

Mitigation & Indigenous Peoples; Indigenous Peoples Rights in Rokan Hilir

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INDONESIA

- ❖ an archipelago
- ❖ more than 17,000 islands
- ❖ 1,128 ethnic groups (government's estimation)
- ❖ Directorate General of Remote Indigenous Communities (KAT) formally acknowledges 365 ethnic groups & sub-ethnic with a population of 1,192,164 inhabitants.
- ❖ AMAN (Indigenous Peoples Alliance of the Archipelago) estimates number of indigenous peoples in Indonesia ranged between 50-70 million, about 20 % of the population of Indonesia.

Rokan Hilir Indigenous Peoples

- Rokan Hilir has 4 main Indigenous Peoples

1. Sakai

2. Akit,

3. Rokan Malay

4. Suku Laut

- Sakai and Akit : marginalized , live and depend on the forest and live in a nomadic , traditional way
- They have a particular territory, a forest area and communal land.
- Tennes Effendy, a Malay Indigenous public figure mentions that the forest land for Indigenous people means not just a place to live & earn for living, but the forest land became a symbol of luck & dignity and being a source of philosophy & cultural values that they profess.

Rokan Hilir-Riau

- District of Rokan Hilir is amid the 15 districts in Riau Province ;
- Comprising the land & watershed area of 8,881.59 km² along the eastern coastal area of S umatera;
- Bappenas (National Plan Development Agency) data in 2011 mentions in the last 25 years , Riau lost more than 4 million hectares (65 percent) of natural forest;
- Riau is the largest area of deforestation, majority of its area is under concession oil palm & acacia trees to supply pulp paper;
- Among other provinces in Indonesia, Riau is a province with the extreme contribution of forest conversion;
- The conversion of forests into oil palm plantations is the main cause of deforestation occurred;
- Among environmental issues tackling by Rokan Hilir are: forest & peat land fires, haze, land pollution, illegal logging, decreasing water quality & destruction of coastal area.
- The environmental issue of forest fires & peat land and fires give significantly to the transboundary haze pollution impacted also to Malaysia and Singapore.

SAKAI

*Photo courtesy jonkobet for Riaupost



SAKAI

- Live in the interior of Riau, migrated to the edge Gasib River , upstream Rokan River , inland Riau in the 14th century.
- Characterized as an isolated group that sedentary life in the forest or farming at the forest.
- Categories of Sakai;1) inner Sakai is Sakai people who survive in the jungle; live by taking forest product, hunting & catching fish ; 2) outer Sakai live in a village cluster next to settlement of puak melayu & other tribes (trokan malat, talang mamak, suku selat)
- Knowledge; practicing & teaching of their ancestors who followed animism, magical powers , supernatural creature.
- Then, their forest area was evolving into an oil industry, rubber plantation , oil palm plantations & economic centres .
- As consequence : the composition of the society has become more heterogeneous with newcomers & job seekers from various community groups in Indonesia (Djemari 2011).
- Then, Sakai began to lose their livelihoods & no longer much still alive nomadic tradition, because of the narrow forest areas in Riau .

AKIT

- live in Tanjung Kapal & Hutan Panjang Villages, Rupert district , North Rupert & Bantan recently;
- The type of Akit is they are closed, do not want to mingle with other tribes, attempted to avoid hostility or conflict, is like becoming their characters;
- Akit principal livelihood are fishing in the sea, hunting at natural forest, gathering forest products, hunting animals & gathering sagu;
- Harvesting the forest product at the edges of the beach is usually adjusted by the amount needed. Catching fish or other marine animals they do in a simple way, for example by installing a fish trap (bubu);
- In front of their house, they always put red fabrics such as scarves, indicated that they are Akit Indigenous people. Most of houses not habitable, the walls were made of wood that had rotted, wood looks worn and the floor are not cemented.

AKIT

- Photo courtesy of Made Ali



AKIT CASE

Land Conflict: between Akit & a Pulp company since 2007. The company get the permit to clear natural forest from Ministry of Forestry where Akit culture depends on.

Akit had used to hunt boars freely at natural forest. Then, Akit are prohibited from hunting and harvesting

The company take community land with no socialization related to the boundary & consent of the Akit

Mitigate Climate Change

- Indonesia has voluntarily pledged to mitigate climate change by reducing its greenhouse gas emissions by 26 percent by 2020 and 41 percent by 2050 (Cifor, 2015).
- More than half of this reduction was meant to come from the forestry & peat lands division. The current haze crisis in 2015 is, at some part was caused by the clearing of land for plantation estates. Avoiding peat fires is therefore crucial for Indonesia to meet its targets (Cifor, 2015).

Mitigate Climate Change in Riau

- Riau Governor has issued Gubernatorial Decree No. 5/2015 on forest & peat land fire mitigation & prevention action plans
- It is aimed at freeing the province from the disasters that have been taking place for the past 17 years.
- The decree regulates the duties & responsibilities of relevant agencies in forest & peat land fire mitigation in Riau & handed tasks to the 12 regents and mayors in Riau.
- There are 16 actions plans that greatly require support from the relevant stakeholders at the central, provincial, regency including the private sector.
- The action plans include the designation of peat land as a protected area in Riau spatial planning, canal blocking to maintain the wetness of peat land, document evaluation & environmental licensing for plantation & forestry companies in preventing & mitigating forest & land fires, law enforcement against companies disobeying audits & the establishment & provision of incentives for fire-aware communities in fire-prone areas.

Mitigate Climate Change in Riau

- The Riau Provincial Government offered an alternative concept for financing scheme of mitigation & adaptation to climate change impacts called Climate Change Opportunity for Rural Community (CCORC) since 2011 .
- Masyarakat Peduli Api - Community Care Fire (MPA) was created which exist in almost all villages in Riau including in Rokan Hilir

OBSERVATION

- The main weakness of some designed programs in Riau-Rokan Hilir Mitigation is
 - 1) lack of local community/indigenous community involvement in managing forest resources
 - 2) the laws and regulations regarding the programs overlap & often contradictory, particularly lack of clarity the definition of rights to forest resources
- For example in the case of Akit Indigenous People, Head of the Forestry Department of Riau province has banned the pulp company license's & no recommendation to that company in order to avoid the problems of social conflicts with Akit indigenous peoples.
- Thus, Forestry department Riau province issued Letter No. 522.2 / Pemhut / 3073 dated October 28, 2009 however it was cancelled by the decision of the Ministry of Forestry at that time which gave permission to the pulp companies to cut down natural forests *regardless to Akit indigenous peoples*

OBSERVATION

- The local people do not feel responsible for the forest fires. They feel no ownership at CCORC programme. As long as there is no ownership, It cannot successfully prevent forest fires & peat land fires.
- Lack of protection of the Rights of Indigenous Peoples (Akit and Sakai): free, prior and informed consent, the security of tenure and their livelihood.
- There is no integration for Indigenous Peoples who were still resided near the forest or become the farmer and others occupation as the most vulnerable group.
- The weakness also lack of coordination between the local government and local communities on establishing community forestry and establishing buffer zones for fire prevention.
- At every evaluation and monitoring of impact of forest fire or haze for example, it is clear that no indication to *the cost to Indigenous Peoples as one of the victim for land clearing*

What can we do to Protect Rights of Indigenous Peoples

- ❖ It needs to enhance the role of national & local government to empower them for integrating the land tenure for local communities & indigenous peoples rights.
- ❖ Any regulations at national and local level should regard the rights of Indigenous Peoples as stated in UNDRIP
- In May 2013, the Constitutional Court (MK) ruled indigenous peoples' customary forests are not state forests which the ruling is not enough but must be strengthened by other legal instruments, for example to accelerate the adoption of the law & the recognition & the protection of indigenous peoples (Abdon, AMAN)
- It can be considered to implement document ; the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forestry in the Context of National Food Security (VGGT) in 2012, forum at United Nations Committee on World Food Security (CFS) then, the Guiding Principles on Business and Human Rights: Implementing the “Protect, Respect and Remedy” (OHCHR 2014)
- Indonesia has formulated draft Law on the Recognition and Protection of Indigenous Peoples (RUU PPMA). The law will provide legal recognition for indigenous peoples & their rights to land, natural resources, traditional knowledge & intellectual property. *The draft law is nowhere to go*, thus the role of conservationists, scientist, NGOs & government to endorse the draft law in the Indonesian Parliament.

- Terimakasih
- Thank you
- Merci beaucoup