**Region: South East Asia (Islands)**

Countries Include: Indonesia, Island Malaysia (Islands), Philippines, Timor-Leste

**Color Key:**

No data or not enough to justify Grey;

Adverse or hostile conditions for IPLCs in the country Red;

Limited/conflicting progress in achieving IPLC recognition, rights, and supporting legal frameworks Yellow;

Strong legal frameworks, recognition, and willingness to support IPLC rights Green.

**Legal Framework, Scale of Recognition, & Government Willingness**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Legal Framework** | **Scale of Recognition vs actual IPLC governance** | **Government willingness** |
| Indonesia (Terrestrial) | Indonesia’s legal framework has multiple tenure regimes for the recognition of customary control over forests, and one for the recognition of customary ownership (Adat) due to a ruling by the constitutional court. However, the national law to enact this recognition and to make the processing of claims more systematic has not yet been passed.  (Source: RRI. 2020. Opportunity Framework) | 0.35 Mha have been recognized by the government as under community control - mostly forests. This represents 0.01 percent of the country’s total land area and less than 1 percent of the total area that have been estimated by the constitutional court in favor of IPLCs customary forest tenure rights (40 Mha).  (Source: RRI. 2015. Who Owns the World’s Lands?)  According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied), most recognition has taken place on the Islands of Borneo, Sulawesi and Maluku | While the national government has expressed interest in the recognition of IPLC rights and set ambitious targets, the promises have not yet materialized after several years of being in power.  However, several sub national governments are in favor of recognizing IPLC lands due to strong political mobilization by IPLC groups. |
| Indonesia (Marine) | According to [Too-Big to Ignore,](https://issfcloud.toobigtoignore.net/) there is a basis for co-management/governance of fisheries with IPLCs in Indonesia, although further details are unavailable. | According to [Too Big to Ignore](https://issfcloud.toobigtoignore.net/) the fisheries were reported as being under either :   * Top-down governance * Co-management / co-governance and * Self governance   It is not clear if the self or if the self-governance has been recognized by the government. | No data- refer to EOI. |
| Malaysia (Terrestrial) | There do not appear to be any national level legal frameworks for the recognition of IPLC lands or forests. There may be some laws for recognition at the sub-national level, but there is no data on this within the available resources. | No data - refer to EOI. | No data - refer to EOI. |
| Malaysia (marine) | According to [Too-Big to Ignore,](https://issfcloud.toobigtoignore.net/) there is a basis for co-management/governance of fisheries with IPLCs in Malaysia although further details about the management regimes are unavailable. | According to [Too Big to Ignore](https://issfcloud.toobigtoignore.net/) the fisheries were reported as being under either :   * Top-down governance * Co-management / co-governance and * Community-based management   It is not clear if the community-based management sites have been recognized by the government. | No data - refer to EOI |
| Philippines (terrestrial) | The Philippines’ legal framework allows for the recognition of IPLC ownership of lands (CALTs and CADTs), as well as IPLC control through protected area community-based resource management agreements and community forest management agreements.  (Source: RRI. 2015. Who Owns the World’s Lands?) | ~ 4.71 Mha of lands have been recognized by the government as owned by IPLCs, and an additional 1.65 Mha have been recognized as under IPLC control. Together, this represents 21% of the country’s total land area.  (Source: RRI. 2015. Who Owns the World’s Lands?)  According to [Landmark](http://www.landmarkmap.org/map/#x=-102.46&y=13.47&l=3&a=community_FormalDoc%2Ccommunity_NoDoc%2Ccommunity_FormalClaim%2Ccommunity_Occupied%2Cindigenous_FormalDoc%2Cindigenous_NoDoc%2Cindigenous_FormalClaim%2Cindigenous_Occupied), the government has not recognized the majority of customarily administered lands.  Recognition has taken place extensively on the islands of Mindanao, Palawan, Mindoro, and Luzon with smaller scale recognition on other islands. | No data - refer to EOI |
| Philippines (marine) | According to [Too-Big to Ignore,](https://issfcloud.toobigtoignore.net/) there is a basis for co-management/governance of fisheries with IPLCs in the Philippines although further details about the management regimes are unavailable. | According to [Too Big to Ignore](https://issfcloud.toobigtoignore.net/) the fisheries were reported as being under either :   * Top-down governance * Co-management / co-governance and * Community-based management * Self governance   It is not clear if the self-governance and community based management have been recognized by the government. | No data - see EOI. |
| Timor- Leste (terrestrial) | There do not appear to be any community based tenure regimes for lands or terrestrial resources in East Timor.  (Source: RRI. 2015. Who Owns the World’s Lands?) | There is no legal framework for recognition of IPLC lands or terrestrial resources in East Timor.  (Source: RRI. 2015. Who Owns the World’s Lands?) | No data- refer to EOI |
| Timor- Leste (marine) | According to RRI “Due to the complex and overlapping nature of the Timorese statutory framework, it is not possible to determine the extent to which communities hold formally recognized, statutory rights to land and natural resources at this time. The Constitution of Timor-Leste recognizes customary law to the extent that it does not conflict with the Constitution, and it recognizes individual private property rights. However, it does not specifically recognize communities’ customary land or natural resources.”  (Source: RRI. 2015. Who Owns the World’s Lands?) | No data. Refer to EOI. | No data - refer to EOI. |