



Ministry of Environment and Forestry
Republic of Indonesia

The Contribution of Land Tenure and Customary/Adat Rights to Forest Conservation

Study of Adat Forest in Indonesia

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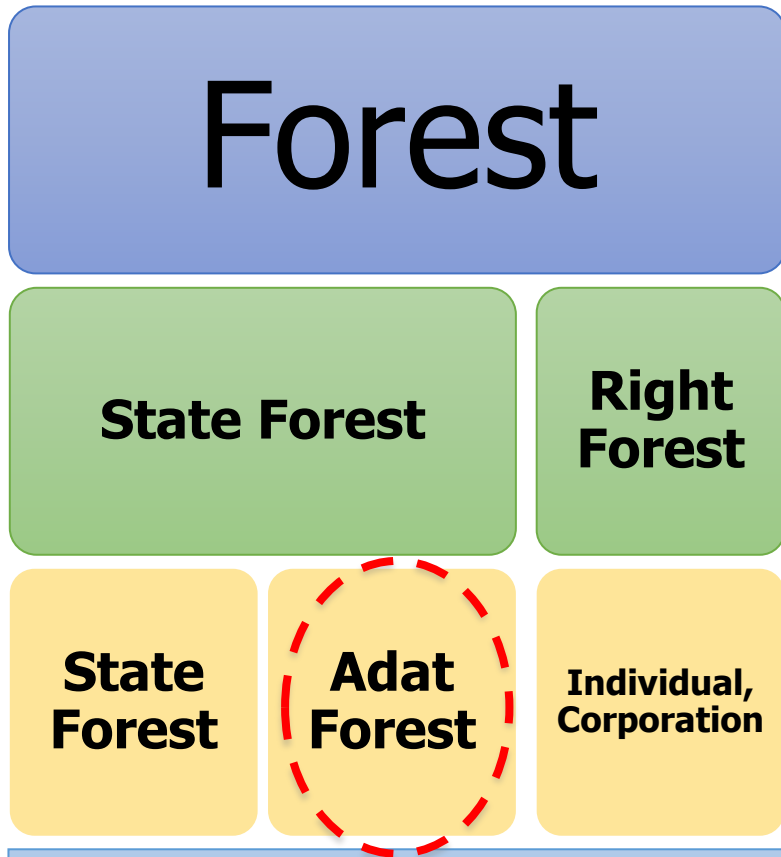
California, June 29th 2023

MegaFlorestais 2023

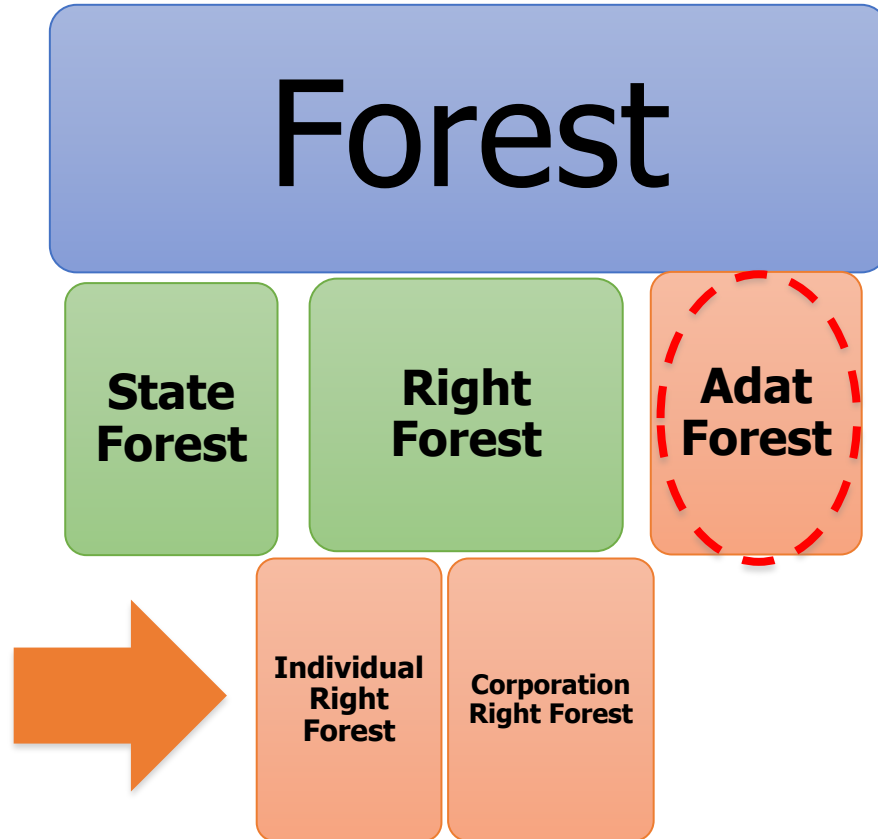


Decision of Indonesian Constitution Court: Number 35 Year 2012

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.**
2. Adat Community actually still exist and their existence is recognized. They have the right to:
 - a. collect forest products to meet their daily needs of the Adat Community concerned;
 - b. carry out forest management activities based on their adat law as long as not contradicting the national law;
 - c. gain empowerment in order to improve welfare (Forestry Act No. 41 Year 1999).
3. Confirmation of the existence and elimination of Adat Community is stipulated by Local Government Act.
4. Adat Community receive full authority to manage Adat Forest.

Change of land tenure in forest areas

ADAT FOREST

The forest that located within the territory of Adat Law Community

The existence of Adat 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 **clear adat 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 Adat Forests Designation:

1. Guaranteeing the living area of the Adat 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 BREAKTHROUGH:

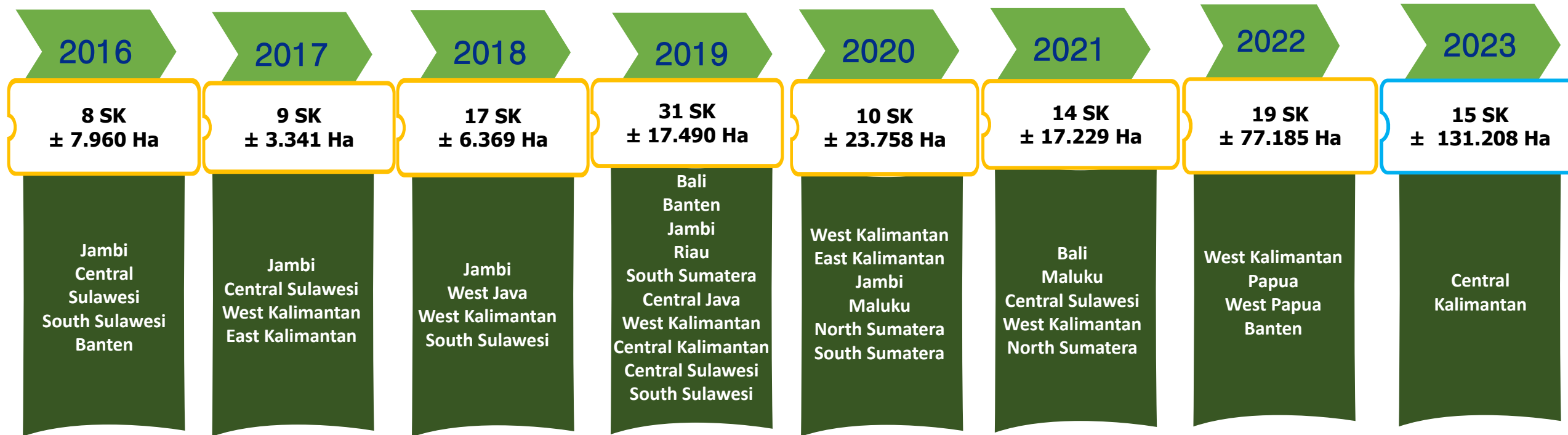
Accelerate the Determination of Adat Forest

1. Simplification of the regional legal products regarding the recognition and protection of adat law community;
2. Establishing of an Integrated Team in order to identify adat law community and their proposed adat territories, through the field verification;
3. Establishing maps of adat forests and indicative areas of adat forests.



ACHIEVEMENT OF ADAT FOREST DECREE (2016 – 2023)

123 Adat Forest's Decree, 279.696 hectare



The Indicative Forest Area ± **1.094.923,01 Ha**



Leuit: Rice Barn



Seren Taun Ritual

ADAT FOREST: KASEPUHAN CIPTAGELAR

Inhabit in the Mount Halimun National Park area which is spread over 3 districts, namely: Lebak – Banten; Bogor and Sukabumi – West Java.

- Kasepuhan Adat Ciptagelar is one of the adat law communities that are included in the traditional unity of Banten Kidul. Kasepuhan Adat Ciptagelar still holds strong customs and traditions handed down since 655 years.
- Kasepuhan Adat received the recognition of adat law communities in 2015.
- Land Use Plan:
 - *Leuweung Tutupan*: forest area that reserved for community settlement
 - *Leuweung Titipan*: protective and forbidden forest area
 - *Leuweung Garapan*: forest area that opened for community business
- Seren Taun as Annual Ritual for harvesting gratitude



ADAT FOREST: AMMATOA KAJANG

Bulukumba District, South Sulawesi

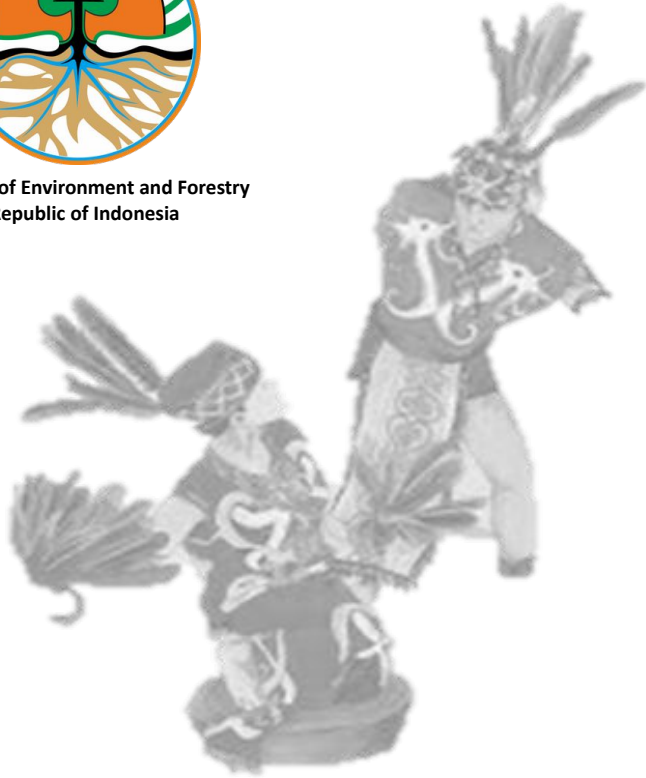
The Kajang community has a tradition called "Kamase-mase," a simple life, far from greed for worldly things, and more concerned with certain aspects of life, such as the obligation to protect and care for the forest, and other natural resources.



- 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



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THANK YOU