LEGAL ASPECT OF PARTICIPATORY MAPPING
on Formalising Right of Indigenous Community to Land in Indonesia

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Protection of **INDIGENOUS COMMUNITY**

- Conversion of rights based on Agrarian Principle Act of 1960
- Indigenous community forest based on Forestry Act of 1999 and its judicial review
- Regional (2004) and Village (2014) Governance
Regulated **PARTICIPATORY**

- Article 11 of Geospatial Information Act: individual, group of people or corporate can participate in surveying and mapping activities
- Article 18.1 of Governmental Decree on Land Registration: adjudication
- Article 54 (competence qualification) and Article 56 (requirements for corporate) of Geospatial Information Act
- Minister decree on working competence standard

Put **IN MIND**

- Most indigenous people lack of surveying skill
- Formal boundary means legal boundary → adjudication
- Article 21 of Geospatial Information Act: legal boundary shall be created based on documents expressing clear boundary definition set up by public institution in-charge
Standard Operating PROCEDES

Policy Making

- Establish working group comprises of government institutions, indigenous community and NGOs
- The working group identify boundary based on socio-cultural and physical characteristic by adopting adjudication principle
- Boundary is legalised by means of regional government regulation, which includes spatial and textual description of area that should be developed based on SOP in Participatory Mapping

Standard Operating PROCEDURES

Participatory Mapping

- The working group collaborate with experts on surveying and mapping to map the boundary
- The working group creates boundary map
- The map should be evaluated by BIG
CONCLUSION

SOPs can’t be immediately applied
- Coordination among the proposed members of working group should be initiated
- Standards on participatory mapping should be developed

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