



## **Community Mapping, Natural Resources and Indigenous People Movement in Indonesia**

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## Introduction

### A Continuous Denial to the Community Rights!

Community right of the land and its natural resources is one of inheritance rights gotten from a long social process, often named as *A Prima Facie*. The right is not given by state, so that to accommodate the rights, state requires to confess the Community right of the land and its natural resources.

The biggest problem relating to this Community right in Indonesia this time is, that there is too much constraint must be faced to accomplish the rights. It's caused by the overlap of the government regulation and immeasurable understanding to the Community right of the land and its natural resources. For instance: Regulation No. 5/1960 about the specifics of agrarian and its under related regulations, embracing the existence of the Indigenous people/community right of land as private domain. However, the forestry regulation embraces the Indigenous people/community rights as public domain (under power of state).

In 1980 National Agrarian Agency (BPN) and Department of Forestry met an administrative agreement that Agrarian Regulation (UUPA) with all of its sub regulations have arrangement jurisdiction outside forest area, while Forestry Regulation with all of its sub regulations scope state forest area. But claim for "state forest area", covering more than 60% continent, is also questioned for its accuracy since until now only 10% of state forest area has succeeded to be confirmed.

On the other side, collision to the existing regulation and arbitrary is still a serious problem of administration. To mention the recent real fact is where government has given mining/exploitation right in the protected forest areas to more less the 22 mining companies, against Forestry Regulation No. 41/1999. That's why land and natural resource conflicts appear progressively.

As a networking organization, in this paper, we would like to view broader case study. We would not address to a specific community, but pointing to national problem and its solution recommendation token by JKPP.

## Background

### The Conflicts of Land and Natural Resources <sup>1</sup>

The conflicts of land and natural resources mostly appear in widely Indonesia regions nowadays, grouped into 2 types:

(1) Based on the dispute parties:

- a. Conflict among people, in the case of clarifying his region;
- b. Conflict between people with the state, in the case of clarifying which government's and non-government's land;
- c. Conflict among people, the state and firm, concerning allocating region in the plan of Spatial usage, the common plan of the Spatial usage (RUTR);

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<sup>1</sup> The typology of the conflict according to National Land Affair. On the handing out of Mapping Participatory Workshop "Opportunity and challenge against the democracy of Spatial" Cikopo, 31<sup>st</sup> of March – 2<sup>nd</sup> of April 2003.

- d. Conflict between people with private sector, concerning the overlap of land ownership among them.

(2) Typologically the conflicts consist of:

- a. The dispute on the land of plantation;
- b. The dispute on the land of forest area;
- c. The dispute on the land having been released by developer for housing/industrial area, and others;
- d. The dispute on the land of *land reform* object (citizen's right for using state land);
- e. Various disputes on the second hand private land, ex-regulation No. 1 / 1958;
- f. The conflict on the land of ex- western's right;
- g. Other disputes relating to the land registry from the overlap of *girik* (a kind of land certificates in colonialism era) and *eigendom* (a company's right for using state land in colonialism era), overlap of *girik*, and the conflicts coming from execution of justice decision;
- h. Also the dispute on the land possessed by TNI (Indonesia Armed Force); and
- i. The dispute between people with PT KAI (Indonesia Train Transportation Company).

From the type of spatial conflicts above then bears difference approach in seeing the sources of conflict. The mostly problem emerge are accumulation from various source of existing conflict, so that the conflict escalation goes up continuously and can't be controlled or managed. Various conflicts emerging in publications, institution report and also media only tell about the surface of the conflict itself, but the real existing conflicts are not discussed or even hided. So, the problem solving is mostly on the generated effect, like illegal logging, forest fire, land occupying and others.

### **The community mapping land right and natural resources. Why is needed?**

Indigenous people and rural Community are institutions using the widest spatial directly, though during the time, they just get the least benefit of spatial usage. Community has a mental map that verbally is expanding and exploited as a consensus in life procedures among themselves. However, the only mental map in the reality is not adequate. Many knowledge of the spatial management is missing because the imperfect transfer to the next generation. Knowledge and claims that only in the form of oral knowledge or mental map in the reality formally is non-recognition.

The existing policy facts also show the lack of appreciation to local knowledge and mental map which later bearing serious spatial conflicts.

Discussing about spatial conflict problem, of course do not escape from the policy of the spatial itself. The failure of management of natural resource, besides because of the impecunious of the information about the real condition of the lowest natural-resources organizer institutions in Community level each of all parties have, also the weakness of the regulation substance and the system of natural resource bureaucracy.

This Impecuniousness of the information causes mistakes in making decision for natural resource management. It's so clear that local institutions and Indigenous people/community have claim to the natural resources, but the fact shows that less attention for the claims. And the real fact has proven that the institutions related to natural resource, without entangling Community, are unable to control many uncontrollable natural resource mutilations.

If the Indigenous people/community wishes to take big benefit of its living space, hence, the only way the Indigenous people/community has to make and show were its own Spatial plan. This can be possible if the Indigenous people has intact view about they-Spatial. A simple but very powerful tool is MAPS. By which, the map is yielded through the participatory mapping process where the Indigenous people/community maps its own Spatial, and then maximizes the usage.

How can a generation/someone comprehend and conceive its Indigenous people land without owning intact view about its land and the knowledge of Spatial? Any statement made to assure the Community right for its land and natural resource are not heard or seen seriously as long as it doesn't have intact knowledge about its own Spatial.

### **The Strategic Issues**

It's not easy to make the participatory mapping as a movement tools. The understanding of strategic issues faced by the participatory mapping both internal and external is absolutely needed. A sharp observation in comprehending the strategic issues facilitates the effort of realizing participatory mapping as a means of movement. The uppermost strategic issues found from the result of JKPP member forum and workshop II are as listed below:

- (1) More or less 3 million Indigenous people area hectares are mapped but it still doesn't influence/ affect yet to the change of the spatial policy.
- (2) The growth of participatory mapping in reaching the democracy of Spatial is still trapped by technical rule and not yet strong enough formulated in wide practical rule.
- (3) Participatory Mapping Network (JKPP) without collective support through the action and behavior of the Indigenous people/community is not adequate to be a manager of the extending social change. Moreover the collective support the Community gives is still sporadic.
- (4) As a means to reach the democracy of participatory mapping Spatial, JKPP newly comes up with creating ideas desisting as short-range projects and it's not enough to push the forming of strong people organization.
- (5) The un-optimal result of mapping is used as a base of the analysis for people management regional and production, to build the spirit of entrepreneur widely, by opening Spatial for all parties to support the goal of JKPP. Equally, the existing people organizations do not fully comprehend yet "its managed Spatial" through the participatory mapping.<sup>2</sup>

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<sup>2</sup> Emilianus Elip & Agung Haryanto, Study for the reflection of the participatory mapping movement in Indonesia " Nawakamal-Jkpp-Dfid, 2001.

- (6) Service in the form of spatial information support is not adequate enough to be passed to public and members in the effort of getting support for the movement activity for the democracy of Spatial.

### **The Analysis of the Strategic Issues**

It is believed that participatory mapping is very potential for solving those problems above. Especially, to fulfill aspiration and requirements of marginal Indigenous people/community, where up to this time, there haven't been concrete evidences from the success story of government development plan. The study about this approach emphasizes on change of strategy. As the result, there are four important approaches of the activity.

#### **a) Extending the Region Coverage**

This first strategy considers the influence of the extension of region coverage to reinforce people organizations in managing natural resources. The Land and natural resources included in people managing area covers wide region<sup>3</sup>. JKPP has mapped more or less 3 million hectare region. Compared with the regional having to be fought to obtain the right confession, it's still very small scale. Hence, the result is insufficient to influence the way of the government approach in determining the policy for managing the natural resources and confessing the Spatial sovereignty of Indigenous people/community. The mapping of people coverage region in big scale is still absolutely needed.

#### **b) Building Support for people organization reinforcement.**

This second strategy regards to optimizing the map usage for the people organization. Especially in developing and strengthening community solidarity, reconciliation of boundary and history among communities, developing new agreement and educating people in continuously managing land and natural resources.

#### **c) Advocacy for legislation**

It's hoped that the participatory mapping becomes the part of tools to alter the government policy, specially the spatial policy. Some examples of the effort of Community and NGO have shown the result of small change to the Spatial plan through the participatory mapping. For instance, Government has confessed the existence of 3 villages in Lore Lindu National Park area through head of Lore Lindu National Park Bureau by giving 'relative' tolerance to the villagers to manage their Indigenous people region. However it's not strong enough to alter the development paradigm that tend to negate local culture and institution. It's expected that the participatory mapping in future through the advocacy strategy for managed regions, especially the mapped regions, will progressively

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<sup>3</sup> According to AMAN recent prediction, there are 80 million Indigenous people/community in Indonesia, living in and around the forest area. If the assumption 1 Family consists 5 people, hence, 80 million people = 16 million Family. 1 Family = 2 Ha. The total, 16 Million Family x 2 = 32 million Hectare.

strengthen people to manage their Spatial better, particularly to protect the productive area and people's conservation.

**d) Developing the Alternative Economic Activities.**

The mapping participatory approach in this one decade is more emphasized on Indigenous people/community identity aspect as the owner of the land and natural resources right, while a little bit disregarding other aspects that represent the next step after the step of self recognizing and region recognizing, that is developing the people productive efforts in assuring the management ability for its Spatial. The characteristic aspect of Community product is getting less attention. As a result, the participatory mapping process is not touching, expressing and answering the reality of unbalance agriculture farm usage among Indigenous people/community members as the effect of the change of agrarian pattern, which direct to capitalist system. This fourth strategy expected to answer the imperfect implementation of "map as a means of planning" for the invention and improvement of Community economic program in future.

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