Summary of Presentation on Gender and Land Tenure Rights of Indigenous Women in Indonesia

Who are the IPs in Indonesia?
These are people who live in their ancestral origin; live in specific geographical area, have a distinct value and socio-cultural system. They have sovereignty over their lands and natural resources; have control and can take care of their survival by means of customary laws and constitutions.

(Based on the 1st Congress of AMAN in March 17, 1999)

Based on the above definition, there are 50-70 million indigenous peoples in Indonesia

What are the characteristics of Indigenous peoples in Indonesia?
The basic characteristic that distinguish indigenous peoples from others is their ancestral heritage. They also share the same cultural identities, spiritual values, norms and language.

Indigenous peoples have their own knowledge system also called traditional wisdom. They live in their ancestral domain which include land, forest and other resources. These domains however do not only provide goods but also religious and socio-cultural systems.

Gender issues and problems in Indonesia
- Indigenous peoples are not fully involved in making decisions
- The state laws are still bias against IPs in Indonesia to wit: 1) there is no law that recognize and protect IPs rights in Indonesia 2) Marriage laws seem to reinforce gender bias: such that men are seen as the “householder” and women are plain housewife (Article 31, UU No1/1974 3) Bias against the practice of religion. The Indonesian Republic Constitution 05 1945 Article 29, clause 2 only recognizes religions such as Moslem, Christian, Catholic, Hindu and Buddhist. Meanwhile the tribal religion which appreciates the concept of gender is not recognized.

Problems of Indigenous Women in relation to land Rights in Indonesia
- The law on land inheritance still favors the men
- There is no recognition of women's knowledge on natural resource management
- The massive natural resources exploitation in indigenous peoples' forests have been impacting the livelihood and health of indigenous women
- Conservation efforts of government in terms of protected areas, natural parks are in the territories of indigenous peoples
- The struggle of indigenous women in influencing the government still has not been solid
- The lack of indigenous women's knowledge on customary law and state law that protects the rights of indigenous women

Pre-requisites required by Indigenous Peoples
Make sure that the rights of indigenous women are recognized:
• Consultations must be strengthened among indigenous women.
• Full and effective involvement in the processes must be ensured especially in relation to indigenous peoples rights to customary territory, cultural and traditional knowledge of women.