gede is  $\pm$  31 hectare of Adat forest in Kampung Kuta, Ciamis Regency in West Java.

Kampung Kuta live with variety of local myths and beliefs, such as forest pilgrimage rituals, pamali (taboo) and amanat karuhun (ancestors mandate)



<https://www.youtube.com/watch?v=GI27B94w7yE>





TERIMA KASIH

THANK YOU