Visions of territory: whose reality counts?

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Cover photo: Tumbang Baraoi village, Katingan district, Central Kalimantan province, Indonesia. Credit: AMAN Central Kalimantan

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Summary

Indigenous-led territorial governance and the recognition of Indigenous rights is widely understood as being vital to achieving the goals of the Paris Agreement and the Convention on Biodiversity. Yet current conservation models such as protected areas and state-led spatial planning still mainly exclude Indigenous Peoples from the territories they live in and with which they coexist.

In Katingan Hulu in Central Kalimantan province, Indonesia, countless generations of Indigenous Dayak peoples have developed a 'life world' cosmology based on their synergistic relationship with nature, including holistic conservation practices. However, the value of these practices is still poorly understood. Environmental degradation, forest loss and Indigenous marginalisation have been driven by large-scale commercial investments and incoherent land-use policies and spatial planning.

This report by the Alliance of Indigenous Peoples of the Archipelago of Central Kalimantan Province (AMAN Central Kalimantan or AMAN Kalteng, as used in this report) explores the impacts caused by the lack of alignment between Indigenous cosmology ('informal' conservation) and government policy trends (mainstream conservation and market-based large-scale investments). AMAN Kalteng demonstrates how current approaches to spatial planning and government policies do not sufficiently recognise Indigenous Peoples' relationship with the territories they live in and with which they coexist. Current practices do not enable the strengthening of these relationships and as a consequence threaten both the people and the ecosystems they claim to defend.

Instead, for Indigenous visions of territorial organisation and conservation efforts to be valorised, government policies and the global conservation community must embrace Indigenous environmental cosmology. At the policy level, the Indonesian central government, the Central Kalimantan provincial government and conservation organisations should support the Indigenous Dayak communities in their efforts to seek formal recognition of their Indigenous forms of leadership and governance, to review spatial planning and to ensure central government licensing of large-scale investments is coherent with a landscape approach to community rights and environmental protection.

1. Introduction

From rural government councils to global treaty negotiations, there has been growing recognition of the importance of Indigenous-led conservation efforts — both formal and informal, and inside and outside of protected areas — to achieve the goals set out in the Paris Agreement on climate change and those related to the Convention on Biodiversity. This has been backed by a wave of studies showing that the recognition of Indigenous territories overwhelmingly leads to a reduction in deforestation (Baragwanath and Bayi 2020; Walker et al. 2020). Forest protection has important corollary benefits: it is critical for global biodiversity as terrestrial biodiversity is overwhelmingly concentrated in forested areas, and protects and enhances the Earth's carbon stocking capacity.

Recent pledges[1] to invest in the nexus of Indigenous rights and conservation efforts have been heartening. But conservation funding still predominantly focuses on fortress conservation models[2] that often exclude Indigenous Peoples and their knowledge, sometimes violently.[3] The mainstream approach to conservation, rooted in the creation of colonial hunting grounds, focuses on enclosing a specific zone such as protected areas or national parks. The fortress conservation paradigm and exclusion of users from territories on which they depend, as well as the criminalisation of livelihoods practices, is well documented.

Furthermore, large-scale investments in logging, monoculture industrial plantations, mega infrastructure, mining, and oil and gas extraction are threatening Indigenous forest landscapes. The damage of large-scale investment is sweeping the globe so fast that science is having trouble properly documenting the true scale of its impacts (Maus and Warner 2024). Incoherent land-use and spatial planning within siloed government agencies is one of many policy-level drivers of environmental degradation, forest loss and Indigenous marginalisation. The loss of territories and livelihoods often causes Indigenous groups to take up more damaging economic activities such as gold mining and logging to make up for newly created socioeconomic vulnerability.

For Indigenous conservation efforts to be valorised, government policies and the global conservation community must embrace Indigenous environmental cosmology. This is unfortunately poorly understood by those behind global-level initiatives on conservation, leading to adverse outcomes. In this report, AMAN Kalteng explains the impacts caused by the lack of alignment between Indigenous cosmology ('informal' conservation) and government policy trends ('formal'

1. Such as the Indigenous Peoples and Local Communities Forest Tenure Pledge adopted at the 26th United Nations Climate Change Conference of the Parties (COP26) in 2021.
2. The 'fortress conservation' model is one that aims to protect biodiversity by creating isolated protected areas where ecosystems are free from human interference. See https://sesmad.dartmouth.edu/theories/85
3. Very little climate finance reaches Indigenous communities/organisations directly (Beasley 2022), while abuses of Indigenous Peoples are rife in the 'conservation' sector (Jong 2024).

conservation and market-based large-scale investments). These trends date back to the colonial period and are causing significant harms to communities and the environment.

AMAN Kalteng is engaged in a long-term ongoing collaboration with the Indigenous Dayak peoples from Katingan Hulu in Central Kalimantan. Based on Dayak peoples' experiences, AMAN Kalteng demonstrates in this report how conservation and its implementation do not sufficiently recognise peoples' relationship with the territories they live in and with which they coexist. Current formal, mainstream conservation practices do not enable the strengthening of these relationships: instead, they threaten the existence of both the people and the ecosystems that these formal conservation initiatives claim to defend.

Section 2 of the report discusses the Indonesian government's understanding of and approach to conservation. Section 3 then contrasts this mainstream view with Indigenous understandings of conservation and where this concept fits in broader cosmology, or 'life world'. The sections that follow explore some of the ways in which the life world of the Dayak people of Katingan changed since the Indonesian government took over the governance of their territories: how the landscape changed (section 4), how concepts of 'formality' altered livelihoods (section 5), conservation practices (section 6) and relations to space (section 7).

It is important to disclose that in conceptualising power relations, this report adopts the sole lenses of post-colonial thinking and Indigenous People-centred perspectives. The report recognises that it does not include a comprehensive, intersectional analysis incorporating other sociopolitical factors shaping outcomes and power relations, such as gender or race — though these remain equally relevant in influencing collective and individual experiences, and there would be significant value in such a systemic study.

2. Government versus Indigenous concepts of conservation

As part of the environmental discourse, the concept of conservation has various manifestations in practice. The government of the Republic of Indonesia uses the word 'conservation' in relation to environmental conservation policies. From this perspective, conservation is realised in the form of policies and formal legal actions in areas where flora and fauna are to be conserved. This view is also adopted by nongovernmental organisations (NGOs) that aim to conserve the same things.

However, in practice, these efforts often lead to conflicts with communities who have managed the area by living and supporting each other – using radically different ideas and methods – for hundreds of years. The emergence of these conflicts can also be read as an ideological rejection by the state and parts of civil society of the way local communities manage their territories, despite the fact that these Indigenous forms of management have been developed and passed down for generations and hold social legitimacy. Paradoxically, state and non-state actors promote their own version of conservation, but at the same time become legitimators of anti-conservation activities in the form of policies that license investments which threaten environmental conservation, such as mining, logging and monoculture plantation development.

In addition to licensing procedures for large-scale land-based investments, there are a number of policies that promote state control of land use and resources to the detriment of Indigenous efforts. For example, Indonesia's regional spatial plan (RTRW) is a policy with a top-down technocratic approach to designating land use. The Central Kalimantan province completed formal procedures for its provincial spatial plan through Local Regulation No.5 of 2015 on the Provincial Spatial Plan 2015–2035, but now must revise the plan for 2023–2043 due to policy changes at the national level. The RTRW revision is taking place as Indigenous Peoples are struggling to receive formal government recognition of their customary territories and forests, as accurate depictions of their territories often do not appear on formal spatial plans.

Furthermore, Indonesia is not a signatory to the International Labour Organization (ILO) Convention 169 of 1989 (also known as the Indigenous and Tribal Peoples Convention, that protects rights to self-determination); and while Indonesia voted in favour of adopting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) of 2007, according to the International Work Group for Indigenous Affairs (IWGIA), "officials argue that the concept of Indigenous Peoples in Indonesia is not applicable […] as almost all Indonesians are Indigenous, and so are entitled to the same rights. Consequently, the government has so far rejected calls for specific needs from groups identifying themselves as Indigenous" (IWGIA

2023). However, a long-awaited Indigenous rights bill may soon be passed by the Indonesian government to replace the existing patchwork of inadequate and outdated laws. If passed, the bill needs to grant Indigenous communities with vital legal rights and recognition of their land and natural resources, or it will be another missed opportunity to protect *Adat*[4] communities and territories, in a context where they are faced with many threats.

Indigenous efforts to follow formal channels to obtain recognition (such as Village Law No. 6/2014 and Indonesia's social forestry programme) have failed to achieve self-determination at scale for Indigenous Peoples in Indonesia because of pushback from the state. Village Law No. 6/2014 "is based on the notion of the village as a self-governing community with local-level government, which recognises and respects the origin of the village and its indigenous rights" (Lopulalan 2019). Meanwhile, Indonesia's social forestry programme is supposed to support forest conservation, respect land rights and empower communities. However, such schemes are highly contested by Indigenous rights defenders (and by AMAN Kalteng) as they only convey use and management rights over 25 years — which does not amount to full legal recognition. In instances where land is officially registered as *Adat* (Indigenous land), the area recognised by the government does not always reflect the actual area claimed by communities. In addition, the process to apply is also very complicated and applications are often met with government resistance. At the time of publication, only 14 out of hundreds of Indigenous communities in Central Kalimantan have received formal recognition of their existence and forest tenure.

4. *Adat* refers to the set of customs making up the lives, laws, practices and relations of Indigenous Peoples in Indonesia and Malaysia.

3. Life world and Indigenous understandings of conservation

Over countless generations, the Indigenous Dayak peoples of Indonesia have developed a cycle of life in synergy with nature and external entities that is dynamic and mutually influencing. This synergistic relationship is their basis for adapting to changes from both within and outside of *ruang hidup*, their life world. Because they rely on a balanced and mutually sustaining relationship with nature, Indigenous customs do not treat nature exploitatively. This has led to the development of holistic conservation practices that balance knowledge and spirituality.

Indigenous Peoples combine their knowledge systems (technological, economic, political, social and cultural) with the concept of natural spiritualism. For example, customs that provide guidance on caring for and protecting nature have become the means for creating knowledge (Indigenous knowledge) which in turn produces technology (Indigenous technology). This has been an important part of Indigenous Peoples' livelihoods from generation to generation. Concrete examples of Indigenous technology in agriculture include the rotating field system, plant breeding, fermentation techniques and nature preservation (conservation) related to important sites in the life of Katingan Hulu's Dayak peoples. Sites that are sacred or that require special protection are also the result of Indigenous knowledge.

4. Changes to the life world of Katingan Hulu's Indigenous Peoples

4.1 Changes to hills and forests

In Katingan Hulu, the hills and forests of the Indigenous People's life world have been turned into commodities. In the current historical period, markers of change include the activities of timber companies. When these companies came to Katingan Hulu, the concept of money had a significant impact on the communities' ideas in relation to fulfilling their needs. This led to changes in social relations.

Previously, mutually beneficial activities such as farming were communal and carried out jointly by villagers, who took turns to move from one field location to another. However, when the concept of money entered the community's life world, the pattern of social relations started to become more transactional. In addition, the use of chainsaws by residents was a change introduced by the activities of timber companies in the area. Chainsawing by community members has now increased to such a degree that one villager shared his concern with AMAN Kalteng that, within a few years, timber would run out. If this were to happen, then one of their biggest sources of income would be lost. In addition, while logging companies provide work for local Indigenous Peoples, it is often with precarious employment contracts.

4.2 Changes to rivers

Gold mining began to flourish in the mid-2000s and has now become the biggest source of income for the people of Katingan Hulu. Almost all local small rivers (*ibu sungai*) are used for gold mining activities. Riverbeds are scavenged for gold and river water is then used to wash it before selling the gold to industrial companies. In the process, the water becomes highly polluted (particularly with the use of mercury). These negative impacts on water quality and availability in turn impact soil fertility and farming.

Of the many rivers encountered during this study, only one was found to have no gold mining activities. Mantikei River, which is over 6km long, has much cleaner water than other rivers in Katingan Hulu. The absence of mining activities there is most likely due to the presence of seven waterfalls along the river. Farming was observed on the banks of the Mantikei, which may indicate that the land around this river is still fertile.

However, the reduction in farming locally may not be solely due to declining soil fertility but also because local people have turned to gold mining instead of agriculture. While gold mining activities involve high capital costs, significant manual labour and high risks, the immediate financial benefits to the community

are considerable. There is not a single village visited by AMAN Kalteng that does not pursue this activity. However, the financial benefits are only short term and will cease when there is no more gold to be mined. In addition, the long-term impacts caused by environmental destruction and the loss of Indigenous knowledge and traditional livelihoods will make it difficult for local people to return to former cultural activities post-mining.

The river as a provider of food in the form of fish has also changed. Fishing activities that previously used traditional Indigenous technology are also changing with the introduction of modern technology. The use of electrical generators to fish using 'fish shocking' (using an electrical current to stun fish so they can be collected) is one example. Fishing used to take place to fulfil subsistence needs for food, but now has turned into a for-profit activity.

5. Impacts of colonisation, 'formality', money and markets

The changes to the life world of the Indigenous Peoples of Katingan Hulu are part of a historical process that began during the period of colonial oppression as *kampung* (local settlements) and *Adat*/Indigenous forms of leadership were suppressed by colonial bureaucracy, autocracy and other forms of governance, including colonial laws and power structures. How villages related to one another also changed with the signing of the Tumbang Anoi Agreement in 1894, a peace agreement between the different Dayak tribes of Kalimantan, which was supported (if not initiated, planned and facilitated) by the Dutch. *Asang* and *kayau* – local customary concepts of governance – were replaced with colonial forms of administration.

The pressure on villages continued with the establishment of the Republic of Indonesia in 1945. Later on, in the 1970s, the state began granting concessions to timber companies to control and exploit forests in the heart of Kalimantan. State pressure continued with the introduction of Law No.5 of 1979 on Village Administration. Before the law was passed, village governance was based on *Adat* customs and rules. The new law saw the removal of *Adat* leaders as village heads, to be replaced by new heads appointed by the Indonesian government, wiping out the role of *Adat* leaders in the structure of local government. This has led to the stigmatisation of the Dayak peoples and paved the way for land grabbing and the bypassing of *Adat* rules and rights. As discussed in section 4, money has also become a key marker of change in the villages. Village dynamics, previously based on interpersonal ties, have shifted. For *handep sewa* (labour), *jipen* (customary fines) and traditional transactions, money is now increasingly used as the main means of exchange. Money also plays an increasing role in determining social status within the villages.

In addition, over the last half century the villages in Katingan Hulu have been under pressure due to the presence of timber companies. These companies are protected by the state apparatus (government, police and military). Forests that were previously part of the Indigenous life world have been destroyed for financial gain. Historical connections from ancestral times have been broken as sacred sites have been crushed by heavy equipment to pave the way for the extraction of large timber. Trees hundreds of years old have been cleared in a matter of days. However, the presence of these timber companies has not improved the quality of life of the villagers. The connecting road between the village and the city belongs to the company. Countless lives have been lost to logging trucks. Flooding has become much more frequent, caused by the deforestation that has made the timber companies and town officials rich.

Areas that previously fulfilled the communities' farming subsistence needs are now controlled by companies and the state, who view farming as an obstacle to be overcome. Hunting grounds are becoming narrower and hunters are getting scarcer. This has in turn caused the villagers to turn to activities such as chainsawing and gold mining as their only viable economic activities. However, the longing for farming remains. During AMAN Kalteng's ongoing exchanges with the Dayak peoples this has been a recurring theme that has appeared in many "conversations of the heart".

6. Impacts of formality and formal conservation sites

This section discusses the formal conservation site of Bukit Baka Bukit Raya National Park in Katingan Hulu. It was originally established in 1981 as a nature reserve but without the participation of its customary users (Myers and Muhajir 2015). Within the park, several existing villages have been designated as tourism villages.[5] What is most noticeable in these tourism villages is the construction of a voyeuristic but artificial representation of Dayak culture that has been carefully designed to attract tourists. Backed by state programmes, these villages provide a positive image of Indigenous life — while at the same time, Indigenous rights are neither meaningfully recognised nor respected and their ways of life have been fundamentally eroded.

The model of 'formal' conservation introduced by the creation of the national park has caused Indigenous customs and rituals to become increasingly detached from real life: always on display but never meaningfully used. The substance has been stripped away from customary activities. In the process, customary officials (such as *mantirs*, the guardians of *Adat* rituals and traditions) appear to have lost social legitimacy, as this quote made by one mother in a village suggests:

> *In the past, I believed in customary channels. Even for treatment, I used to choose the customary route. But now, they [mantirs and other customary officials] lie a lot.*

'Formality' has spread to the tourism village programme, developed in conjunction with conservation efforts at Bukit Raya, which has formal legitimacy and recognition from the government and community participation from the perspective of modern ideals of development. Some studies argue that the concept of ecotourism and ethnotourism (when implemented using a formal approach) reduces the customs, habits and culture of the community to little more than a display (see for example Ahmed 2020). Some Indigenous communities that previously participated in ecotourism initiatives later withdrew because they increasingly felt that their customs and culture had become a show for foreigners but lost in their daily lives. In Katingan Hulu, the life cycle of its communities has changed to revolve around the money they make from the customs and culture they 'sell' as commodities.

There is also the local tour guides phenomenon. These are residents of the village who are the first people tourists meet when they visit, especially those who want to travel to Bukit Raya. Tour guides and resource persons act as the marketing machine of the tourism village and their roles are formalised in the form of a government decree (*surat keputusan*) as the 'gatekeepers' (*juru kunci*) of Bukit Raya. Tour guides lead visitors to meet local people who then provide information

5. There are many 'tourism villages' in Indonesia, usually villages renowned for their cultural heritage, natural beauty and community-based tourism. Tumbang Habangoi village in the Katingan Regency is one example.

related to the cultural or physical objects that they sell. The information provided by the tour guides is 'formal' information about the potential ethnotourism activities in their village. For example, a tour guide will explain how *handep* — an Indigenous concept of cooperation and solidarity — is a way of life that is still maintained by the community. In reality, the formalisation of conservation and other economic and political trends dating back to the colonial period have introduced money and market-based exchange for profit, which has significantly weakened economic models of production based on *handep*. These activities have contributed to turning village customs into a staged performance for tourists.

7. Spatial planning policies and the conceptualisation of space

Different perspectives between the government and communities in understanding and interpreting space often create polemics and problems. In the name of development and state control of land and resource rights, the government has so far unilaterally made decisions about the spaces where Indigenous Peoples live and surrounding areas. Additionally, without the consent of the local community, the state has continuously licensed logging concessions or expropriated forests by creating state forest reserves.

Central Kalimantan province, at over 15.35 million hectares, is the third largest province in Indonesia (Central Kalimantan Provincial Statistics Agency). An area of more than 11.9 million hectares has been designated as a state forest area by the government, representing 77% of the province (Central Kalimantan Regional Secretary 2023). The majority of settlements and villages in Central Kalimantan – including the life world of Indigenous Peoples – are now located within this state forest area, eliminating their formal control over their lands and resources. Today, it is not uncommon for community members to be criminalised as perpetrators of illegal logging or forest destruction when they carry out small-scale economic activities to meet their subsistence needs, such as by farming or hunting on their customary lands within state forests.

The government uses its authority to grant licences over large areas to corporations as concessions in the forestry, mining, formal conservation and large-scale plantation sectors. Forestry-sector licences consist of business permits for the utilisation of timber forest products in natural forests (IUPHHK-HAs, formerly known as HPHs or forest concessions), business permits for forest timber product utilisation in industrial plantation forests (IUPHHK-HTIs), and ecosystem restoration concessions (ERCs or IUPHHK-REs). Forestry concessions cover an area of 5.1 million hectares; in the mining sector, it covers 1.2 million hectares, and in the plantation sector, especially oil palm, 3.1 million hectares. These policies have caused widespread deforestation and forest degradation: as of 2019, forest cover in Central Kalimantan had gone down from 12.7 to 7.4 million hectares, or just 48.36% of the total area, of the Central Kalimantan province (Walhi Central Kalimantan 2023). This situation places Indigenous Peoples in an increasingly narrow space, with the authority of the state dominating both physically and in terms of power.

In 2013, communities gained the opportunity for (formal) access to forests. A judicial review of Law No.41/1999 on forestry was granted by the Constitutional Court of the Republic of Indonesia by issuing Constitutional Court Decision No.35/PUU-X/2012. This confirmed that customary forests are forests located in customary territories and are no longer state forests. However, on 16 May 2013,

at almost the same time, the Minister of Forestry issued Circular Letter No. SE 1/Menhut-II/2013 on Constitutional Court Decision No.35/PUU-X/2012 addressed to governors, regents/mayors and heads of forestry services throughout Indonesia. It confirmed that determining customary forest areas would remain within the powers of the Minister of Forestry and their designation would require a provincial regulation to be passed by Indonesian local governments and carrying the force of law in that province. Provincial regulations are highly political in nature due to corruption, the vested interests of current provincial government officials and investors, the lack of transparency and the complexity of the bureaucratic system, especially in Central Kalimantan. Because of this, provincial regulations governing the application process for Dayak communities to gain forest and land tenure were only enacted in 2024, though its content remains disputed. Thus, in reality, Indigenous forests are unlikely to be formally returned to communities anytime soon; meanwhile, the licensing and conversion of forest areas for industrial/corporate interests is still rife.

The difference is not only in the concept of space, but also the authority to allocate space in the government's bureaucratic system (from central to local government). Since 2015, most authority related to forests has been taken over by the central government, in terms of utilisation, protection, borrowing and use of forest areas and licensing. Local governments only have the authority to recognise Indigenous Peoples as subjects, but the material dimensions of their rights, such as land and forests, remain under the authority of central government in Jakarta.

This lack of coordination and coherence between what legal texts at different administrative levels say about the status of Indigenous communities has effectively stripped Indigenous Peoples of their rights. Central Kalimantan, for example, currently has a provincial spatial plan (RTRWP) for a period of 20 years from 2015–2035, which was ratified through Central Kalimantan Provincial Regulation No.5 of 2015. However, this RTRWP only regulates matters that are under the authority of the provincial government on non-forest 'other use areas' (Areal Penggunaan Lain or APL). It does not regulate the state forest area that remains under the domain of central government, where the majority of Indigenous territories and villages are located.

8. Conclusion

The Indigenous Dayak peoples have carried out holistic conservation in their life world for centuries, based on their world view. The results of this synergistic relationship have been proven to safeguard both nature and people. However, the introduction of top-down, market-oriented ecotourism conservation programmes and large-scale commercial investments have created ambiguous and precarious spaces for Indigenous Peoples and their life world, while also weakening their rights. When nature is spatially divided and surrounded by exclusive conservation sites and concessions for companies, it changes the dynamics of natural and human life and the balance between them.

At the policy level, the Indonesian government, the Central Kalimantan provincial government and NGOs should support Indigenous communities in their efforts to:

- seek formal recognition of *Adat* lands and forests;
- push for revisions of provincial spatial plans to reflect *Adat* communities' historical territories; and
- engage with the central government to ensure that the licensing of large-scale concessions for investments is coherent with a landscape approach to community rights and environmental protection.

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Visions of territory: whose reality counts?

Indigenous-led territorial governance and the recognition of Indigenous rights is widely understood as being vital to achieving the goals of the Paris Agreement and the Convention on Biodiversity. Yet current conservation models such as protected areas and state-led spatial planning still mainly exclude Indigenous Peoples from the territories they live in and with which they coexist. In Katingan Hulu in Central Kalimantan province, Indonesia, countless generations of Indigenous Dayak peoples have developed a 'life world' cosmology based on their synergistic relationship with nature, including holistic conservation practices. However, the value of these practices is still poorly understood. This report by the Alliance of Indigenous Peoples of the Archipelago of Central Kalimantan Province explores the impacts caused by the lack of alignment between Indigenous cosmology and government policy trends.

Knowledge Products

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