

Outcomes of land and forest tenure reform implementation in Indonesia

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Abstract

Since 1970s, land and forest reforms started redefining property rights arrangements to offer various extent of rights within forestland which was previously under de jure state control. Devolution of rights over land and forest resources to indigenous communities and other forest dependent communities is broadly defined here as forest tenure reform. Land and forest tenure reform has become a global phenomenon particularly in developing countries, resulting into the increasing forest area under the ownership or management of forest communities. So far, early one third of forestlands in developing countries have been allocated to local and indigenous communities and/or smallholders, along with significant management rights and responsibilities. While pace of the reform implementation slowed down since 2008 globally, Indonesia progressed in terms of setting an ambitious target to bring considerable forest area under community management. The “bundle of rights” associated with devolved forestland holdings varies by country and jurisdiction, and may include rights to sell or lease, or to engage in various degrees of resource extraction and production requiring changes in forest management or land use. In other cases, rights are more restricted, in which case compensation for forest management may be provided by the state. Such reforms are generally aimed at forest conservation as well as poverty alleviation and economic development.

However, on the ground, both environmental and socioeconomic outcomes have been mixed. Lack of comprehensive studies that takes stock of the contribution of reforms on tenure security, livelihoods and forest condition are important to improve implementation processes. The comparison across different country contexts and reform types merits adequate analytical attention because different countries with different history of reform have been operating under different socio-economic,

bio-physical and political contexts. In addition, each country has also applied diverse reform types, which differ in terms of extent of rights and tenure security presumably having implications on the outcomes. In Indonesia several tenure types exist—e.g. social forestry schemes such as community forest, community plantation and village forest; customary forests; and partnership schemes with state owned companies and private companies.

This paper analyses outcome of various forest tenure regimes in Indonesia based on the research from 16 forest communities from three provinces, which fall under formal social forestry schemes, informal customary systems, and partnership schemes. Maluku province is primarily selected for studying informal customary land and forest tenure system; Lampung represents the most advanced formal tenure regimes; and West Kalimantan represents new reforms and partnership schemes.

Comparison is made across reform types, sites that where reform has been implemented and sites where no reform has been implemented and period since reform has been implemented. In addition, at the communal level outcomes are also compared across households with or without participation in reform process. The study employed mixed methods including household surveys (HS), key informant interviews (KII) and focus group discussion (FGD), observation and document analysis for empirical data collection. A total of 1024 household surveys were administered including 311, 493 and 220 respondents from Maluku, Lampung and Kalimantan provinces respectively. Similarly, a total of 52 in-depth interviews with existing and previous leaders of the community as well as 64 FGDs of men and women of young and old age groups, four from each communities, were organized in these communities. The intra-household surveys provided analytical space for obtaining gender and class disaggregated data to understanding the different experience of different social groups on tenure reform implementation and perception of tenure security. FGDs were instrumental in providing gender and age related perceptions of tenure reform implementation. Similarly, KIIs were used to collect data related to the emergence and evolution of forest tenure reform together with the current practices and challenges of reform implementation.

Results from the communities under reforms and informal systems across Indonesia show that all the communities whose rights were legally recognized under the reforms had strong perceptions of tenure security. Even if some communities have not experienced any significant improvement in livelihoods outcomes, they felt more assured of their rights once they obtain a social forestry permit or reached a formal contractual agreement with the company operating in the respective territory. Similarly, the forest condition had also been improved in the communities that are at the advanced stage of reform implementation largely because they received seedlings and other technical support to promote tree species in the forestland and enforced a monitoring of compliance in those areas. However, these communities also reported low increase in income as they had limited additional initiatives observed in these communities. Reforms have failed to take into account gender differentiation and women's voices in forest governance are generally ignored. Variation in outcomes within and across the formal reform types could be attributed to the disproportionate possession of extent, protection and assurance of rights, access to capital, capacity, biophysical conditions and post formation support. The roles of external actors particularly the frontline government officials and other development agents is important for supporting forest tenure reform implementation through improving social, human and institutional capital at community level.