

Model of Indigenous Forest Management in the Context of Protection and Fulfillment of the Rights of Indigenous Peoples in Riau Province

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ABSTRACT : Regulation of Indigenous Forests which are part of Social Forestry based on applicable laws and regulations as stipulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 Concerning Social Forestry Management. Obstacles in the management of customary forests which that have been part of social forestry so far in the Province Riau, among others: First, there is no customary forest legality. Second, in the field, there is still a ninik mamak dualism in the village so that forest management is sometimes misplaced. Third, increasing the capacity of human resources to assist indigenous peoples in managing customary forests. Fourth, the budget, relatively limited program funding constraints. Fifth, in addition to assistance and financing, in the future social forestry schemes including customary forest management need to be simplified. To overcome the above obstacles, several things need to be done, including: first, availability of an adequate budget provided by the government. Second, Simplifying licensing and administration process and simplified customary forest schemes so that they can be easily understood. Third, increasing the capacity of human resources for community assistance in managing social forestry. Therefore there is a need for a Model in Participatory Customary Forest Management by emphasizing management based on the active participation of indigenous peoples in customary forest management.

Keywords : *Indigenous Forest, Protection, Indigenous Peoples*

I. INTRODUCTION

Forests are the lungs of the world needed by humans, so forests should be protected and managed, and preserved. The forest is a gift from God Almighty which provides many benefits for human life in the world. On the other hand, humans should protect and use forests wisely and wisely, not destroying forests. Forest utilization has the aim of obtaining optimal benefits for the welfare of the entire community in a sustainable mannersustainably while maintaining forest sustainability.

Forests as a determinant of the life support system and a source of people's prosperity tend to decline in condition, as has happened in Riau Province where the existence of forests is very worrying. Starting from deforestation, forestry conflicts that occurred in Riau Province. As research conducted by Mardalena Hanifah in land relatedland-related conflicts take takes place everywhere in the world and in west Sumatra and Riau Provinces.

Likewise what happened to customary forests, in fact the recognition of the rights of indigenous peoples over their customary territories has been guaranteed through Article 18B of the 1945 Constitution. Categorizing customary forests as state forests legally will make cause customary forests that have been controlled for generations to be lost and even their control will no longer be held by the customary law community but are immediately owned by the State. As a result of this, various forest conflicts emerged both vertically involving indigenous peoples and individuals (community in general), indigenous peoples and companies, and even between customary law communities themselves. On the other hand, forest conflicts also occurred horizontally involving customary law community with the Government (Central and Regional).

The position of the rights of indigenous peoples over customary forests located in forest areas regulated in the Forestry Law has not provided a guarantee of legal protection for indigenous peoples over their customary territories. Therefore, recently the Forestry Law has been submitted for a judicial review to the Constitutional Court by the Alliance of Indigenous Peoples of the Archipelago (AMAN) and several indigenous and tribal peoples' organizations over the arrangement of customary forests which are categorized as State forests. So the Constitutional Court through its authority, through the Constitutional Court Decision No. 35/PUU-IX/2011 which emphasizes that customary forests are not customary forests but private forests that have been owned by indigenous peoples for generations as long as their existence can be proven, brings a great hope for indigenous peoples to get guaranteed legal protection for their customary forests. so far it has been designated as a State forest.

This research examines the Customary Forest Management Model in the Context of Protecting and Fulfilling the Rights of the Customary Law Community in Riau Province. The position of customary forest after Constitutional Court Decision Number 35/PUU-X/2012, which previously was a State Forest that was in the territory.

Of a customary law community, then became a Customary Forest, namely a forest that was in the territory of a customary law community. Meanwhile, forest control by the state still pays attention to the rights of customary law communities, as long as they are still alive and in accordance with community development and the principles of the Unitary State of the Republic of Indonesia which are regulated in the law. Regulation and Recognition of Customary Forests is intended to provide guarantees of legal certainty and justice for customary forest holders in realizing community welfare and sustainable forest management.

Riau Province currently only has 2 customary forests, namely the Imbo Putui Customary Forest for Kenegerian Petapahan with an area of 251 “use english terms” pleaseha and the Kenegerian Kampa Customary Forest with an area of 156.8 ha. The Kenegerian Kampa Customary Forest is divided into two stretches, each named Ghimbo Lidah and Ghimbo Pomuan Kenegerian Kampar.

This research tries to map the status of customary forests after the Constitutional Court Decision Number 35/PUU-X/2012, which previously was a state forest that was in the territory of customary law communities, then became customary forest, which is a forest that is in the territory of customary law communities. Meanwhile, forest control by the state still pays attention to the rights of customary law communities, as long as they are still alive and in accordance with community development and the principles of the Unitary State of the Republic of Indonesia which are regulated in law.

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II. ANALYSIS AND DISCUSSION

1. Customary forest arrangements based on applicable laws and regulations

Customary forest is part of social forestry as regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 concerning Social Forestry Management which was previously regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number: P.83/MENLHK/SETJEN/KUM. 1/10/2016 concerning Social Forestry. That in order to reduce poverty, unemployment and inequality in the management/utilization of forest areas, social forestry activities are needed through efforts to provide legal access to local communities in the form of village forest management, community forest business permits, community plantation forests, forestry partnerships or recognition and protection of indigenous peoples. for the welfare of society and the preservation of forest resources.

Social Forestry is a sustainable forest management system implemented in a state forest area or private forest/customary forest implemented by local communities or customary law communities as the main actors to improve their welfare, environmental balance and socio-cultural dynamics in the form of Village Forests, Community Forests, Forests Community Plantations, Customary Forests and Forestry Partnerships. Social forestry management is carried out by taking into account the principles of: (1) Justice; (2) Sustainability; (3) Legal Certainty; (4) Participatory; and (5) Liability. This is to reduce poverty, unemployment and inequality in the management/utilization of forest areas, it is necessary to carry out Social Forestry activities through the following schemes: (1) Village Forest ; (2) Community Forestry; (3) Community Plantation Forest; (4) Forestry Partnership; and (5) Customary Forest.

Talking about customary forest which is part of social forestry is also regulated in Law Number 11 of 2020 concerning Job Creation, Paragraph 4 concerning Forestry Article 35 regulates to provide convenience for the community, especially Business Actors in obtaining Business Permits and ease investment requirements from the Forestry sector , This law changes, deletes, or stipulates new arrangements for several provisions in Law Number 47 of 1999 concerning Forestry. Between Article 29 and Article 30, 2 (two) articles are inserted, namely Article 29A and Article 29B, namely Article 29A regulates the use of protected forests and production forests for social forestry activities. Social forestry can be given to: (1) individuals; (2) forest farmer groups; and (3) cooperatives.

Further arrangements as stipulated in the Government Regulation of the Republic of Indonesia Number 23 of 2021 concerning Forestry Administration, Article 1 number 64 regulates Social Forestry is a sustainable forest management system implemented in State Forest Areas or Private Forests/Customary Forests carried out by local communities or communities. Customary Law as the main actor to improve their welfare, environmental balance and socio-cultural dynamics in the form of Village Forests, Community Forests, Community Plantation Forests, Customary Forests and Forestry partnerships.

Article 203 Customary forest management which is part of social forestry, where forest utilization through social forestry management within State Forest and Customary Forest areas is carried out to realize Forest sustainability, Community welfare, environmental balance, and accommodate socio-cultural dynamics, requires approval, recognition, and capacity building for the Community. Management of Social Forestry, consisting of: (1) Village Forest; (2) Community Forestry; (3) HTRs; (4) Customary Forest; and (5) Forestry Partnership. Article 247 stipulates that further Provisions regarding the management of Social Forestry are regulated in a Ministerial Regulation.

To implement the provisions of Article 247 of Government Regulation Number 23 of 2021 concerning Forestry Management, the Minister of Environment and Forestry issued Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 concerning Social Forestry Management.

Forest utilization aims to obtain optimal, fair and sustainable benefits of forest products and services for the welfare of the community. Forest Utilization Activities are carried out based on Forest Utilization Business Permits or Social Forestry Management activities. Forest utilization through Social Forestry management in State Forest Areas and Customary Forests is carried out to realize Forest sustainability, Community welfare, environmental balance, and accommodate socio-cultural dynamics, requiring approval, recognition, and capacity building for the Community.

Management of Social Forestry according to the Regulation of the Minister of Environment and Forestry Number 9 of 2021 Concerning Social Forestry Management, consisting of: (1) Village Forest; (2) Community Forestry; (3) HTRs; (4) Customary Forest; and (5) Forestry Partnership. Forestry Partnership in Conservation Forest, given in the form of a conservation partnership. Approval for Protected Forests can be given as Village Forests, Community Forests, and/or Forestry partnerships. Production Forests can be given approval as Village Forests, Community Forests, HTR, and/or Forestry partnerships. The direction of the Social Forestry management area is determined by the Minister in the form of PIAPS.

Customary Forests, as regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number P.17/MENLHK/SETJEN/KUM.1/8/2020 Concerning Customary Forests and Private Forests, which were also canceled by the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 concerning Social Forestry Management. Customary Forest is a forest that is within the territory of customary law communities. Customary Forest Arrangements are intended to provide guarantees of legal certainty and justice for holders of Customary Forests and Private Forests in realizing community welfare and sustainable Forest management. The customary forest regulation aims to make customary forest and private forest stakeholders receive recognition, protection and incentives from the government in managing their forests in a sustainable manner according to space and time.

Customary Forests are managed by Indigenous Peoples (MHA). Confirmation of the presence and elimination of MHA in State Forest areas is stipulated by regional regulations; or outside the Forest area is stipulated by Regional Regulation or Decree of the Governor and/or Regent/Mayor in accordance with their authority.

Regulations can be in the form of: (1) Regional Regulations which contain the substance of regulating procedures for the recognition of MHA; or (2) Regional Regulations which contain substances for the establishment, recognition and protection of MHA. In the event that the Regional Regulation only contains substances regulating the existence of MHA whose territory is within a State Forest area, it is followed up with a decision on the recognition of MHA by the Regent/Mayor.

Customary Forest status is determined with the following criteria: (1) is located in a State Forest area or outside a State Forest area; (2) there are Customary Areas in the form of Forests managed by MHA with clear boundaries hereditary; and (3) there are still forest product collection activities by MHA in the surrounding forest areas to fulfill their daily needs.

Customary Forest arrangements are also regulated in Government Regulation of the Republic of Indonesia Number 23 of 2021 concerning Forestry Administration, as stipulated in Article 233 Customary Forests can originate from: (1) State Forests; and/or (2) not State Forest. Customary forests have the main functions of: (1) conservation; (2) protect; and/or (3) production. Customary Forests are managed by Indigenous Peoples (MHA). and further regulated by Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 Concerning Social Forestry Management. Customary Forests are declared to remain valid as long as the MHA managing institutions still exist. Utilization and/or collection of

timber forest products is carried out only to fulfill the needs of daily life and in accordance with the local wisdom of the MHA concerned.

Forest utilization in the form of social forestry within State Forest Areas and Customary Forests is carried out to realize Forest sustainability, Community welfare, environmental balance, and accommodate socio-cultural dynamics, therefore it is necessary to give approval, recognition and capacity building to the Community by involving the community in utilization forest.

2. Obstacles in the establishment of customary forests in Riau Province so far

Customary Forest which is part of social forestry as regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 concerning Social Forestry Management which was previously regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number: P.83/MENLHK/SETJEN/KUM .1/10/2016 concerning Social Forestry. That in order to reduce poverty, unemployment and inequality in the management/utilization of forest areas, social forestry activities are needed through efforts to provide legal access to local communities in the form of village forest management, community forest business permits, community plantation forests, forestry partnerships or recognition and protection of indigenous peoples. for the welfare of society and the preservation of forest resources.

Customary Forests which are part of social forestry with a sustainable forest management system implemented in state forest areas or private forests/customary forests implemented by local communities or customary law communities as the main actors to improve their welfare, environmental balance and socio-cultural dynamics in the form of Forests Villages, Community Forests, Community Plantation Forests, Customary Forests and Forestry Partnerships. Social forestry management is carried out by taking into account the principles of: (1) Justice; (2) Sustainability; (3) Legal Certainty; (4) Participatory; and (5) Liability. This is to reduce poverty, unemployment and inequality in the management/utilization of forest areas, it is necessary to carry out Social Forestry activities through the following schemes: (1) Village Forest (HD); (2) Community Forestry (HKm); (3) Community Plantation Forest (HTR); (4) Forestry Partnership; and (5) Customary Forest (HA).

The customary forest management policy actually aims to empower the community in the form of participation. Customary forest management is expected to reduce poverty and conflicts related to rights/access to land. However, the implementation so far has not been effective. The government is targeting to open social forestry including customary forests covering an area of 12.7 million hectares in 2019. The government has included the social forestry program in the 2015-2019 National Medium Term Development Plan (RPJMN). The target is that in 2019 the government will be able to open access to the community to manage 12.7 million hectares of forest for 5 years.

This has not been implemented optimally, because there are obstacles in its implementation. According to Maryono, one of the obstacles is the minimum budget provided by the government for the social forestry program which is very low and has an impact on target achievement. For example, in the 2015-2017 period there were around 510 thousand hectares of social forestry which were embodied in the form of permits or MoUs.

Even though the RPJMN targets that within this time period it should be able to reach 7.62 million hectares. Meanwhile, the budget allocation provided by the government for granting access to social forestry management, including customary forest, is very minimal. During 2015-2017 the budget for preparing social forestry areas averaged IDR 38.76 billion per year. At least the government needs to allocate a budget of at least IDR 830.58 billion every year. The costs are required to cover a number of needs such as community assistance, socialization, facilitation and verification of the proposed issuance of social forestry permits. The total budget needed by the government to achieve the target of 12.7 million hectares is IDR 4.15 trillion.

In addition to the budget issue, another problem also arises, according to Deny Rahadian, in the process of proposing social forestry, a problem arose, namely on a map that contains areas of state forest areas reserved for social forestry or called the Indicative Map of Social Forestry Areas (PIAPS). The determination of PIAPS is carried out by harmonizing maps owned by the Ministry of Environment and Forestry (LHK) with maps of non-governmental organizations or other sources. For example, from an area of 10 million hectares, 5.2 million have been harmonized. However, from this process, only 2 million hectares could enter PIAPS. Communities have difficulty proposing areas that are included as social forestry because PIAPS requires that the proposed area must be clean and clear (CnC).

There should be no overlap with permits in force in the area. In fact, very few areas have CnC land. Most of the maps proposed by the community inevitably conflict with other permits that have been issued, whether those are those given to companies or those owned by the government, such as conservation forests. Even though there are areas that are CnC, it is difficult for the community to access them because the land around them is land that already has a permit.

Until the end of 2020 entering 2021, the Director General of Social Forestry and Environmental Partnerships of the Ministry of Environment and Forestry, Bambang Supriyanto, said that the government had only realized 4.2 million hectares of land for social forestry, which originally targeted 12.7 million hectares. The form of acceleration that will be carried out by the Ministry of Environment and Forestry includes cooperation with the governor to accelerate the realization of the program. Then, with social forestry assistance to improve human resources for managing social forestry.

As shown in the picture of the achievements of the 2007-2021 Social Forestry Permit below:



From the figure it can be seen that the realization of Social Forestry which was initially targeted at 12.7 million hectares has only been realized 4,149,170 hectares or around 33% of the target to be achieved. Of the 4,149,170 hectares, it consists of (1) Village Forest (HD) with HPHD tenure or Village Forest Management Rights of 1,870,096 hectares; (2) Community Forestry (HKm), the permits given are IUPHKM or Community Forest Utilization Business Permits for an area of 838,310 hectares; (3) Community Plantation Forest (HTR), the permits given are IUPHHK-HTR or Business Permits for Utilization of Community Timber-Plantation Forest Products for an area of 350,812 hectares; (4) Customary Forests (HA), the tenure of which is the Determination of Inclusion of Indigenous Forests of 578,420 hectares; and (5) Forestry Partnership (KK) in the form of KULIN KK of 478,372 ha and IPHPS Partnership, Acknowledgment of Protection of Forestry Partnership and IPHPS or Permit for Utilization of Social Forestry Forest in Java Island of 33,159 hectares.

As in the 2014-2019 National Medium Term Development Plan (RPJMN), the Government of Indonesia has allocated 12.7 million ha for Social Forestry activities and 4.1 million ha for Agrarian Reform (RA) within forest areas. Agrarian Reform is a more just restructuring of land tenure, ownership, use, and utilization through Asset Management and accompanied by Access Management for the prosperity of the Indonesian people. To improve the social forestry program and Land Objects of Agrarian Reform (TORA) in forest areas. First, Optimizing opportunities for Social Forestry collaboration with other sectors. Second, recipients of Social Forestry permits need assistance. Third, decentralization of process authority and bureaucratic flow to the provincial and district/city levels as bodies that are closer to the existence of the Social Forestry area. Fourth, optimizing the role of social forestry assistants, foresters, and forestry extension officers in implementing and accelerating social forestry.

This is important because the Customary Forest program which is part of social forestry is intended to: (a) Reduce poverty and improve the welfare of people living in and around forest areas (b) Resolve tenure conflicts in forest areas, mainly through legalization and redistribution agrarian reform object land (TORA); (c) recognition of indigenous peoples' rights to customary forests by the regions; and (d) Return of forest and environmental quality. So that sustainable forest development can be achieved.

Therefore, in the future there are several obstacles that need to be considered in the management of customary forests including: First, there is no customary forest legality. The community is reluctant to take care of the legality of the customary forest, because in order to take care of the customary forest, the community must first submit the legality of their customary law community, after the customary law community exists, then they can apply for their customary forest. The length of the procedure is one of the obstacles (interview, Zulfahmi HR). Second, in the field, such as Kampar Regency, there is a dualism of ninik mamak in the village, so that forest management is sometimes misplaced. Third, increasing the capacity of human resources to assist indigenous peoples in managing customary forests. Apart from that, adding the capacity of assistants to be proportional to the area of the forest and those who must be assisted.

Given the importance of the assistance function for holders of the Social Forestry Management Agreement. Each of these matters requires assistance because they contain certain technical complexities. In the future, it is necessary to optimize the role of civil society organizations according to the goals of sustainable

development which can guarantee the achievement of the goal of handing over access to forest management into the hands of the community. Among other things, opening access to these civil society organizations as parties that can receive and enjoy the benefits obtained through community forestry activities with their assisted groups. Fourth, the budget, relatively limited program funding constraints. Fifth, apart from assistance and financing, in the future social forestry schemes including customary forests also need to be simplified. Society has a hard time classifying if there are too many schemes. In addition, the length of the permit chain extends from the level of forest farmer groups to the ministerial level.

3. The customary forest management model in the context of protecting and fulfilling the rights of indigenous peoples in Riau Province

Regarding the lack of implementation of customary forest management which is part of social forestry in Riau Province, in addition to the obstacles described above, it is also caused by several factors, including; difficulty determining the location of the land, sometimes the land given to the community is very difficult to reach, too far from community settlements and limited road facilities to open it and so on while it is difficult for the community to fulfill it (Interview with Riko Kurniawan), the commodities offered to the community are not of economic value, the planned activity program is not specific to social forestry, as well as the minimal budget allocation for social forestry activity programs. When referring to the target of social forestry in West Sumatra covering an area of 776.713 hectares with a budget requirement of IDR 30.6 billion. This means that with a larger social forestry target in Riau Province (1.42 million ha), at least the budget requirement can reach IDR 39.5 billion for the implementation of social forestry in Riau Province (Interview with Made Ali).

Therefore, if you hope that community participation in forest management, especially in the management of Village Forests (HD), Community Forests (Hkm), Community Plantation Forests (HTR), Partnerships and Customary Forests, can be maximized, then it is necessary to empower local communities or customary law communities. as the main actor in social forestry which so far has been felt to be very minimal, both involvement in policy formulation as well as assistance and utilization of forests at the site level (Riau Malay Customary Institution). Even though this is important for improving the welfare of the local community or customary law community, environmental balance and socio-cultural dynamics in the form of participation, both through local government regulations and policies.

The role of the community can be carried out if there is political will from the regional government which is manifested in the form of regulations, policies, budgeting and implementation. The community component alone will not be sufficient if it is not supported by the government and other components, namely regulations and policies.

Customary forest with a sustainable forest management system implemented in a state forest area or private forest/customary forest implemented by local communities or customary law communities as the main actors to improve their welfare, environmental balance and socio-cultural dynamics in the form of village forests, community forests, community forests Community Crops, Customary Forests and forestry partnerships. Customary forest management programs can provide three benefits, namely social benefits, economic benefits, and ecological benefits. The ecological benefits are mainly reduced forest destruction, reduced intensity of social conflict with the community, more open opportunities for work and business, as well as additional income for the community. In other words, the implementation of the customary forest program which is part of social forestry is a system of sustainable sustainable forest management implemented in state forest areas or private/customary forests. The executors are local communities with economic goals, creating jobs to improve local people's welfare, environmental balance, and social justice according to the principles of social forestry management, namely ecological, social, and economic management.

The concept of sustainable forest management is based on the fulfillment of the preservation of the three main functions of forests, namely (Alan Purbawiyatna et al, 2011: 85): (a) Ecological/Environmental Functions, forest ecosystems must support the life of healthy organisms, while maintaining productivity, adaptability and their ability to recover ; (b) Social Function, reflecting the relationship between the forest and culture, ethics, social norms and development. An activity is said to be socially sustainable if it conforms to ethics and social norms or does not exceed the local community's tolerance threshold for change; (c) Economic Function: Demonstrates that the benefits from the forest exceed the costs incurred by the management unit and equivalent capital can be invested from one generation to the next.

Ecological functions are elaborated according to the quality of natural resources, the environment and diversity to achieve a balance of sustainable development, in the context of the relationship between social and economic objectives economic policies are needed which include targeted government intervention, income distribution, job creation and subsidies for development activities that require it (Tutut Ferdiana, et al, 2017: 16). The social function is elaborated according to the elements of life security, equal access to basic services, democracy and participation, positive social interaction and the development of human values for a quality life.

While the economic function is elaborated as an element of wise use of natural resources, encouraging local economic utilization, developing economic added value and prioritizing ecological sustainability impacts (Tutut Ferdiana, et al, 2017: 16). The new paradigm rests on a balance between sustainability of ecological/environmental functions, social/cultural functions and economic functions of decentralized management of forest resources by building self-sufficient communities based on ecological justice.

To achieve this paradigm is necessary; (1) institutions based on good forest governance based on good governance in the management of forest resources based on: (a) legal certainty; (b) benefits and sustainability; (c) democracy and justice; (d) togetherness; (e) openness; (f) integration; (g) impartiality; (h) accuracy; (i) Accountability; (j) does not abuse authority; (k) public interest; (l) good service; (m) Participatory; (2)

Formulation of Forestry Legal Instruments based on Pancasila values, namely Divine values, Human values, Unity values, Community values and Justice values in regulating and managing forests in Indonesia; (3) Legal Culture through strengthening and regulating and empowering community participation through sustainable forest development and community independence in the forestry sector; (4) reorientation of forestry development goals towards balance and sustainability of ecological/environmental functions, social/cultural functions and economic functions in the management of forest resources in order to improve the quality of society, especially those living around the forest. Therefore there is a need for a Model in Participatory Customary Forest Management by emphasizing management based on the active participation of indigenous peoples in customary forest management.

III.CONCLUSION

Customary Forest Arrangements which are part of Social Forestry based on applicable laws and regulations as stipulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number 9 of 2021 Concerning Social Forestry Management which was previously regulated in the Regulation of the Minister of Environment and Forestry of the Republic of Indonesia Number : P.83/MENLHK/SETJEN/KUM.1/10/2016 concerning Social Forestry. Social Forestry is a sustainable forest management system implemented in state forest areas or private forest/customary forest implemented by local communities or customary law communities through the following schemes: (1) Village Forest (HD); (2) Community Forestry (HKm); (3) Community Plantation Forest (HTR); (4) Forestry Partnership; and (5) Customary Forest (HA). In addition, it is also regulated in Law Number 11 of 2020 concerning Job Creation, Paragraph 4 regarding Forestry between Article 29 and Article 30, 2 (two) articles are inserted, namely Article 29A and Article 29B, namely Article 29A regulates the Utilization of protected forests and production forests social forestry activities can be carried out.

Obstacles in the Management of Customary Forests which are part of Social Forestry so far in Riau Province include: First, there is no legality of customary forests. The community is reluctant to take care of the legality of the customary forest, because in order to take care of the customary forest, the community must first submit the legality of their customary law community, after the customary law community exists, then they can apply for their customary forest. Second, in the field there is still a *ninik mamak* dualism in the village so that forest management is sometimes misplaced. Third, increasing the capacity of human resources to assist indigenous peoples in managing customary forests. Fourth, the budget, relatively limited program funding constraints. Fifth, in addition to assistance and financing, social forestry schemes including customary forest management need to be simplified in the future.

To overcome the above obstacles, several things need to be done, including: first, the availability of an adequate budget provided by the government for social forestry programs, especially customary forests so that it has an impact on target achievement. Second, Licensing and administration are simplified and customary forest schemes are simplified so that they can be easily understood. Third, increasing the capacity of human resources for community assistance in social forestry management. Therefore there is a need for a Model in Participatory Customary Forest Management by emphasizing management based on the active participation of indigenous peoples in customary forest management.

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