

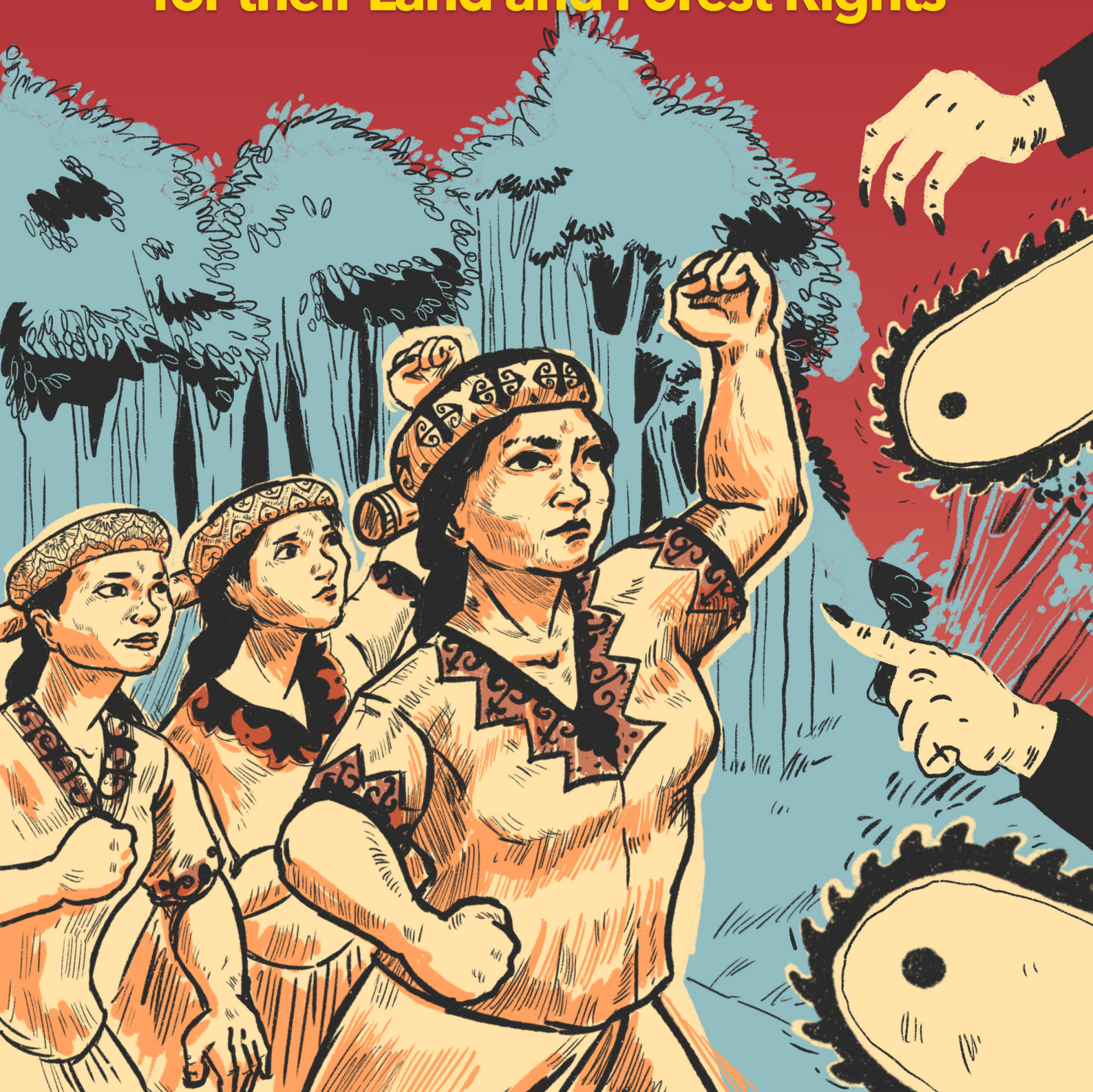


INDONESIA

Long Isun's  
Indigenous Women's

# Womaniifesto

for their Land and Forest Rights



# Indonesia's Indigenous Communities' Struggle Over Traditional Land and Forests

Despite being a young democracy, Indonesia's political life has had some prominent women leaders.<sup>1</sup> However, the overall level of female political participation remains low, with only 21 per cent of the Parliamentary seats being held by women in 2021.<sup>2</sup> Its progress towards reducing violence against women (VAW) is also inadequate, with street harassment, trafficking, domestic violence, child marriage and workplace harassment remaining pervasive.<sup>3</sup> Indonesia is home to 70 million Indigenous Peoples (IPs), accounting for around 19 per cent of its population.<sup>4</sup> Indonesia's indigenous women experience disproportionate levels of discrimination. More than one in every three indigenous women are raped during their lifetime, with a higher-than-average rate of maternal mortality.<sup>5</sup> The deepening state-corporate nexus in the country is increasingly violating indigenous women's environmental and socio-cultural rights as well.

Indonesia has not fulfilled its obligations under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),<sup>6</sup> which requires the country to protect the rights of indigenous communities including women. It has yet to pass a national legislation which would enable effective measures towards these ends. To the contrary, Indonesia's policies are favourable towards the business expansion plans of transnational corporations, which often encroach on the IPs' traditional lands and forests. In addition to deepening the climate change crisis, the corporate invasion of the IPs' natural resources also exacerbates the levels of domestic and unpaid labour that indigenous women must expend to ensure their households' and communities' survival, which depends on the natural stock of their environment.<sup>7</sup> Indigenous women are also at the forefront of mitigating the effects of climate change for their communities, by continually finding new and strenuous ways to secure clean food and water.<sup>8</sup> In addition to the economic and climate injustice, the appropriation of these natural resources by corporations, is leading to an erosion of biodiversity as well as the knowledge systems of IPs.

Indonesia's indigenous communities live in seven distinct customary territories, including Mamberamo Tabi (Mamta), Saireri, Domberai and Bomberai, Mee Pago and La Pago.<sup>9</sup>

<sup>1</sup> Dunstan, I. & Bhardwaj, G. (2019, May 20). *How Women are Transforming Indonesia*. Chatham House, The Royal Institute of International Affairs. <https://www.chathamhouse.org/2019/05/how-women-are-transforming-indonesia>

<sup>2</sup> UN Women. (n.d.). *Indonesia*. Women Count. <https://data.unwomen.org/country/indonesia>

<sup>3</sup> Dunstan, I. & Bhardwaj, G. (2019, May 20). *How Women are Transforming Indonesia*. Chatham House, The Royal Institute of International Affairs. <https://www.chathamhouse.org/2019/05/how-women-are-transforming-indonesia>

<sup>4</sup> Mamo, D., Berger, D. N., Bulanin, N., Garcia-Alix, L., Jensen, M. W., Leth, S., Madsen, E. A., Mamo, D., Parellada, A., Rose, G., Thorsell, S. & Wessendorf, K. (2022). *The Indigenous World 2022*. The authors and The International Work Group for Indigenous Affairs (IWGIA). <https://iwgia.org/en/documents-and-publications/documents/indigenous-world/english/603-iwgia-book-the-indigenous-world-2022-eng/file.html>

<sup>5</sup> UN Women. (n.d.). *Indigenous women's rights and activism*. UN Women. <https://www.unwomen.org/en/news/in-focus/indigenous-womens-rights-and-activism>

<sup>6</sup> Asia Pacific Forum of National Human Rights Institutions & Office of the High Commissioner for Human Rights. (2013). *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*. <https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf>

<sup>7</sup> AJAR. (2022, August 9). *Indonesia: The Role of Indigenous women in the land of Papua in striving for sustainable life and environment* (Press Release). AJAR. <https://asia-ajar.org/press-release/indonesia-the-role-of-Indigenous-women-in-the-land-of-papua-in-striving-for-sustainable-life-and-environment/>

<sup>8</sup> The World Bank. (2022, August 8). *Indigenous women leaders persevere amid a changing climate*. World Bank. <https://www.worldbank.org/en/news/feature/2022/08/08/indigenous-women-leaders-persevere-amid-a-changing-climate#:~:text=As%20traditional%20food%20providers%2C%20Indigenous,inclusive%2C%20gender%2Dresponsive%20approaches>

<sup>9</sup> Mamo, D., Berger, D. N., Bulanin, N., Garcia-Alix, L., Jensen, M. W., Leth, S., Madsen, E. A., Mamo, D., Parellada, A., Rose, G., Thorsell, S. & Wessendorf, K. (2022). *The Indigenous World 2022*. The authors and The International Work Group for Indigenous Affairs (IWGIA). <https://iwgia.org/en/documents-and-publications/documents/indigenous-world/english/603-iwgia-book-the-indigenous-world-2022-eng/file.html>

Long Isun is in East Kalimantan in Indonesia, in the Mahakam Ulu (Upper Mahakam) regency, upstream of the Mahakam river. Long Isun's forests span over 80,000 hectares, providing habitat to endangered species, whilst protecting residents from devastating floods, droughts and crop loss.<sup>10</sup> In 2014, the indigenous women

of Long Isun led a long struggle against a company called PT Kemakmuran Berkah Timber (KBT), a subsidiary of Rodamas Group, which was given a concession by the national Ministry of Forestry for timber logging near the community's sacred sites. This was done without the consent and knowledge of Long Isun's IPs. The concession gave KBT/Rodamas access to Long Isun's ancestral land, threatening wide scale deforestation. The national government tried to suppress the resistance of local indigenous groups through intimidation and imprisonment. To support the struggle, Long Isun's indigenous women, led by Ngayang Ding (Madam Beq), began mobilising local communities to demand the legal status of a Customary Law Community or MHA,<sup>11</sup> which would guarantee their autonomy over their ancestral land and forests. However, the national government of Indonesia continues to deny MHA status to the indigenous communities of Long Isun, despite it being constitutionally guaranteed.<sup>12</sup>



Ngayang Ding grew up in Long Isun. From a young age, she started mobilising her community against land grabbing. She has been an active member of the Womanifesto process, which has helped her to become more confident in expressing her political opinions and encouraging other women to do the same. Ngayang defeated four male candidates to become an elected member of the Village Consultative Body, and has emerged as a trusted community leader.

<sup>10</sup> Rainforest Action Network. (n.d.). *Long Isun fights for Borneo's vanishing rainforests*. RAN. <https://www.ran.org/campaign/long-isun-fights-for-borneos-vanishing-rainforests/>

<sup>11</sup> Customary Law Community is a technical, juridical term recognised in Indonesia's Constitution in Article 18b. It refers to a group of people living in a certain area traditionally (ulayat), with their resource-based traditional livelihoods and customary leadership, legal system and governance structure. Every province of Indonesia have their own Customary Law Community units, with distinct characteristics that have continued for hundreds of years. The abbreviation MHA refers to Masyarakat Hukum Adat, which is the name used to refer to the Customary Law Community in Bahasa/Indonesian.

<sup>12</sup> Prahara, Y. (n.d.). *Protecting the rights of Indigenous law community through recognition of MHA*. Borneo Nature Foundation. <https://www.borneonaturefoundation.org/news/protecting-the-rights-of-Indigenous-law-community-through-recognition-of-mha/>

# Womanifesto Journey



Photo: The indigenous women of Long Isun discussing the issues of their land and forest rights.

## Indigenous Women of Long Isun, East Kalimantan

Women are disproportionately impacted by government policies that destroy the access of indigenous communities to their land and forests. The indigenous women of Long Isun have resisted such policies to protect the resources that their livelihood and everyday sustenance depend on. In partnership with Perkumpulan Nurani Perempuan or PNP (an indigenous women's rights organisation), they continue to fight for their right to traditional land and forests against corporate capitalism. Womanifesto or a feminist manifesto of their demands on natural resource management in their customary areas, has been developed through a series of dialogues and community consultations, led by indigenous women leaders from Long Isun. The Womanifesto process strengthened the political and legal knowledge of indigenous women leaders, which they use to raise their voices more effectively to demand accountability from corporations that violate their rights and accelerate the global climate crisis through their irresponsible business practices. During the Womanifesto process, the indigenous women of Long Isun thwarted Rodamas' attempt of a fraudulent audit which led to Rodamas' licence being cancelled by the Forest Stewardship Council. However, the community is still wary of Rodamas' future plan of action and how it will impact their fight over their traditional land.

## Indigenous Women of Long Isun Raise Priority Issues

The Indonesian government is pursuing an extractivist model of development that is deepening structural inequalities of power and resource distribution in the country, disproportionately affecting indigenous communities. The priority issues and challenges emerging from such an anti-people regime, as identified by the indigenous women of Long Isun, are highlighted below:

❖ **Non-recognition of Long Isun as a Customary Law Community (MHA):** Non-recognition of Long Isun as a Customary Law Community (MHA) has posed great challenges for its peoples. It has allowed the national government to override the traditional and indigenous institutions of Long Isun, violating their human right to preserve and live according to their traditional socio-cultural and legal systems. Private capital interests have been given free reign to extract from Long Isun's forests and natural resources, which the local people and women have customarily preserved as sacred and life-giving and on which the survival of their economic and socio-cultural lives depend.

Lack of MHA status has allowed private companies to drive people away and cut off access from their own land and forests with impunity. Corporations are also commoditising the cultural knowledge and artefacts of the indigenous communities by patenting it for their own profits. Even though the Constitution of Indonesia recognises MHA in Article 18b paragraph (2), acquiring an MHA status has remained a challenge for several indigenous communities, including for the people of Long Isun. The national government has also tried to dilute the strength of MHA by introducing subsequent anti-people policies such as the Land Bill of 2019, which makes land grabbing easier for companies while making it harder for indigenous communities to rightfully claim their traditional lands and forests.<sup>13</sup> Further, one of the challenges in achieving MHA status for Long Isun is a border dispute with the village of Naha Aruq, which requires the involvement of local authorities for arriving at a peaceful resolution.

❖ **Criminalisation of indigenous communities:** The national government allowed KBT to enter and start activities on Long Isun's lands and forests, without even informing the local communities. When the people of Long Isun started efforts to resist this violation of their rights, they were met with violence and intimidation from KBT security personnel and local state actors. Their legitimate resistance was criminalised by the government, who continues to persecute and falsely implicate the leaders of Long Isun's struggle. The women of Long Isun continued to mobilise and raise their voices to protect their traditional land and forests, despite the continued threat and intimidation. Moreover, the continuous presence of security personnel has changed the structure of Long Isun's way of living, and the people are perpetually gripped in an environment of fear and threat.

❖ **Non-recognition of women's roles and voices in Long Isun's struggle:** Long Isun's women have led the people's struggle against mining and timber logging for many years now. Their role in the successes and continued efforts of Long Isun is central. Moreover, they have exerted their leadership without any formal titles or holding positions of power in local governance structures. Both national and regional governments also do not recognise the leadership and voices of women from indigenous communities, despite the central role played by women in managing, using and protecting traditional forests and lands.

<sup>13</sup> Mamo, D., Berger, D. N., Bulanin, N., García-Alix, L., Jensen, M. W., Leth, S., Madsen, E. A., Mamo, D., Parellada, A., Rose, G., Thorsell, S. & Wessendorf, K. (2022). *The Indigenous World 2022*. The authors and The International Work Group for Indigenous Affairs (IWGIA). <https://iwgia.org/en/documents-and-publications/documents/indigenous-world/english/603-iwgia-book-the-indigenous-world-2022-eng/file.html>

❖ **Economic marginalisation of indigenous women:** Long Isun's indigenous women depend on forest produce for their livelihood. They have been using cocoa, sugarcane and timber to make processed goods such as coffee powder, brown sugar and handicrafts. With the destruction of local forests, and destabilisation of traditional livelihoods, indigenous women have been trying to innovate and market their products in nearby cities. However, the market is monopolised by non-indigenous traders who commoditise indigenous culture and usurp profits from it. Thus, indigenous women are being economically marginalised on both ends - with a destruction of their traditional means of sustenance by transnational, extractive companies and the inability to cope with non-indigenous businesses that commoditise indigenous culture, without sharing gains with local communities.



Photo: Indigenous women of Long Isun formulating their Womanifesto demands.

# Womanifesto: Indigenous Women of Long Isun Demand the Fulfilment of their Right to their Traditional Land and Forests

*'After the women are actively involved in Womanifesto activities, they call their group DOH PEHENGKUNG which means women gather and agree to plan and implement their agenda.'*

Long Isun's indigenous women have a strong connection with their ancestral forests and land. It is their source of joy, health, livelihood and wellbeing. Leveraging their capabilities as mothers and nurturers, the indigenous women of Long Isun have claimed the forefronts of environmental protection of their areas, and have put forth the following demands:

- ❖ **Recognise Long Isun's status as a Customary Law Community (MHA):** Recognition of an indigenous community as a Customary Law Community, or MHA, grants IPs protection from discriminatory actions and facilitates their participation in development plans that affect their lives. Therefore, official recognition of Long Isun as an MHA by the Indonesian government, is the primary demand of Long Isun's people. An MHA status would strengthen people's autonomy to follow their traditional socio-cultural, legal and governance systems, while obliging the regional government to protect IPs' human rights.

A related demand is for procedural fairness and justice to be followed while making development plans that affect indigenous communities. Indigenous women of Long Isun demand for a Right to Free Prior and Informed Consent (FPIC),<sup>14</sup> which is an obligation of the Indonesian government under the UNDRIP. The demand is for FPIC to be incorporated as a standard process in decision making, so that the right of indigenous communities to give or withhold consent prior to the initiation of any project that may affect them is protected. FPIC would also enable indigenous communities to withdraw their consent at any stage if their terms and conditions are violated during project implementation.

- ❖ **Ensure peaceful and fair resolution of border dispute with Naha Aruq:** Local authorities must help facilitate a settlement of the village border dispute between Long Isun and Naha Aruq that is causing conflict between the two communities, and is an obstacle to achieving MHA status for



<sup>14</sup> Asia Pacific Forum of National Human Rights Institutions., & Office of the High Commissioner for Human Rights. (2013). *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions.* <https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf>

Long Isun. The women of Long Isun have been participating in meetings with neighbouring communities and approached the community leaders of Naha Aruq to settle the border conflict. Women have also secured the cooperation of Long Pahangai's<sup>15</sup> Sub-District Head, who has expressed solidarity for Long Isun's struggle for MHA status. Local authorities must support this process of resolution and facilitate a settlement of this dispute.

❖ **Ensure freedom from state-sanctioned violence:**

Until the MHA status is granted, indigenous women of Long Isun demand that the regional government provide a written assurance that the state forces will stop persecuting and targeting community leaders for vocalising legitimate demands of IPs. Furthermore, the national government should provide a decree, while the MHA status is under process, assuring that private companies will not be allowed to appropriate their lands and forests and use their security personnel to intimidate and threaten local people for rightfully resisting an occupation of their land and forests.

❖ **Ensure indigenous women's participation and leadership in decision-making processes:**

The historic and ongoing role played by the indigenous women of Long Isun in the region's struggle cannot be overlooked. Women have not only participated and led protests, but they have been instrumental in reducing the environmental damage caused by illegal mining and timber logging in their areas. Women have also played a significant role in the political life of the community, enabling solutions on issues such as cross-village border tensions. Their knowledge on biodiversity and natural resource management is also valuable, as women spend the most amount of time in contact with their environment. Therefore, the vital role of women in identifying issues and problem-solving has to be respected both by the male dominated, traditional governance structures of the community and in the negotiations with the Indonesian government. This would also ensure that decisions are gender-sensitive and effective for the women who disproportionately bear the costs of environmental damage.

<sup>15</sup> Long Pahangai is the district in which the village of Long Isun is located in Mahakam Ulu Regency, East Kalimantan Province.





❖ **Promote and protect indigenous women's enterprises:** The regional government must follow a strict policy of protecting and promoting indigenous women's production activities and enterprises. The local markets have an unequal playing field, with private, non-indigenous companies given free reign to appropriate and commoditise local cultural products, without any gains for indigenous communities. The regional government must provide subsidies, training and resources for indigenous women to produce their cultural and marketable goods at scale to compete in the market. Moreover, the regional government should also work closely with indigenous communities to understand their bio-diversity and introduce suitable agroforestry technology that enables sustainable and marketable produce in a way that preserves the environment and community's well being.





## About APWLD

The Asia Pacific Forum on Women, Law and Development (APWLD) is the region's leading network of feminist and women's rights organisations and individual activists. For over 35 years, we have been carrying out advocacy, activism and movement-building to advance women's human rights and Development Justice.

This publication is produced with support from the Norwegian Agency for Development Cooperation (Norad), Swedish International Development Cooperation Agency (Sida), Foundation for a Just Society (FJS), and Wellspring.

Written by: Priyanka Jain

Edited and Reviewed by: Kamakshi Amar, Zar Zar Tun (APWLD Programme Leads), and APWLD Secretariat

Designed by: A. Zarate

Year of Publication: 2023