Analysis on *Adat* Community's Rights to Customary Lands in Indonesia: An International Perspective

Dodik Setiawan Nur Heriyanto[1], Hanna Adistyana Hefni[2]

[1]Faculty of Law Universitas Islam Indonesia, Yogyakarta
[2]Base for International Law and ASEAN Legal Studies, United States of America
dodiksetiawan@uii.ac.id

Abstract. This paper explores recent developments worldwide, particularly Indonesia, on the protection of the rights of *Adat* people to their customary lands in Indonesia and analyses them from the international law perspective using Senama Nenek community *versus* PTPN V tenurial dispute. This paper uses a normative legal research method by examining and reviewing national and international legal instruments as well as literatures in the form of books and journals. This paper finds that Indonesia has legally adopted the norms and principles of respect and protection of human rights, both in general, and specifically related to *Adat* people. However, Indonesia emphatically needs to seriously implement and enforce regulations related to the protection of the rights of *Adat* communities to their customary lands and adopt the principles and norms contained in the ILO Convention 1989 (No. 169) and UNDRIP into the national law.

Keywords: customary lands; adat community; Senama Nenek

1. Introduction

"Land" as a territory has a very important meaning in defining the existence and sovereignty of mankind. Article 1 The 1933 Montevideo Convention on the Rights and Duties of States states that one of the four elements of recognition of the existence of a state by the international community is to have a defined territory as its jurisdiction which includes all residents of that state, both its citizens and foreign nationals domiciled in the jurisdiction of that state.

Recognising the importance of recognition of occupied territories encourages the creation of laws governing land tenure in various countries. Indonesia itself regulates land matters through the Second Book on Objects (*Van Zaken*) of the Civil Code or also known as *Burgerlijk Wetboek* (BW) and Law Number 5 of 1960 concerning Agrarian Principles (Agrarian Law).

Despite having a legal umbrella, there are still groups of people who base tenure rights on the land they occupy on the duration of time they inhabit the land, such as indigenous peoples. As a result, there are frequent seizures of customary land by plantation companies, both state-owned and private, under the pretext that indigenous peoples do not have legal documents on which to base tenure rights over customary lands.

A. A. Nassihudin et al. (eds.), *Proceedings of the 3rd International Conference on Law, Governance, and Social Justice (ICoLGaS 2023)*, Advances in Social Science, Education and Humanities Research 805,
https://doi.org/10.2991/978-2-38476-164-7_26

Indigenous peoples inhabit a certain area and practice their traditions for generations by living dependent on nature and developing unique and authenticity natural resource management systems. These characteristics make indigenous peoples seen as a group that is vulnerable to human rights violations, because indigenous peoples are considered to have no significant bargaining position in development, often even claimed to be ignorant and backward and often alienated from their own environment[i]. [1]

On 13 September 2007, the United Nations General Assembly adopted the United Nations Declaration on The Rights of Indigenous Peoples (UNDRIP) which recognises the rights of indigenous peoples to regulate, fully enjoy, jointly or individually all human rights and fundamental freedoms recognized in the UN charter. [2] This declaration provides for written recognition that indigenous peoples have an equal position as citizens and other populations, which means that indigenous peoples have the right to be free from all forms of discrimination in the exercise of their rights.

UNDRIP was signed by 144 countries, including Indonesia, considering that the provisions contained by UNDRIP are considered inclusive in accommodating the interests and demands of indigenous peoples, supported also by the provisions in Article 14.1 of the International Labour Convention No. 169 on Indigenous Peoples (ILO Convention 169) of 1989 which states that the tenure rights of indigenous peoples over the land they have traditionally occupied will be recognised.

With the recognition from the international community of indigenous peoples' rights, especially customary lands rights, this paper intends to explore and review the provisions related to the protection of indigenous peoples' rights in Indonesia from an international law perspective using the case study of Senama Nenek *Adat* people against PT. Perusahaan Nusantara (PTPN) V in Riau.

2. Problems

Based on what is provided on the introduction, this paper would like to discuss whether the Indonesian government's policy on the protection of customary land has followed the international legal instruments' suggestions and met the needs of indigenous people to freely utilise their customary land?

3. Method

This paper uses normative legal research method in which research is conducted by examining and reviewing literatures. The normative legal research method is selected because this paper intends to conduct a substantive review of norms by using research materials in the form of primary legal materials, both international legal instruments namely the United Nations Declaration on the Rights of Indigenous People and International Labour Organisation Convention No. 169 1989, Indonesian national legal instruments such as Indonesia 1945 Constitution, Agrarian Law, and

Presidential Regulation No. 86 Year 2018 concerning Agrarian Reform, as well as secondary legal materials consisted of books, journals, and teaching materials related to the issues in this study.

4. Discussion

4.1. Tenurial Dispute Between Senama Nenek *Adat* Community and PTPN V and Its Settlement

Senama Nenek is a village in Tapung Hulu District, Kampar Regency, Riau Province, Indonesia, whose community members still apply the values of Kenagarian Senama Nenek Customs. On October 21, 2013, the *Adat* Community of Senama Nenek clashed with PTPN V, a subsidiary of PTPN III, a state-owned enterprise engaged in the management, processing, and marketing of plantation commodities. The clash resulted from a land dispute that has lasted for more than 20 years between the two sides, where PTPN V is known to control and manage 2,800 ha of land to develop oil palm plantations, which according to the Senama Nenek community, the land managed and exploited by PTPN V, is the customary land of the Kenagarian Senama Nenek community.

PTPN V started its business activities in Riau province in 1983. Their activities is justified based on the Decree of the Minister of Agriculture Number 178/KPTS/UM/III/1979 concerning the Development Area of P.N/P.T Perkebunan issued on 17 March 1979 to open plantation areas in the Riau region in order to increase non-oil and gas export yields by increasing plantation production through the expansion of new areas and the acceleration program of plantation sub-sectors to increase foreign exchange, and Riau Governor Decree No. Ktps.131/V/1983 of 1983 concerning Land Reserve for Oil Palm and Rubber Plantations covering an area of more than 30,000 ha in Tandun and Siak Hulu Districts, Kampar Regency managed by PT. Perkebunan II Tanjung Morawa.

The Riau Governor Decree No. Ktps.131/V/1983 of 1983 is the main actor that caused the conflict between the Senama Nenek *Adat* community and PTPN V that began in 1990. As PTPN V has obtained the permit from the Riau provincial government, the enterprise started cultivating the land from Tandun to Senama Nenek village without any notification to village officials or the *Adat* leaders of Senama Nenek. The cultivation included land owned by about 40 other residents who received compensation. Meanwhile, 2,800 ha^2 of land owned by the Senama Nenek community did not receive compensation [3]

The people of Senama Nenek village began to question the cultivation of this land to the Senama Nenek village government and *ninik mamak* (a customary institution consisting of several rulers who come from various tribes or clans in Minangkabau tribes) *Adat* Kenagarian Senama Nenek. The community felt that the land is their customary land that should be managed by the community. The *ninik mamak Adat* Kenagarian Senama Nenek then went to the Regent and House of Representatives of Kampar Regency hoping that the customary land covering an area of 2,800 hectares to be handed back to the Adat Community for the benefit of the

local community. Instead, the Minister of Forestry issued the Decree of the Minister of Forestry Number: 403/KPTS-II/1996 concerning the Release of 32,235 hectares of Forest in the Lindai River, Tapung Kiri, Kampar Regency Forest Group and the land dispute between Senama Nenek community and PTPN V continued until 2013.

Regarding the land dispute between Senama Nenek community and PTPN V as explained earlier, the Governor of Riau once recommended that the disputed land be handed over to the community. PTPN V then sent a letter to the Ministry of SOEs as a shareholder to follow up on the recommendation from the Governor of Riau. However, the Minister of SOEs and Commission VI of the House of Representatives of the Republic of Indonesia stated that they refused to hand over the area and suggested that the settlement of disputed land be resolved through legal channels. [4]

On November 28, 2007, a meeting was held at the Arya Duta Pekanbaru hotel to discuss the land dispute between Senama Nenek Community and PTPN V. This meeting resulted in several points, namely:[3]

a. Agree on the settlement of plantation cases on customary land;
b. Matters concerning land status and extent follow BPN's regulations;
c. The settlement of the case in point 1 is scheduled to be completed since the formation of the taskforce; and
d. All costs in this settlement process are covered by PTPN V which is calculated later to become co-financing.

By holding this meeting, Senama Nenek community felt that it found a bright spot and entrusted the Public Accountability Committee (PAP) of the Regional Representative Council (DPD) RI from Riau Province to encourage the resolution of land disputes that occurred between Senama Nenek community and PTPN V.

In 2007, it was agreed between a team formed by the Governor of Riau and related parties that the land be handed over to the community. Even an inventory of land boundaries has been carried out by State Land Agency of Riau Province with Letter Number 600/367/IV/08 regarding the Affirmation of An Area of 2,800 Ha of PTPN V plantation in Sungai Kencana, Senama Nenek village, which concluded that: *first*, according to the conclusions on Tuesday, January 22, 2008, a field inventory of PTPN V plantation area in Senama Nenek village was carried out in order to solve the land problem between Senama Nenek community and PTPN V by guiding the Land Plot Map on behalf of PT. Perkebunan Nusantara V dated 26-7-1999 with DI 302 No.9/99 dated 6-3-1999 and inventory activities are carrying out boundary reconstruction of an area of 2,800 Ha which is the area from the land plot map as referred to in number 1. [3]

Although land boundary measurements have been carried out by the State Land Agency of Riau Province, PTPN V in fact still controls the disputed land which caused tension with the Senama Nenek community again. In July 2009, the Minister of SOEs sent a letter to the Bangkinang District Court to mediate the land dispute with Senama Nenek Community. However, before mediation started, the Bina Mandiri KUD representing 1,400 Senama Nenek residents filed a lawsuit against

PTPN V in Bangkinang District Court. KUD or Koperasi Unit Desa (Village Unit Cooperative) is a cooperatives in rural areas engaged in providing the needs of rural communities related to agricultural activities. On this matter, the panel of judges declared the plaintiff's claim inadmissible.[5]

After that, in 2011 there were also 2 lawsuits against PTPN V in Bangkinang District Court, but in the court process, the plaintiff withdrew the lawsuit due to lack of written evidence from *Adat* community side.[3] Subsequently, the Senama Nenek community occupied the disputed land from July to October 2012. The Senama Nenek community and the company later agreed to solve the clash through mediation process facilitated by the Regional Representative Council, the Ombudsman, Human Rights Commission, and the local government.[3]

The mediation was held on July 16, 2012, attended by representatives of Senama Nenek community, village apparatus, House of Representative of Kampar regency, and PTPN V themselves where both parties, Senama Nenek community and PTPN V, have agreed to solve this tenurial dispute through cooperative scheme known as *Kredit Kepada Koperasi Primer untuk Anggotanya* (KKPA) or Credit to Primary Cooperatives for Their Members. [6] Kredit Kepada Koperasi Primer untuk Anggotanya (KKPA) or Credit to Primary Cooperatives for Their Members is a form of credit scheme with soft terms provided by the government through PT (Persero) Permodalan Nasional Mandiri (PT. PNM) to primary cooperatives which are then distributed to their members where KKPA distribution with partnership programs is a must, because the KKPA scheme requires a plasma-core pattern. Therefore, the current implementation of KKPA distribution is oriented more towards the pattern of forming vertical integration of a type of agribusiness chain.

However, conflict and tension raised again between the conflicting parties due to PTPN V breached the agreement of not operating in the conflicting area until there is a fixed decision from the government concerning the status of the land. Hence, the second mediation is held on October 23-24, 2012, resulted in both parties agreed to resolve this dispute by finding replacement land and forming an Integrated Team for the Acceleration of Development/Procurement of Oil Palm Plantations of Senama Nenek village, Tapung Hulu District, Kampar Regency with KKPA scheme based on the Decree of the Regent of Kampar No: 500/adm-EK/114 dated March 26, 2013 to accelerate the realization of land dispute resolution and also PTPN V subsequently formed an internal team as land finder.[3]

Unfortunately, the agreement between Senama Nenek community and PTPN V has not even been realised, the conflict recurred due to Senama Nenek community occupied the disputed land again for 4 weeks. This resulted a clash between Senama Nenek community and PTPN V employees and police officers on October 21, 2013, where 1 person was reportedly hit by gunfire, dozens of people were injured, and 38 residents involved in the riot were detained by the police.[7]

On May 5, 2019, President Joko Widodo chaired a limited meeting related to the settlement of land disputes between the Senama Nenek community and PTPN V. In the meeting, President Joko Widodo mandated that the disputed land that had been controlled and managed by PTPN V since 1994 be returned to the Senama Nenek

community within two months, or else he would revoke their concession permit.[8] The decision of the limited meeting was followed up on May 29, 2019, by the board of directors of PTPN V by holding an internal meeting regarding the Approval of Disposal of Plantation Fixed Assets in Sungai Kencana and Sungai Terantam.[9]

As a result, PTPN V returned the disputed land to the state through the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency on June 10, 2019, which was enhanced by Minutes of Return No. 5/SPR/BA/01/VII/2019 on July 5, 2019, which is the implementation of the Land Redistribution program for the Object of Agrarian Reform as stipulated in Presidential Regulation Number 86 of 2018 concerning Agrarian Reform. Furthermore, PTPN V also assisted the Senama Nenek community in establishing the Koperasi Nenek Eno Senama Nenek (KNES) which accommodates community associations in terms of plantation management accompanied by PTPN V in terms of management.

Finally, on October 16, 2019, PTPN V signed a Memorandum of Understanding (MoU) with the Senama Nenek community represented by KNES. The MoU was signed by the President Director of PTPN V, Jatmiko K. Santosa, and was witnessed by the Regent of Kampar, the Regional Head of the National Land Agency, PPTN V representatives, the KNES representatives, the Head of the Kampar Plantation, Livestock and Animal Health Office and the Head of the Kampar Cooperative and UMK Trade Office.

The series of land dispute settlements between the Senama Nenek community and PTPN V was completed by the handover of 1,385 land certificates on an area of 2,571.01 Ha to the people of Senama Nenek village through several community representatives at PTPN V Sungai Kencana plantation, Tapung Hulu District, Kampar, Riau, with a note that the certificates handed over had clauses cannot be traded within 10 years. This is so that the community can manage the land that is owned well and is able to produce. [10]

4.2. *Adat* Community's Rights on Customary Lands in Indonesian Legal Framework from International Perspective

Indonesia, in nature, uses the term of '*Masyarakat Hukum Adat*' or 'Customary Law People' or also known as '*Adat* people' and not 'indigenous People'. According to the Indonesian Ministry of Foreign Affairs final report on *Reviu Kebijakan Kemitraan: Kajian Masyarakat Hukum Adat Indonesia dan Strategi Kebijakan Untuk Penguatan dan Perlindungan Hukumnya*, argues that [11]

> "*Indigenous Peoples do not exist in Indonesia, because Indonesian people who currently run the government are not colonizers/colonialism/migrants, and indigenous peoples cannot be equated with Masyarakat Hukum Adat which is known, recognized, and regulated in various Indonesian domestic regulations. MHA Indonesia, known as 'tribal peoples' or 'traditional law community', has a different definition and characteristics from indigenous peoples…*"

Hence, their rights to customary lands fundamentally recognised within the Indonesian legal framework and contained in Article 18B of the 1945 Constitution which reads:

"*(1) The State shall recognize and respect units of regional governments of specific or special nature which shall be regulated by laws.*
(2) The State shall recognize and respect entities of the adat law societies along with their traditional rights to the extent they still exist and are in accordance with the development of the society and the principle of the Unitary State of the Republic of Indonesia, which shall be regulated by laws."

And Article 28I paragraph (3) 1945 Constitution that states, "*The cultural identity and the right of traditional societies shall be respected in harmony with the development of the age and civilization.*" Furthermore, Indonesia's recognition of customary laws in regulating customary lands is derived from the Agrarian Law contained in the Agrarian Law Preamble which states that,

"*Weigh:... c. that the agrarian law has a dualistic nature with the enactment of customary law in addition to agrarian law based on Western law;... Argue: a. that in connection with the above considerations there is a need for a national agrarian law, based on customary law on land, that is simple and guarantees legal certainty for all Indonesian people, without neglecting elements that rely on religious law;...*"

And in point III number (1) General Explanation of Agrarian Law which reads,

"*…By itself, the new agrarian law must be in accordance with the legal consciousness of the masses. Since the Indonesian people are largely subject to customary law, the new agrarian law will also be based on the provisions of customary law, as the original law, refined and adapted to the interests of the people in the modern State and in relation to the international community, and adapted to Indonesian socialism. As is understandable, customary law in its growth is inseparable from the influence of politics and capitalistic colonial society and feudal swapraja society, that is territories or regions that have self-governing rights. The term is used as an equivalent to the Dutch colonial term, zelfbestuur...*"

The recognition of customary laws as the legal basis for regulating customary lands owned by *Adat* peoples does not make customary laws higher than Indonesian national laws. This is as stipulated by Article 3 of the Agrarian Law, that taking into account the rights of the Republic of Indonesia in controlling the earth, water, and space, including the natural wealth contained therein to achieve the greatest prosperity of the people in the sense of nationality, welfare and independence in society and the Indonesian legal State that is independent, sovereign, just and prosperous, the implementation of customary rights and similar rights of customary law communities, so far as it exists, it shall be in such a way as to be in the national interest and the State, which is based on the unity of the nation and shall not contradict other higher laws and regulations.

Furthermore, recognition of *Adat* people's rights to customary lands is also regulated through Article 6 paragraph (2) Law Number 39 Year 1999 concerning Human Rights, Minister of Home Affairs Regulation Number 52 of 2014 concerning Guidelines for Recognition and Protection of Traditional Law Community which is

based on Law Number 32 of 2004 concerning Regional Government and Law Number 6 of 2014 concerning Villages.

In addition, in 2019, the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency issued Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 18 of 2019 concerning Procedures for Customary Land Administration of the Unity of Customary Law Peoples in which Article 2 paragraph (1) of this regulation reads, "*the implementation of the Customary Peoples' Unitary Right to Land in its territory as long as it exists, shall be carried out by the relevant Customary Peoples Unit in accordance with the provisions of local customary law*."

Despite showing its good faith in the promotion and protection of *Adat* communities' rights, Indonesia is known for not ratifying the ILO Convention 1989 (No. 169) into its legal system and signed UNDRIP with reservation. Indonesia argues that UNDRIP does not provide a clear definition of indigenous peoples, hence they refer to ILO Convention 1989 (No. 169) that clearly distinguishes Indigenous Peoples and Tribal Peoples/Traditional Law Communities. Also, according to Indonesian MOFA, some of UNDRIP provisions are considered irrelevant for the recognition and protection of Indonesian *Adat* community, such as the rights to self-determination and right to autonomy or self-government in matters relating to their internal and local affairs which govern under Article 3 and Article 4 of UNDRIP which are not suitable to Indonesian *Adat* communities.

Surprisingly, a universal periodic report submitted by Aliansi Masyarakat Adat Nusantara to OHCHR in 2016 says otherwise. Indonesian government has repeatedly use the term of indigenous people to define *Adat* people in international-levelled documents such as in Letter of Intent between the Norwegian and Indonesian Governments for cooperation on REDD signed on 26 May 2010, the Forest Investment Plan (FIP) 2012, and the 5th National Report to the Convention on Biological Diversity in 2015 [12].

From the same report, Indonesian Constitutional Court is found to acknowledge the rights of indigenous peoples that are regulated in both ILO Convention 1989 (No. 169) and UNDRIP on its court ruling number 35/PUU-X/2012 where the court rules that customary forests are forests located in customary territories, and are no longer state-owned forests.[12] Moreover, Indonesian government argumentations appear to be unsuitable when it comes to Papuan indigenous people, especially when Article 1 Number 22 Law Number 2 Year 2021 concerning Special Autonomy for Papua Province defines that, "*indigenous Papuans are people who come from the Melanesian racial group consisting of indigenous tribes in Papua Province and/or people who are accepted and recognized as Indigenous Papuans by the Indigenous Papuan Community*."

Therefore, Indonesian government's statement regarding there is no indigenous people in the archipelago does not seem reflecting the actual domestic situation and condition. This leads to series of question regarding why Indonesian government refuses to ratify ILO Convention 1989 (No. 169) nor would they sign UNDRIP without reservation. Nevertheless, under the leadership of President Joko

Widodo, Indonesia government took a big leap in resolving one of numerous customary lands conflicts in Indonesia. Hence, it is expected that step can be followed with other actions such as passing into law the Law on *Masyarakat Hukum Adat* that may provide legal certainties for *Adat* people, especially concerning customary lands.

5. Conclusion

The fundamental rights of communities that follow traditional or Adat law to their customary lands are recognized under international and Indonesian law. The ILO and UNDRIP conventions offer international recognition of these rights. Likewise, the Indonesian legal framework is founded in Article 18B and Article 28I paragraph (3) of the Indonesian Constitution and the inferior laws derived therefrom.

However, the fact is that there are still many *Adat* Communities that have had their customary lands seized, including the Senama Nenek community illustrates the ineffectiveness of the existing law. The settlement of the customary land dispute between the Senama Nenek community and PTPN V finally occurred after President Joko Widodo ordered PTPN V to hand over the disputed land back to the Senama Nenek community with a settlement period of two months.

The length of the dispute that occurred between Senama Nenek community and PTPN V until the dispute resolution was reached shows that the Indonesian government is indifferent regarding the protection of the rights of Adat Communities to their customary land. In addition, Indonesia also failed to ratify the 1989 ILO Convention on unspecified national interest' grounds, and signed UNDRIP subject to a note. Therefore, judging from its national laws and regulations, Indonesia has legally adopted the norms and principles of respect and protection of human rights, both in general, and specifically related to Adad Communities.

Tangibly, Indonesia needs to focus attention on the welfare of Adat communities and seriously implement regulations related to the protection of the rights of these communities to their customary lands. Indonesia basically already has a draft law on Adat communities. It is expected that this draft law will adopt the provisions and norms contained in the ILO Convention 1989 (No. 169) and UNDRIP which have been adjusted to the 'national interest' but still pays attention to the best interest of protected communities in Indonesia and be enforced immediately so that these communities have their own legal umbrella to protect their rights.

References

[1] M. El Muhtaj, *Dimensi-dimensi HAM: Mengurai Hak Ekonomi, Sosial dan Budaya*. Jakarta: Rajawali Press, 2008.

[2] A. Asriati and M. Z. Muhdar, "Studi Perbandingan Hak-Hak Masyarakat Adat: Hukum Nasional Dan Hukum Internasional," *PETITUM*, 2020, doi: 10.36090/jh.v8i2.768.

[3] P. Wati and A. Jalil, "Konflik Lahan di Desa Senama Nenek Kecamatan

Tapung Hulu Kabupaten Kampar (Kasus Konflik Tenurial)," *Dr. Diss. Riau. Univ.*, 2017.

[4] Y. Kausar, Zaleha and Andriani, "Conflict Mapping Analysis and Description of Conflict over Oil Palm Plantation Land between the Community of Senama Nenek Village and PTPN V Sei Kencana in Kampar Regency," *J. Agribus. Community Empower.*, vol. 5, no. 1, p. 53, 2022.

[5] M. Herlon, F. Restuhadi, and R. Yulida, "Social Network and Land Conflict in Rural Communities (Case Study in Senama Nenek Vilage Tapung Hulu Sub Regency Kampar Regency)," *J. Soc. Econ. Agric.*, vol. 6, no. 1, p. 10, 2017.

[6] Kausar, Y. Andriani, and H. R. Pratama, "Social Movement Strategy and Plantation Land Conflict Resolution Community-Based Approach Between Communities of Senama Nenek Village Towards PTPN V Sei Kencana, Tapung Hulu District, Kampar Regency," *J. Ilm. Mhs. Agroinfo Galuh*, vol. 10, no. 2, p. 1114, 2023.

[7] Banda Haruddin Tanjung, "Bentrok dengan Warga, PTPN V Klaim Pemilik Lahan," *Sindo News*, 2013.

[8] B. M. Dwijananti, "Reforma Agraria Untuk Masyarakat Adat: Redistribusi Tanah di Desa Senama Nenek, Kecamatan Tapung Hulu, Kabupaten Kampar," Sekolah Tinggi Pertanahan Nasional, 2020.

[9] F. B. Anggoro, "Wagub Riau Sesalkan Bentrokan Berdarah di Kampar," *Antaranews*, 2013.

[10] Humas PTPN V, "Tak Hanya Warga Desa Senama Nenek, Sejumlah Sertifikat Tanah Diserahkan ke Warga Rohul dan Pelalawan, 26," *PT. Perkebunan Nusantara V*, 2019.

[11] Indonesian Ministry of Foreign Affairs, "Partnership Policy Review: A Study of Indonesian Customary Law Peoples and Policy Strategies for Their Legal Strengthening and Protection," Jakarta, 2022.

[12] Aliansi Masyarakat Adat Nusantara, "Indigenous Peoples in Indonesia," *Universal Periodic Review of OHCHR*, 2017.