

GREEN ECONOMIES FROM INDIGENOUS PEOPLES PERSPECTIVE AND INTEREST IN INDONESIA



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Green Economy : Definition

“A Green Economy is defined as one that results in improved human well-being and social equity, whilst significantly reducing environmental risks and ecological scarcities.”

Green Economy and Sustainable Development: Green Economy is the best economic vehicle to achieve sustainable development goals.

“Environmentally friendly GDP Growth” of UNESCAP 2005 & “Green Growth” models



Growth in per-capita inclusive wealth

Arrow, Dasgupta, Maler

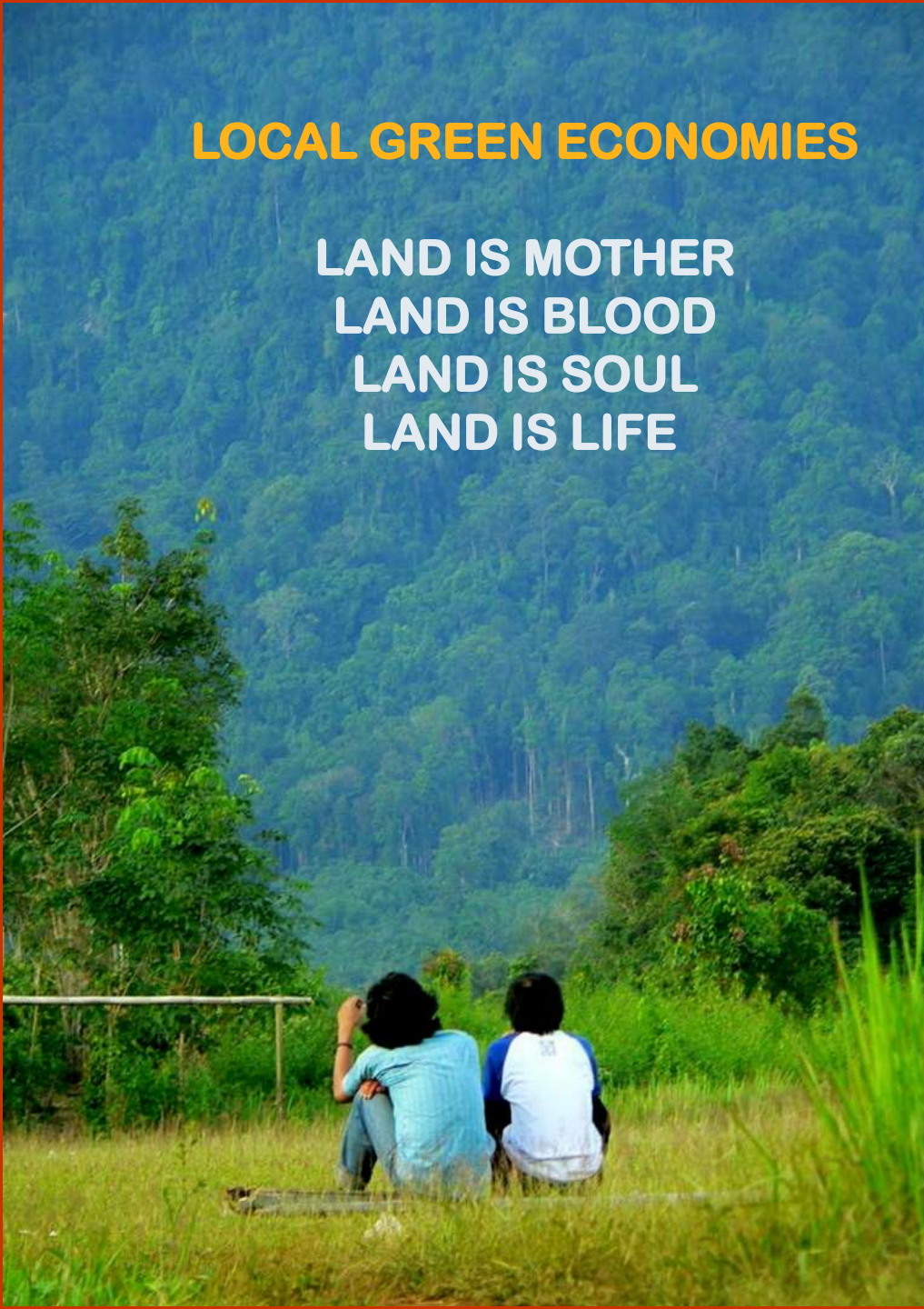


Growth in Comprehensive wealth

Stiglitz - Sen – Fitoussi

LOCAL GREEN ECONOMIES

LAND IS MOTHER
LAND IS BLOOD
LAND IS SOUL
LAND IS LIFE



For sustainable livelihood...



- Bred diverse crops and developed diverse cropping patterns.
- Sustained communal fresh and marine water management and for drinking, irrigation and foods
- Sustainable traditional agriculture and agro-forestry practices.

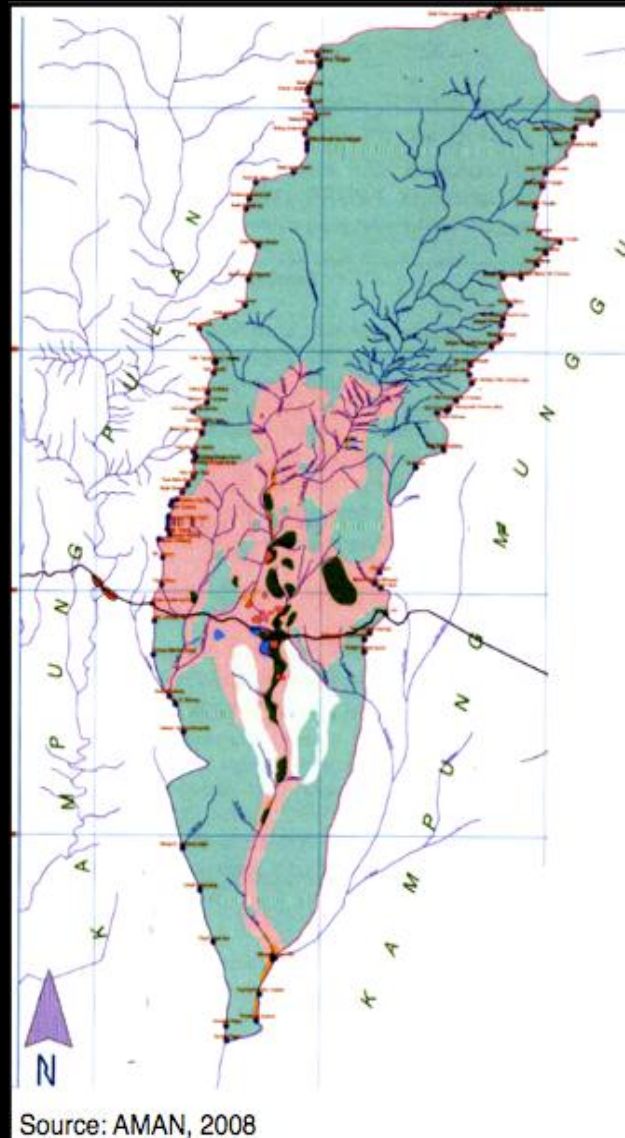


EXAMPLE 1:

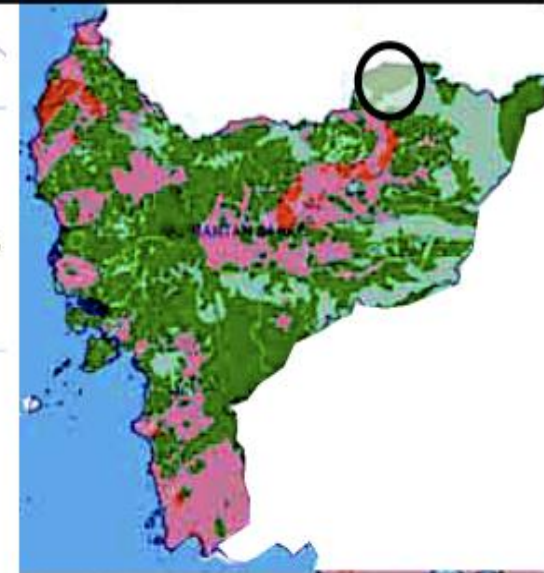
Territorial Management in Menua Sungai Utik of Iban Peoples, West Kalimantan

Indigenous Territory in the Concept of Dayak Iban In West Kalimantan, Indonesia known as Menua. The management of Menua divided into :

- Base on Land Used
- Base on Territorial Allocation
- Base on Function



Source: AMAN, 2008



West Kalimantan Province. The circle on the map represents the location of the Sungai Utik HSEE. The crimson and red patches are fire-prone areas in the Province.
Source: Ministry of the Environment, 2008



EXAMPLE 1 Con' t :

Territorial Management in Menua Sungai Utik of Iban Peoples, West Kalimantan

BASE ON LAND USED

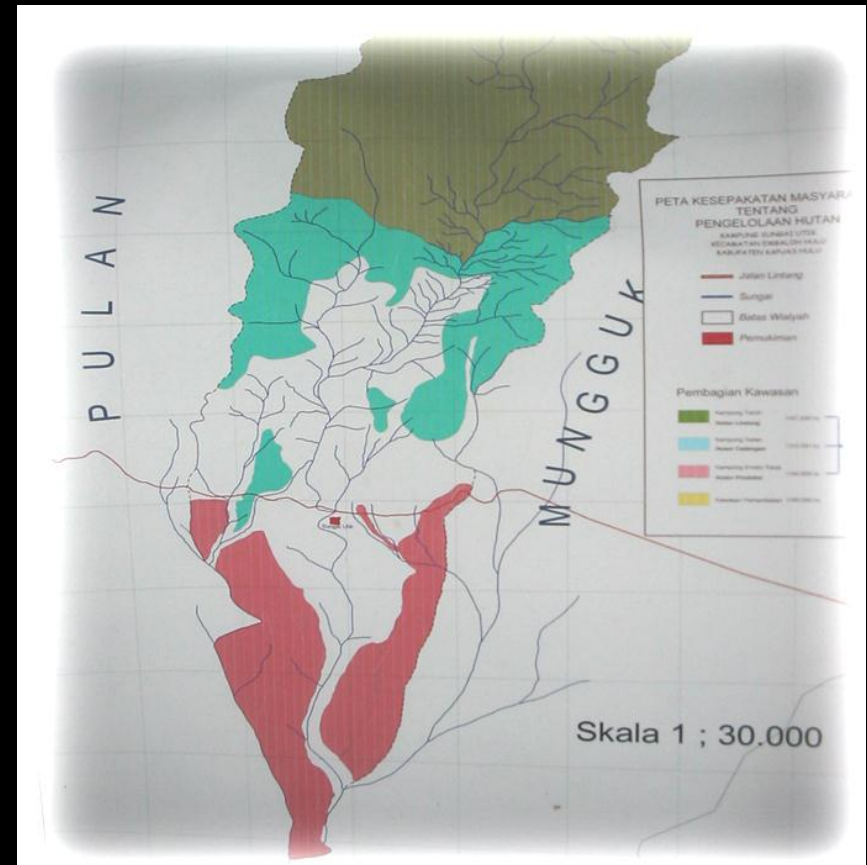
				Social-Ecological Division of (Forested) Territory			
				Kampung Taroh	Kampung Galao	Kampung Gilir-Balik	Kampung Embor-Kerja
Home range		<u>Rumah Panjai</u>					
		<u>Pendam</u>					
		<u>Taba</u>					
		<u>Temawai</u>					C
Water System		<u>Pengayut Aek</u>					
Access Type	<u>DAMUN</u>						
	<u>KAMPUNG PUANG</u>						
Redas (Farm)	<u>Umai Pantai</u>						B
	<u>Umai Payak</u>						
Protected Forests	<u>Pulai</u>						
	<u>Tanah Endor Nampok</u>						
	<u>Tanah Mali</u>					A	
	<u>"Hutan Simpan"</u>						

EXAMPLE 1 Con' t:

Territorial Management in Menua Sungai Utik of Iban Peoples, West Kalimantan

BASED ON TERRITORIAL ALLOCATION

- 4.000 Ha. Protected Areas
- 2.000 Ha. Reserve Forest
- 1.600 Ha. Production Forest
- 1.835,50 Ha. Non Forest Territories



EXAMPLE 1 Con' t: Territorial Management in Menua Sungai Utik of Iban Peoples, West Kalimantan

BASED ON FUNCTION

- Farming Areas
- Hunting Areas
- Areas for Wood and Herbal/Medicines Collection
- Reserved Forest
- Areas for Hunting and Fishing



Main problems faced by indigenous peoples in Indonesia



- ❖ Land and territorial conflicts, social and cultural disintegration
- ❖ Marginalized Economically “Impoverished in the Midst of Plenty”
- ❖ Ecological degradation
- ❖ Human Rights violations of Indigenous Peoples
- ❖ Weakened Politically. Lacking of political space for IPs to involve in formal political structure of policy and law making process



Overlapping rights and government licenses in Indigenous Territory



- Logging concession and industrial timber estate license (by Ministry of Forestry)
- Land use right for state-owned dan private company, especially for oil palm plantations (by Nasional Land Agency)
- Mining, oil and gas concessions (by Ministry of Energy and Mineral Resources and Regional Government)
- Protected and conservation areas (Ministry of Forestry)

CASE: LUSAN INDIGENOUS TERRITORY IN MUARA KOMAM, PASER, EAST KALIMANTAN

Indigenous territory 53.542 Ha

Mining concessions

**Protected forest
21.750,933 Ha**

Companies	Ha
PT. RAHAYANA INDONESIA	3081,48
PT. INTEREK SACRA RAYA	
PT. HAMISAH	21997,2
PT. SATRIA PRATAMA BERLIAN	
PT. TAMINDO BUMI LESTARI	10158,07

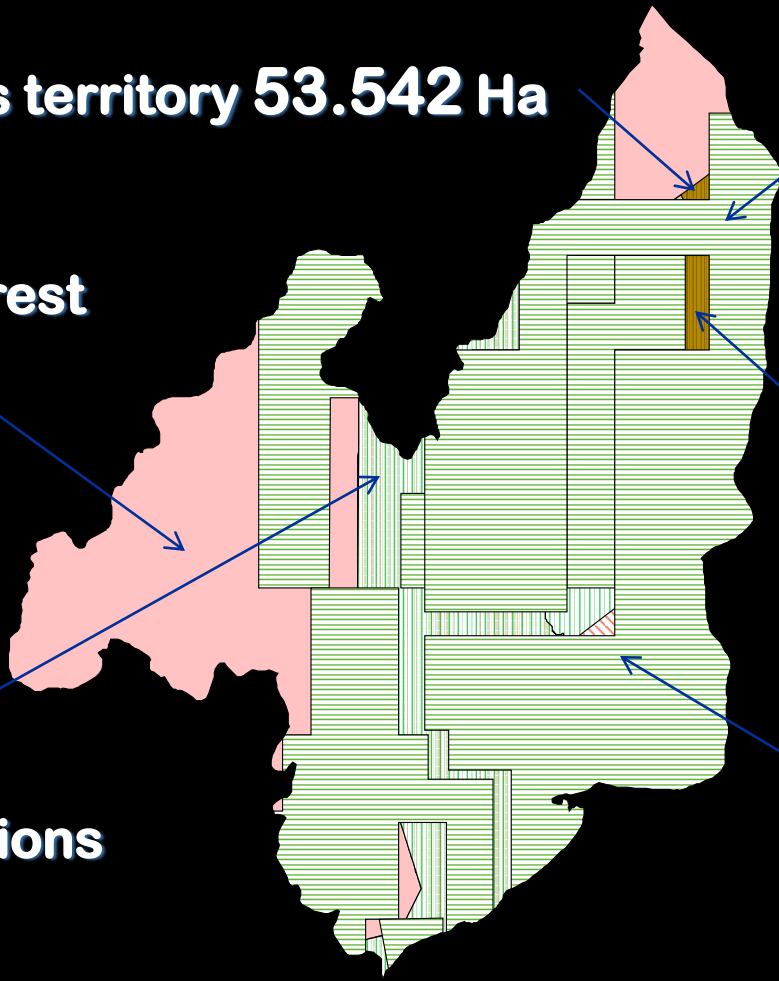
**Remaining areas
409 Ha**

Logging Concessions

**Land Use Rights (HGU)
PT. Trimadu Murni
Asri 3.026 Ha**

Companies	Ha
PT. RIZKI KACIDA REANA	18043,16
PT. TELAGA MAS KALIMANTAN	9639,43

Processed by JKPP



Local Economy Initiatives: Credit Union

- Credit Union in West Kalimantan started in 1975, but rapidly growing since 1985 with the establishment of Pancur Kasih Foundation.
- At present there are 47 primary Credit Union in the network, mostly in Kalimantan and some in Papua, Sulawesi and Jakarta.
- For West Kalimantan alone, member of Credit Union is more than 400.000 members with assets \pm IDR 3 trillions or \pm USD 258 millions.



Les, an Indigenous Peoples in Northern Bali, has

1. Formed their own fishers' organization: Mina Bhakti Soansari (2002)

2. Converted more than a hundred cyanide fishers into non-cyanide fishers (2004)

3. Established a village-level community-based coastal resource management (2004)

4. Been rehabilitating their coral reef rehabilitation, fully organized and led by the local community (2003, on-going)

5. Initiated an eco-tourism project run by local community (2005).



The Indigenous Village holds sovereignty over water, coastal, environmental, and natural resources management.



....and that's how they saved their coastal environment, and therefore their livelihood, sovereignty and dignity as Indigenous Peoples and contribute to national and global economy.

Indigenous Peoples Key Points - Rio+20

- The cultural pillar is the main key to achieve sustainable livelihood/ green economies
- Securing and respect for the rights to Indigenous Peoples' to their lands, territories and resources is a precondition for sustainable development (green economies)
- All the above allow development with culture and identity that will provide space for local green economies to emerge and contribute directly to the world's sustainable development



Indonesia Context



2007: from confrontation to engagement, creating opportunities for further legal and policy reform.....

❖ Official Collaboration between IPOs and Government: AMAN-National Commission on HR (to implement Law No. 39/1999), AMAN-Ministry of Environment (to implement Law No. 32/2009) and AMAN-National Land Agency

- Assist the government to identify who are Indigenous Peoples in Indonesia. This is related to critical note delivered by Government of Indonesia when signing the adoption of UNDRIP in 2007.
- Presidential Speech at the International IPs Day in 2006
- Ancestral Domain Registration Agency (BRWA) - Launched in AMAN 11th Anniversary March 17, 2010 in Medan



Opportunities for further legal and policy reform.....

- ❖ **Lol Norway-Indonesia: forest moratorium, conflict resolution, etc.**
- ❖ **Presidential Task Force on REDD+ and National Strategy on REDD+**
 - Integrating community maps into 'one map policy'
 - FPIC mainstreaming
 - IPs representativeness in policy making process (part of REDD+ governing body)
- ❖ **Roadmap on Forest Land Tenure Reform (Joint proposal from CSOs)**
- ❖ **FIP DGM and others related IPs on REDD+ initiatives**



Opportunities for further legal and policy reform.....

❖ PROLEGNAS 2010-2014:

- **Draft Act on Recognition and Protection of IPs' Rights**
 - **Priority in 2012 (continued in 2013)**
 - **AMAN provided the Academic Paper and Draft Act in Dec 2011**
 - **The Draft Act is adopted by Parliament and sent to the Govt of Indonesia in April 2013 for inputs**
- **To revise the National Forestry Act No. 41/1999**
 - **Not in priority for 2012 (unfortunately)**
 - ◆ **Judicial review in Constitutional Court: Decision No. 35/PUU-X/2012 in 16 May 2013**



Draft Act on the Recognition and Protection of the Rights of Indigenous Peoples (the Final Draft of the Parliament)

- (1) Definition and Criteria : Main criteria – Indigenous Territory**
- (2) Administration of Indigenous Peoples**
- (3) Mechanism for legal recognition and Protection of IPs**
- (4) Political participation of Indigenous Peoples**
- (5) Participation in Development within indigenous territories and in development impacting IPs**
- (6) Empowerment of IPs to manage their collective wealth (LTR, Culture etc) – as part of Unitary Nation of Indonesia**



Constitutional Court Ruling on the Judicial Review of the Forestry law 1999 (No. 35/PUU-X/2012)

- Acknowledging that the State has ignored the Land rights of IPs in forest areas for claiming the customary forest as State Forests
- The Right of the State “to control” shall not override the inherent rights of IPs to control their Land, Territories & Resources:
 - Customary Forests are not State Forest but falls within the category of private collective ownership
 - Customary forests are forest located within indigenous territories
 - Authority of State is limited to ensure forest function and distribution of forest resources
 - Free Prior Informed Consent
 - Indigenous Peoples in Indonesia are Masyarakat (Hukum) Adat

Challenges of Implementation of the Ruling:

- Require a Government Regulation on the Rights of IPs over Customary Forest
- Require a Government Regulation to ensure the recognition of IPs by District Government



Ongoing Progress

- Map of Indigenous Ancestral Territories/Domain: Cover in total 6,69 million Hectare
- Map of Indigenous Ancestral Territories/Domain: 3,4 million Hectares are cartography maps :
 - 425 indigenous territories , each approximately 10.100 Ha
 - Overlapping of Ind Territories and State Areas: 2,6 million Ha (76,5%)
- Integration of Indigenous Map in to One Map Indonesia: 2,4 million hectare submitted to Geospatial Information Agency (Badan Informasi Geospasial/BIG)
- RAKERNAS 2013: Acceleration of participatory mapping until 2022 (Target: 40 million hectares)



“TERIMAKASIH”

