

**Community forests to conserve biodiversity and secure livelihoods:
Investigation into *Hutan Adat* in Central Kalimantan**

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Commodity-driven large-scale deforestation is one of the main threats to the survival of Indonesian primates and the livelihoods of millions of people sharing their habitat. As a result of the perceived state's failure to protect the environment, pressure for a forest governance reform has grown. A decentralisation shift has been initiated partly through the ambitious Social Forestry programme. Indonesian customary (*adat*) people thereby gained a new space to claim land rights in the forest, after a long history of marginalisation. In the 2015-2019 national medium-term development plan the state planned to allocate 12.7 million hectares (Mha) through five main social forestry schemes, including *hutan adat* (customary forest) following which the *adat* community formally becomes the rightful owner of a designated forest area. However, although the legal framework for the recognition of *hutan adat* exists for many years, its implementation is still very slow.

This research aimed to understand the challenges and opportunities related to the implementation of customary forest policy in Central Kalimantan, the second province with the largest potential area for social forestry according to the Ministry of Environment and Forestry (MOEF). For this purpose, we adopted a qualitative theory-based empirical approach to forest policy analysis, as developed by Max Krott. This approach, in its *Actor-Centred Power* variant, focuses on the power of the wide range of actors engaging in policy making and implementation. By analysing how the actors interact and use power instruments to direct the outcomes of forest policy towards their formal and informal interests, it helps us to gain a clearer view of the social dynamics underlying implementation challenges.

From November 2019 to February 2020, we collected data in Palangkaraya, the provincial capital city and its surroundings. We conducted 20 semi-structured interviews and organised two focus-group discussions at both ends of the data collection period. The first one allowed us to draw a preliminary picture of the situation while networking with future respondents. The second allowed us to present our results for feedbacks, and initiate discussions on grey areas and on a plan of action for the future of *hutan adat's* implementation. In total, over 40 participants were involved in our research. Although not representative of the complete policy network, the study involved participants from a wide variety of institutions, including the following: Regional environmental and forestry services, Regional social forestry bureau, Indigenous Peoples' Alliance, environmental NGOs, University staff, Dayak representative council, local customary and government figures...

The preliminary analysis of our results shows a host of practical challenges for the implementation of customary forests. First, the requirement for a district regulation recognising the local customary law community (*masyarakat hukum adat*) which gives a large discretionary authority and a responsibility to the districts while they are provided with only little support or incentives to achieve the task despite the opportunity cost it represents for them. Second, the complex application procedure is long and consuming for all parties. Villages willing to claim recognition for their customary forest often have neither the funds nor the human resources to engage with this process, and therefore rely on the support of an NGO. Third, the concept of indigeneity serving as a basis for claiming land rights might be becoming a double-edged sword as it is being manipulated by different actors. How to define an *adat* community in Central Kalimantan and the criteria to be used remain points of debate.



Figure 1. Meeting with the district and sub-district customary representatives



Figure 2. Visit of the customary forest in Pilang village with the three customary heads and their facilitator.

Overall, the issues highlighted by our results are embedded in bureaucratic power struggles between institutions in different sectors and at multiple levels. The Ministry of Environment and Forestry remains one of the main actors in the network but local actors such as the district governments and some civil society organisations have gained greater influence. We can also observe a shift in power strategies towards more use of information as a source of power. Central Kalimantan has seen recent progress in terms of transparency from state actors, yet there is still a long way to go in this direction to reaffirm the legitimacy necessary to establish mutual trust. The customary forest policy arena is evolving quickly and new coalitions are emerging with new opportunities, although these still need to prove their efficacy. They include but are not restricted to i) the *Dayak Bahadat* programme; ii) a provincial regulation (in drafting) for the recognition and protection of customary law communities, potential umbrella for the district ones; iii) the creation of committees in the districts to help the *bupati* with the identification of customary law communities, and iiiii) alternatives like the *Desa Adat* scheme (customary village) possibly englobing forest areas in the village territory.

This research, made possible by the grant of the PSGB Conservation Working Party and research permit from RISTEK (No. 442/E5/E5.4/SIP/2019), uncovered key points which may be used as levers in the future bargaining processes. Moreover, it instigated, to some extents, much needed discussion and collaboration on the matter. A hurried distribution of land rights alone, without empowerment, could be harmful but the customary forest scheme has a potential to both benefit forest conservation and secure customary communities' livelihoods and we won't be able to measure it before implementation deficits are taken care of.