

Land Conflict Resolution Efforts Of The Laman Kinipan Indigenous Community In Lamandau Regency By Alliansi Indigenous Peoples Of The Archipelago (Aman) To Support National Security

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Abstract

Issues regarding security have always been a trending topic to be discussed, especially topics concerning matters that may cause conflicts of interest. Security studies that discuss security elements continue to be developed by various stakeholders. Security within the Archipelago To achieve comprehensive national security, these elements of national security must be implemented in policy formulation. Land conflict is a threat to two elements of national security, namely human security and environmental security. The escalation of the potential threat of conflict shows a very significant increase, so it is necessary to look for a solution so that it does not develop into a vertical or horizontal conflict. This problem affects the security of human citizens and the threat of environmental damage due to destruction of forest areas due to deforestation is a form of threat to these elements of national security. This study aims to unravel the land conflict resolution efforts of the Laman Kinipan Indigenous Community in Lamandau District by the Alliance of Indigenous Peoples of the Archipelago. Qualitative research methods use a case study approach. Data collection techniques were in the form of interviews with the Indigenous Peoples Alliance of the Archipelago of Central Kalimantan, the Central Kalimantan Indonesian Forum for the Environment, and the Indigenous Territory Registration Agency as well as data collection through literature study techniques. The research shows that steps of AMAN and the Coalition of Justice for the Kinipan fighting for the liberation of indigenous peoples from various forms threats to human security, such as demanding the release of Effendi Buhing and the indigenous youth of Kinipan, and various other actions is an effort to guarantee human rights for the community Kinipan custom. This also makes indigenous peoples free from fear threat to human security. Until now, the expected form of output is recognition as a customary law community legitimized by the Regional Government Lamandau Regency, there is a decree from the Ministry of Environment Life and Forestry, and the realization of national security by the Community The adat of Laman Kinipan still cannot be felt by indigenous peoples. The output that has not been felt by the beneficiaries is Indigenous Communities The Kinipan page shows the implementation of this national security has not materialized. The conclusion is with the efforts of the Alliance of Indigenous Peoples of the Archipelago in resolution of the Laman Kinipan Land conflict with the stages of community organizing, visioning, planning, and implementation and evaluation to realize national security by being linked through elements of environmental security and human security.

Keywords: *Conflict Resolution, Alliance Of Indigenous Peoples Of The Archipelago, Laman Kinipan Indigenous Community, National Security.*

INTRODUCTION

Security itself is closely related to individual and state conditions. Individual security is related to the factors of life, health, position, wealth which become social problems as a form of threat (Buzan, 1991). There are three foundations for national security, namely the ideational basis which includes "nationalism", the institutional basis which includes state mechanisms, legal provisions, procedures and state norms and the physical basis which includes population, territory and all resources. Therefore, national security can be defined as how a country maintains social order to ensure the safety and welfare of its people, especially from outside disturbances (Buzan, 1991). In realizing comprehensive national security, the government

needs to carry out several ideal functions such as national defense, state security, public security and human security (Sударsono, 2007). When several functions such as public security and human security are not fulfilled, that's when conflicts can arise.

KPA provides data that during 2020 (Konsorsium Pembaruan Agraria, 2020) one of the land conflicts that will still occur in 2020 is a land conflict involving the Laman Kinipan customary community. The Laman Kinipan customary community is one of various indigenous communities registered by the Indigenous Territory Registration Agency. The Laman Kinipan indigenous community in the village of Kinipan, Batang Kawa District, Lamandau District, Central Kalimantan Province. Sourced from the website of the Indigenous Territory Registration Agency, the Laman Kinipan indigenous people have an area of 16,132 hectares with geographical conditions in the form of hills. The area includes the area of the village of Kinipan and customary forests. The background to this conflict was the existence of a permit granted by the Ministry of Environment and Forestry in the case of releasing a forest area of 19,091 hectares through a letter number 1/I/PKH/PNBN/2015 on March 19 2015. In addition, there is also a Decree of the Minister of Land and Governance Room / Head of the National Land Agency (ATR/BPN) Number 82/HGU/KEM-ATR/BPN/2017 concerning the Granting of Cultivation Rights on behalf of PT SML covering an area of 9,435.2214 Hectares which became the legal basis for PT SML to take over several areas , including the Laman Kinipan customary area.

The permits for forest release from the Ministry of Environment and Forestry and the letter for granting business use rights (HGU) to PT SML were deemed legally flawed because they were issued without any discussion and without the consent of the Laman Kinipan indigenous people who live in the area and are the owners of the customary territory (WALHI, 2020).

This conflict also led to violent conflict when the head of the Laman Kinipan Indigenous Community was forcibly arrested by the Police on charges of stealing a wood cutting tool that was confiscated after PT SML workers continued deforestation despite receiving a ban from local residents.

In addition, the management of the Alliance of Indigenous Peoples of the Archipelago (AMAN) of Lamandau Regency revealed that the conflict resolution process had gone through various stages such as reporting to the Government of Lamandau Regency and Central Kalimantan Province, the Ministry of Environment and Forestry, the Ministry of Land and Spatial Planning, Komnas HAM, and carrying out mediation with the Presidential Staff Office, but the land clearing process by PT Sawit Mandiri Lestari is still ongoing (Tempo, 2020).

The Alliance of Indigenous Peoples of the Archipelago (AMAN) is expected to be able to provide solutions to problems involving indigenous peoples in Indonesia. AMAN is an independent social organization with membership in the form of many indigenous communities spread across various corners of the archipelago. This is in accordance with the functions of the Alliance of Indigenous Peoples of the Archipelago (AMAN) which are contained in the organization's articles of association, namely (AMAN, 2017):

1. As a forum for Indigenous Peoples to gather to fight for their customary rights in order to achieve organizational goals;
2. Defending, protecting and serving the rights of Indigenous Peoples, and;
3. Fighting for and channeling the aspirations of the interests of Indigenous Peoples in all aspects of life.

The position of the Alliance of Indigenous Peoples of the Archipelago (AMAN) as a social organization that brings together indigenous peoples throughout Indonesia with the vision of realizing a just and prosperous life for all Indigenous Peoples in Indonesia is highly

expected to be able to seek justice for the Laman Kinipan Indigenous Community who are fighting for their rights to their customary territories.

RESEARCH METHODS

Research method with case study design. The research was carried out with research subjects in the form of related NGO officials, namely the Chairperson of the Central Kalimantan Indigenous Peoples Alliance (AMAN), the Executive Director of Walhi Central Kalimantan, and the Head of the Indigenous Area Registration Agency. The data collected is then processed by means of data triangulation to ensure the validity of the data collected. The cases raised in this study were analyzed using national security theory and implementation theory.

RESULT AND DISCUSSION

Laman Kinipan is an indigenous community that lives in the area of Kinipan Village, Batang Kawa District, Lamandau Regency, Central Kalimantan. The Laman Kinipan Indigenous Community still exists today fighting for rights over customary territories which also include customary forest areas. The total area of Laman Kinipan customary territory according to data from the Registry The Customary Territory is 16,132 Ha with an area division of 70% in the form of customary forest areas and around 30% of customary areas functioned as arable land and residential areas. As a social organization that oversees indigenous communities throughout Indonesia, AMAN is here to help communities Adat Laman Kinipan in fighting for their rights, namely forest areas customary land taken over by PT SML and converted into land for oil palm plantation. In an effort to fight for the rights of the Community Adat Laman Kinipan, AMAN fully surrenders to the Laman Kinipan Indigenous Community to provide a statement regarding their wishes and community demands related to this conflict

In terms of efforts to recognize indigenous peoples by the government, AMAN helps the Indigenous Community of Kinipan Pages by doing facilitation of the community in preparing all the requirements needed in efforts to realize the recognition and protection of rights indigenous peoples by the government, such as maps of indigenous territories, history customary community, and customary regulations as a mandatory condition equipped (Kurnianto, 2022).

In another demand, namely the desire of the Laman Kinipan Indigenous Community so that their customary forest area gets recognition of customary forest status from government, AMAN helped prepare the necessary requirements in this effort and assist the community in submitting proposals to the Ministry of Environment and Forestry which is authorized to determine the status of customary forests, however, it is still hampered by the condition in the form of a regional regulation recognizing status indigenous peoples from the Lamandau Regency Government. In that case, SAFE returns help and accompany Laman Kinipan to get recognition from the Lamandau Regency Government which is needed for status determination customary forest from the Ministry of Environment and Forestry (Kurnianto, 2022).

In terms of Laman Kinipan's claim to reclaim territory customary forest taken over by PT SML, AMAN decided not to intervene too much in the negotiation or mediation process carried out by the community with PT SML. Although AMAN is not involved directly in the negotiation process, Ferdi Kurnianto revealed that AMAN is still giving warnings and advice

to Indigenous Communities Kinipan page to keep an eye on their position in the process negotiation. This is meant to ensure an involving negotiation process Kinipan and PT SML pages to be at an equal/egalitarian level for prevented Page Kinipan from negotiating in a pressured position in order to be able to maximizing demands and not getting negotiating results that don't according to demands (Kurnianto, 2022).

In the process of resolving this land conflict, various parties are involved members of the Coalition have provided maximum power and effort in fighting for rights in the form of recognition and protection of the Laman Kinipan indigenous people and their customary forest area. When studied using the concept of Community-Based Approach in Development Peace, efforts to resolve the land conflict of the Laman Kinipan Indigenous Community can be categorized as a type of approach Media Approach, Communication and Citizenship Education. Use media and means of communication as a based approach communities with the aim of promoting the values they promote and sometimes provide knowledge about education nationality (Haider, 2009). In this case, AMAN and the Justice Coalition for Kinipan uses the media in spreading awareness to let these messages and issues reach more people and circles. For example, the Justice Coalition for Kinipan is working together with WatchDoc – a documentary production house for produced a documentary film titled Kinipan. This film tells what is the condition of the conflict experienced by the Laman Kinipan Indigenous Community along with the loss of the Kinipan customary forest area.

The planning stage is carried out by compiling the last plan before execution of plans as well as execution of plans. The strategy model is advocacy planning where planning is done with a model advocacy. AMAN carries out the planning stages with a planning model advocacy through the formulation of a joint strategic framework other coalition members (Kurnianto, 2022).

The final stage is implementation and evaluation . Implementation of the strategy becomes action for conflict resolution efforts involve all elements in community-based organizations and also involve the general public. In the Laman Kinipan land conflict, this stage can be seen from AMAN's efforts in overseeing the negotiation process between the Laman Kinipan Indigenous Community with PT SML. In this negotiation process, AMAN was not directly involved directly and participate in the negotiation process to prevent intervention in the interests of the Laman Kinipan Indigenous Community (Kurnianto, 2022).

Analysis of the Implementation of Land Conflict Resolution of the Laman Kinipan Indigenous Community towards National Security

Efforts made by AMAN and the Justice Coalition for Kinipan who fought for the rights of the Laman Kinipan Indigenous Community over the forest adat is a step that fights for national security. Matter this is due to the principle of indigenous peoples using customary forests as a place to make a living. Indigenous peoples do not logging without choosing the wood to be felled and doing replanting. In addition, indigenous peoples only use part of it customary land for gardening, farming, animal husbandry, etc. Most Indigenous peoples protect the forest because they have a spiritual connection with the forest as a gathering place for the spirits of the ancestors of the indigenous peoples (Widodo, 2022). Culture known to utilize the forest for the benefit of the necessities of life and maintain sustainable forest use. They didn't deforestation because they understand the meaning and function of the forest itself for them.

Therefore, the struggle of AMAN and the Coalition for Justice for the Kinipan Fighting for the rights of indigenous peoples is one of the steps to realizing national security, especially from environmental security elements. The realization of environmental security will further ensure stability national security from various other elements.

From the element of human security, conflict has an effect on threats human security. The vulnerability of human rights violations in conflict makes conflict, especially violent conflict, is a real threat to security national. One of the human security theories established by the Program United Nations development is security from fear. Security approach humanity to protect individuals from violent conflict while recognizing that this threat of violence is strongly associated with poverty, lack state capacity and other forms of injustice. This approach argues that limiting the focus on violence is an approach realistic and manageable to Human Security. Help emergencies, conflict prevention and resolution, peace building is the main concern of this approach (UNDP, 1994). In conflict this land, various threats to national security from human elements have been happen. The arrest of Effendi Buhing and the Laman Kinipan indigenous youth not proven to have committed a criminal act, and intimidation on the part of PT SML towards indigenous peoples. If this conflict becomes a conflict that prolonged, then the potential for conflict escalation and the extent of conflict can be become bigger and threaten the stability of national security because one form of threat to national security is a social disaster including conflict.

Steps of AMAN and the Coalition of Justice for the Kinipan fighting for the liberation of indigenous peoples from various forms threats to human security, such as demanding the release of Effendi Buhing and the indigenous youth of Kinipan, and various other actions is an effort to guarantee human rights for the community Kinipan custom. This also makes indigenous peoples free from fear threat to human security.

Until now, the expected form of output is recognition as a customary law community legitimized by the Regional Government Lamandau Regency, there is a decree from the Ministry of Environment Life and Forestry, and the realization of national security by the Community The adat of Laman Kinipan still cannot be felt by indigenous peoples. The output that has not been felt by the beneficiaries is Indigenous Communities The Kinipan page shows the implementation of this national security has not materialized.

CONCLUSION

Based on the results of the discussion, it can be concluded that in an effort to resolve the land conflict of the Laman Kinipan Indigenous Community, AMAN and the Justice Coalition for Kinipan were analyzed using concept of Community-based Approaches to Peacebuilding . Researcher found that in the process of conflict resolution, approach community-based conduct conflict resolution in four stages, namely Community organizing, visioning, planning , and implementation and evaluate. In the stages of organizing community , AMAN as driving force in conflict resolution efforts for the Laman Indigenous Community Kinipan organizes by forming coalitions Justice for Kinipan which contains other CSOs such as WALHI, BRWA, Greenpeace, Save Our Borneo, LBH, and several other CSOs who can work according to their expertise and are directly involved in process of efforts to resolve the land conflict of the Laman Kinipan Indigenous Community. In the visioning stage , AMAN and the Justice Coalition for Kinipan carry out the formulation of the strategy carried out by formulation strategy with other coalition members to be able to share tasks according to their abilities and fields. The planning stage is carried out by compiling the final plan before executing the plan as well as implementing the plan. The strategy model is advocacy planning where planning is carried out using an advocacy model. AMAN carried out the planning stages with an advocacy planning model through the preparation of a strategic framework compiled with other coalition members. The implementation stage can be seen from AMAN's efforts to oversee the negotiation process between the Laman Kinipan Indigenous Community and PT

SML. In this negotiation process, AMAN was not directly involved and participated in the negotiation process to prevent intervention in the interests of the Laman Kinipan Indigenous Community.

Efforts made by AMAN and the Justice Coalition for Kinipan who fought for the rights of the Laman Kinipan Indigenous Community over the forest custom is a step that fights for security national. Steps of AMAN and the Coalition of Justice for the Kinipan fighting for the liberation of indigenous peoples from various forms threats to human security, such as demanding the release of Effendi Buhing and the indigenous people of Kinipan, and various other actions are an attempt to guarantee rights human rights for the indigenous people of Kinipan. Then, the SAFE effort in resolving land conflicts is an attempt to realizing environmental safety.

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