



SURVEYING & CADASTRE RESEARCH DIVISION
FACULTY OF EARTH SCIENCES AND TECHNOLOGY
INSTITUT TEKNOLOGI BANDUNG

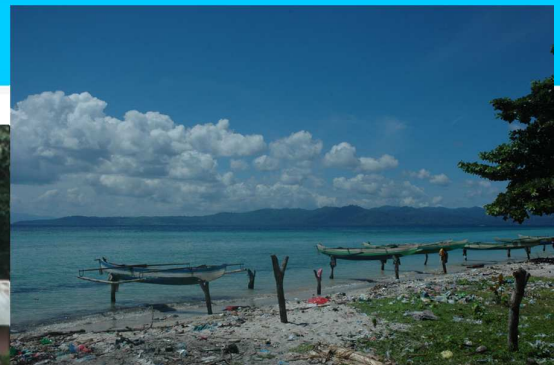
LEGAL ASPECT OF PARTICIPATORY MAPPING

on Formalising Right of Indigenous Community to Land in Indonesia

**Rizqi ABDULHARIS , Andri HERNANDI, Asep Yusup SAPTARI
and Alfita Puspa HANDAYANI INDONESIA**



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INTRODUCTION (2)



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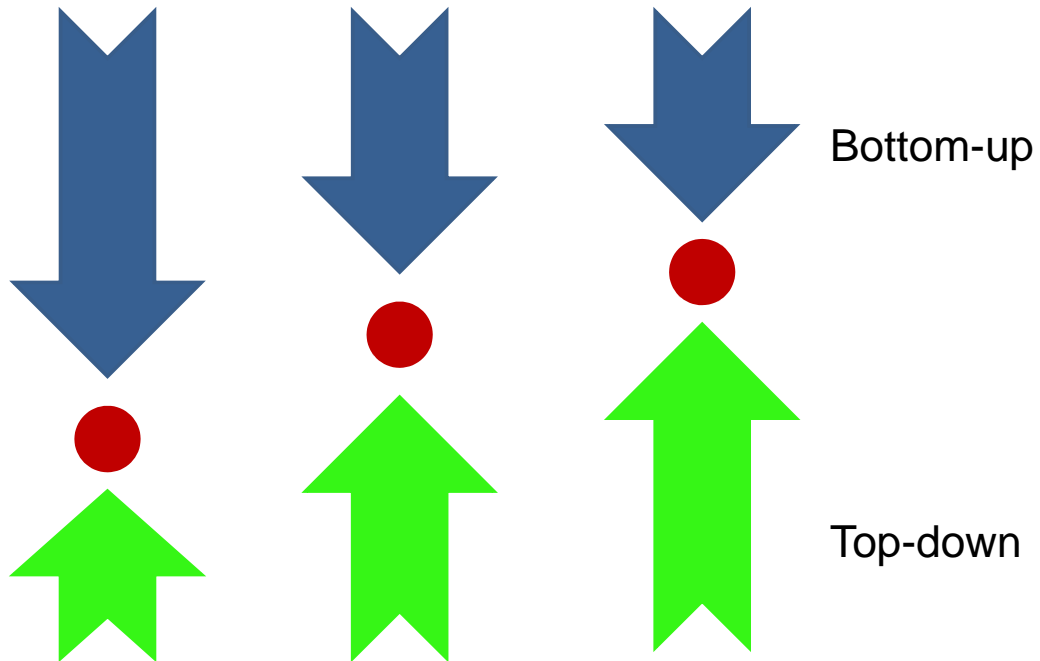
EXISTING EFFORT



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PARTICIPATORY



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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

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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

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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

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Standard Operating **PROCEDURES**

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

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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

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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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