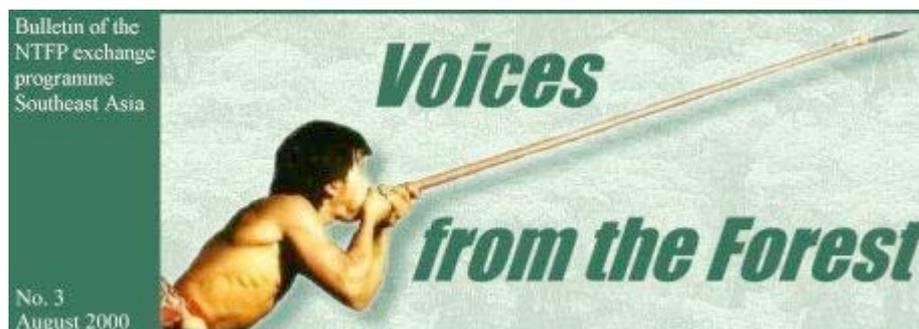


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August 2000

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***Voices from the Forest***

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## *Voices from the Forest*

### **Editorial**

The third issue of the bulletin 'Voices from the Forest' contains news on the exchange programme and contributions from India on NTFP collection in the Nilgris and the problems encountered by the local indigenous population, and from Indonesia on Community Forestry System Management (SHK).

There is a report of the Regional Exchange Meeting in Palawan from December 13-17, 1999, where the pressing national issue of ancestral domain recognition and management was discussed, an article on Fruit Bats and an article on CADC Resource Management, Palawan. Finally, the bulletin includes a review on two books and a thesis.

The next issue of 'Voices from the Forest' will be released in February 2001.

Contributions (preferably with pictures!) and reactions are most welcome.

**Written by:**  
**Redaction of 'Voices from the Forest'**

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## *Voices from the Forest*

## Exchange News

### **Maturing of the Exchange Programme**

The past 2 years of trial and error, improvising and intensive discussions among all involved have laid a firm basis for the second phase of the Exchange Programme. This follow-up/take-off phase effectively started on the 1st of May 2000. We are grateful to the Netherlands Committee of IUCN (RTR Small Grants Programme) and the Dutch Co-financing Organisation ICCO, who have earmarked financial support for extension and intensification of EP activities in Asia during the next three years.

*Extension:* Initial discussions took place recently with a number of newly established grassroot NGOs in Vietnam. Some of these NGOs expressed an interest to become active in the EP. Similar progress has been made with respect to potential partners in the Western Ghats in India, one of which contributed an article in this Bulletin. Other prospective partner countries are Bangladesh, Bhutan, Sri Lanka, Laos and Cambodia. More information about the extension will appear in the December issue of 'Voices'.

*Intensification:* one of the first activities that took place, was the co-organisation -in collaboration with PLASMA and SHK- of a rattan marketing workshop in Kalimantan, last June. During the same month, a pre-feasibility study was carried out for a possible Indigenous Handicraft Centre in Miri, Sarawak.

### **Strengthening of coordination capacities**

For the immediate future, top priority is the strengthening of coordination capacity in the region, to start with in the Philippines and in Indonesia. The following steps are being made to this end:

- From August 1 onwards, a Regional NTFP Desk has become operational in the Philippines. The desk is hosted by EP partner UNAC in Manila. Maria Christina (Crissy) Guerrero, former project coordinator of NATRIPAL (Palawan) and already for many years involved in NTFP work, will be the coordinator of this NTFP Desk. Besides playing a facilitating role for the Philippine NTFP Task Force, the Regional Desk will assist in coordinating regional activities, in particular in the exchange with new extension partners.
- An NTFP Focal Point has been established in Indonesia for the coordination of activities in the archipelago. The FP is jointly managed by AMAN, KPSHK and TELAPAK, the latter organisation serving as the secretariat.
- During the coming months, an EP Steering Committee will be established. The Committee will consist of representatives of key partners. On the basis of consultations with their respective constituencies, the SC members will give direction to further development of the programme.

### **Main activities during last six months**

During the period December 1999 - April 2000, three major Exchange Meetings took place:

- Regional meeting in Palawan in December 1999, hosted by NATRIPAL. Focus: natural resource management in the Ancestral Domain context (See article of Crissy Guerrero below). Furthermore, substantial input was given during the meeting for the development of the follow-up programme, in terms of organisational matters, general direction and priorities.
- PLASMA, in collaboration with the EP, organised the conference 'Enhancement of Indigenous Initiatives for Community-based Resource Management'. The conference took place in February 2000 in Samarinda, East Kalimantan. About 80 people with different backgrounds attended the conference. While the majority consisted of village leaders, also local government and the academic and trade communities were well represented. Through the EP, a delegation from the Philippines (a senior DENR officer and a NATRIPAL staff member) attended the meeting. The conference

offered a diverse presentation of cases revolving around community resource management. It further aimed at the development of a common strategy through the sharing of ideas and experiences among different stakeholders. The Filipino delegation made a strong presentation focusing on the lessons that can be learned from the process which led to the recognition of Certificates of Ancestral Domain Claims (CADCs) in the Philippines.

- In June 2000, PLASMA, together with KPSHK, organised a Rattan Workshop for participants from all over Kalimantan. Aim of the workshop was to identify the key-issues involved in rattan cultivation, processing and trading. The workshop acted as the launch of an ambitious project, aimed at improving the income situation of rattan producers of the island through better marketing of the resource.

### **Agenda 2000**

- August 1: launch of the Regional NTFP Desk in Manila.
- August 22-23: National Conference PLASMA, Samarinda. A follow-up to the February meeting, with the aim to bring the Kalimantan experience with community-based resource management forward into the national policy discussion. Invited: national and local policymakers and, through the EP guests from Malaysia, India and the Philippines.
- October 10-14: Regional NTFP Meeting, Bali, hosted by the Indonesian indigenous network AMAN, in collaboration with SHK and Telapak. It is expected that, besides existing partners from Indonesia, the Philippines and Sarawak, a number of new countries will be represented.
- Preceding the Regional Meeting, the programme's Steering Committee will come together for its first meeting.
- November: Rattan Marketing Masterplan Meeting, Melak, Kalimantan.

*Written by:  
Redaction 'Voices from the Forest'*

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*Voices from the Forest*

## *Voices from the Forest*

### **Non Timber Forest Products in the Nilgiris - A Case for Local Resource Management**

#### **Introduction**

Biodiversity and income generation, a possibly contradictory concept, seems to be the solution for indigenous communities. These communities, especially hunter gatherers, live close to forested areas and use it for various purposes - houses, firewood, medicine, food, etc. In tropical areas the use of forests and indigenous knowledge with respect to forests has been high. In traditional societies in India, some of these products have significant social and cultural significance. Here this has seen traditional use in the fields of herbal medicine, dyeing and colouring agents, rope and fibre making, food products, etc. Now, termed as Non Timber Forest Product (NTFP) these items are of high value and significance, often finding no replacement by modern, cultivated options. The real value of NTFPs is not only in its market value, but also in the knowledge system it perpetrates, which is self reliant and equitable. A lifestyle of this type calls for a deeper understanding because it incorporates complex features of resource ownership and utilisation.



Expert from South Kalimantan explaining the practices used by lampit industry.  
*Photo: Bert-Jan Ottens (ProFound)*

By definition, NTFPs denote all animals, plants and things a forest produces, besides timber, which are used by man. In tropical forests, the number of different NTFPs exploited is incredibly large, including a variety of gums and resins, tannins, fruits, saponin, etc. These NTFPs play an important role in the local economy of an area and in the sustainable management of forests. In India, these roles get nullified in the face of less revenue which is received from the sale of NTFPs. However, in a study done by Tirath Gupta and Amar Guleria in 1982, the potential production can be increased four fold. "The average annual revenue from all NTFPs at current market prices is Rs. 2.73 billion. If the production of NTFPs attains full potential, the annual revenue on account of NTFPs will increase four times and reach Rs. 1.09 billion." (Anil Agarwal (Ed.), 1992; Price of Forests, Centre for Science and Environment)

On analysis of the problems related to NTFPs in all third world countries, due to which their value has not been recognised, the following reasons emerge:

- NTFPs are seasonal
- The raw materials for NTFPs are often gathered from government owned/communal (as opposed to private) lands
- Producers are frequently rural people and often poor or landless. Production is at a small scale

- Percentage of final sale price for NTFPs received by the local level collector is extremely small
- Information on exploitation of NTFP is lacking
- Most NTFPs are marketed through unofficial, informal channels

It is with this perspective in mind that a study has been undertaken in the Nilgiris, which is also the field base for Keystone.

The Nilgiris District is located south of the Mysore Plateau, in the North west corner of the state of Tamil Nadu. The district is well known as a tourist destination, for its distinct charm of old British Rule mixed with the mystery of many an ancient people. The Nilgiris ranges have a maximum elevation of 2600 msl, rising as a massif from the plains, with steep escarpments and cliffs. In today's reality, Nilgiris is one of the most ecologically fragile areas, even though it forms a part of the Nilgiris Biosphere Reserve (declared under the Man and Biosphere Programme of UNESCO). Its pristine vegetation is replaced by plantations of tea & coffee, marshes have been converted into vegetable fields and the small indigenous population, engulfed by populations of migrants from different parts of the country.

### **People of the Blue Mountains**

The indigenous people of these hills are known for living in harmony and having symbiotic roles. The Todas, a well researched tribe, are pastoral nomads and revere the buffalo. The Kotas were the artisans while the Irulas, Kasavas and Kurumbas were hunter-gatherers and small cultivators. The Paniyas, Betta Kurumbas, Mullu Kurumbas and Kattunaikans, all lived in the Wyanad Nilgiris, i.e. in the present Gudalur taluka of Nilgiris and also followed a hunter-gatherer life. The Badagas are the largest community in the Nilgiris - traditionally, tillers and herdsman, today they are in all walks of life. There are a number of other communities, which have migrated and settled here, over time.

Presently, the number of migrants outnumber the indigenous people of these hills. Nilgiris has a tribal population of 25,048 (Census of India, 1991). The Todas, Kotas and Badagas are residents of the plateau. The hunter gatherer communities, live in the lower areas (<1200 m. above sea level) and still maintain a close link to forests. The dynamic developments in the district constantly affect the indigenous people of the hills, who are no longer isolated from mainstream development. Much has already been researched and written about these communities and hence, this article, specifically addresses the dimension of hunting and gathering activities of these communities.

### **Valuation of trade in NTFPs**

The intangible value of forests -their contribution to crop and livestock production, soil conservation, biological diversity and climatic stability, are still not fully understood or traded in the market. As a result, the market fails to capture all the costs and benefits of forest use. What is valued is the amount of timber, pulpwood and NTFP extracted and sold. With this narrow view, we deal with the case of Nilgiris vis-?-vis NTFP.

The NTFPs, in the Nilgiris, are collected from the Reserved Forest (RF) areas through a system of auction. The Forest Department estimates the yield each year and sends a notice for auction. Specific items are selected for collection by the Forest Department in specified Forest Ranges. The highest bidder is then given the contract, with preference given to a tribal co-operative society if they take part in the bid. The party that gets the auction, then engages various agents, who in turn engage the tribals for collecting the produce.

The important aspects in this system that need to be reviewed are:

- The method of estimation of forest stock: The method currently practised is based on the average stock of the past three years and a visual estimation. After determining the approximate quantity, they fix the price per product according to the prevalent market rate reducing collection, transportation and sundry charges. This determines the maximum revenue accruable to the

Forest Department.

- The method also promotes several levels of agents just for collection, which reduces the rate paid to the collector.
- There is collection of all items with no heed to those recommended for collection or those restricted by a certain area or range. The control that the Forest Department levies on what should be collected and from where, has to be reviewed.

#### **Over and above...**

Besides all this, there are several illegal traders who make a turnover between Rs. 10,000-20,000 while those dealing with medicinal plants make a turnover Rs. 30,000-40,000. These items include products which are not allowed for collection by the Forest Department. Many times these traders have been operating in select areas for long periods of time (sometimes, for several generations) and have close links with the tribal communities. They get orders from outside buyers and then get the item collected from the tribal. Usually these tribals are indebted to the trader and work for a pittance. The operation of these traders poses serious threats to certain species, as it is totally unregulated.

An analysis of the data available from the records of the Forest Department and a zone wise estimate from the tribal collectors also shows a vast difference. This is calculated taking the main NTFPs and shows the following results:

**Table 1: Quantity of NTFP Collected (Forest Department Records), 1998**

| Name of NTFP       | Quantity (kg) | First Sale (price/kg) | Value (Rs.)      |
|--------------------|---------------|-----------------------|------------------|
| Shikakai           | 5,131         | 12.00                 | 61,574           |
| Nellikai           | 37,436        | 7.00                  | 262,055          |
| Poochakai          | 19,581        | 9.00                  | 176,232          |
| Kadukai            | 5,602         | 8.00                  | 44,814           |
| Tamrind            | 7,375         | 20.00                 | 147,509          |
| Eecham             | 45,673        | 5.00                  | 228,367          |
| Kal/Maram Pasam    | 3,769         | 40.00                 | 150,773          |
| <b>Total Value</b> |               |                       | <b>1,071,324</b> |

*Source: Data from the Forest Divisions of North Nilgiris, South Nilgiris and Gudalur (1986-1998)*

**Table 2: Quantity of NTFP Collected (Tribal Collectors Estimation), 1998**

| Name of NTFP | Quantity (kg) | First Sale (price/kg) | Value (Rs.) |
|--------------|---------------|-----------------------|-------------|
|              |               |                       |             |

|                    |         |       |                  |
|--------------------|---------|-------|------------------|
| Shikakai           | 180,000 | 12.00 | 2,160,000        |
| Nellikai           | 160,000 | 7.00  | 1,120,000        |
| Poochakai          | 240,000 | 9.00  | 2,160,000        |
| Kadukai            | 76,500  | 8.00  | 612,000          |
| Tamrind            | 63,000  | 20.00 | 1,260,000        |
| Eecham             | 30,000  | 5.00  | 150,000          |
| Kal/Maram Pasam    | 7,500   | 40.00 | 300,000          |
| <b>Total Value</b> |         |       | <b>7,762,000</b> |

Source: Primary Data, Keystone Biodiversity Programme - NTFP Project, 1998

This large variation in the estimates is due to illegal trading. Due to the low rates paid by the Societies, primary collectors sell to private traders. Some of the items, which are restricted for collection from the forest are openly collected by private traders.

A list of 31 such items are presented in the adjacent box. Out of this list it is seen that a major number of items are barks and roots, which are damaging and unsustainable.

| <b>Name of NTFP</b> | <b>Part</b> | <b>Latin name</b>             |
|---------------------|-------------|-------------------------------|
| Seeghai             | Bark        | <i>Acacia leucopholoea</i>    |
| Vembadam            | Bark        | <i>Ventilago madraspatana</i> |
| Mahavali Kilangu    | Root        | <i>Asparagu racemosus</i>     |
| Kurunthoti          | Root        | <i>Pavonia jeylanica</i>      |
| Dhupam              | resin       | <i>Boswellia serrata</i>      |
| Elandai             | Fruit       | <i>Zizyphus jujuba</i>        |
| Jenu/Tenu           | (Honey)     | <i>Apis dorsata</i>           |
| Kullamav            | Bark        | <i>Machilus macarantha</i>    |
| Kariyapattali       | Bark        |                               |
| Veppam kottai       | Seed        | <i>Azadirachta indica</i>     |

|                   |           |                             |
|-------------------|-----------|-----------------------------|
| Mangai            | Fruit     | <i>Mangifera indica</i>     |
| Kodampuli         | Fruit     | <i>Garcinia cambogia</i>    |
| Kathkurumilagu    | Fr/Root   | <i>Piper nigrum</i>         |
| Nannari           | Root      | <i>Hemidesmus indicus</i>   |
| Kath Jathikai     | Fruit     | <i>Myristica malabarica</i> |
| Thipili           | Fruit     | <i>Piper longum</i>         |
| Kodakumbha        | whole     |                             |
| Thatbut kodi      | whole     | <i>Passiflora edulis</i>    |
| Perambu kai       | Fruit     | Calamus spp.                |
| Konnai Pattai     | Bark      | <i>Cassia fistula</i>       |
| Eecham Kilangu    | Stem/Pith | Phoenix spp.                |
| Illupai           | Fruit     | <i>Madhuca indica</i>       |
| Pungam            | Fruit     | <i>Pongamia pinnata</i>     |
| Kath Inji         | stem      | Zanziber spp.               |
| Kath Manjhal      | Stem      | <i>Zinginer montanum</i>    |
| Cherukurinja      | leaf      | <i>Gymnema sylvestre</i>    |
| Irang seeghai     | Root      | Acacia spp.                 |
| Sadavalli         | Root      |                             |
| Yellamangalam     | Root      |                             |
| Pade Kilangu      | Root      |                             |
| Amalapuri Kilangu | Root      |                             |

The following figure gives the break up over the various categories:

Legal or illegal, the main things on which NTFP collection depends are:

- The natural yield in the forest

- The arrival of agents/traders in the village to ask for different products
- The rate offered by the agent/trader

Most of the items collected by the tribals involves no processing, before the sale. However, drying is important and has to be done for all the seeds collected - traders usually base the price on the moisture in the seeds. Honey is usually squeezed out of the comb and filtered through a white muslin cloth. Forest Camphor has to be collected and cleaned of mud and other impurities to get a good rate. Roots and barks are also dried. Some items which use the full plant, usually a creeper is cut into pieces and dried before selling. The process of drying decreases the weight and this is a constant battle between the primary collector and the buyer.

The main problems identified by the tribals are:

- There are no definite ways of measuring, just rough volume measures in which they get cheated
- There is no system of regular issuing of passes for collection - so they collect illegally
- There is a possibility of attack by wild animals
- The trader/agent does not give the price set at the beginning of the season, but lowers it when the item is already collected
- The yield may be very low certain years, as it depends on rains
- There is some competition from people from the plains, like the Valyars, who also collect NTFP.

Non-Timber Forest Products have been a part of the tribal economy since many centuries. With changes in the economy, this practice has taken different forms of collection and gathering. Yet, today, this is an important area, which is much ignored because of its informal nature and shrouded business systems. After reviewing carefully, the processes and the status of NTFPs in the Nilgiris, it is necessary for all the role players in this field including conservationists to analyse the positives and negatives and suggest viable options for change. A holistic look at the political economy, which largely governs the collection and local efforts, along with needs in the field of research and pilot projects, is important for future work.

This is the only area of inter-phase where bio-diversity in mountain systems and traditional livelihood systems meet. Over-harvesting would imply a loss in biodiversity and ecological degradation while under-harvesting is a denial of valued income to impoverished families who depend on this collection.

**Written by:**  
**Snehlata Nath**  
**Keystone Foundation, Kotagiri**  
**Nilgiris, India**

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***Voices from the Forest***

## *Voices from the Forest*

### Community Forestry System Management (SHK) in Indonesia

#### Conflict over Forests

Despite the controversy and rain of criticism from all directions, including the NGO's draft version of Forestry legislation, the Government of Indonesia under former president Habibie's administration eventually enacted Law No. 4/99 concerning Forestry. High political pressure pushed the government to hastily enact this law. The House of Representatives and government officers were forced to produce the law as a grand political legacy of Habibie's government short tenure. During this critical time, concerned NGOs launched an intensive campaign and lobbied the Indonesian Department of Forestry and Plantations to advocate sound considerations before the government approved the law.

The past government revised the outdated UUPK No. 5/67 with the new Forestry law as the old law had failed to cover the dynamics of local community's aspirations, participation, customs, culture and values. The past government was also motivated by its failure to prevent the rate of forest destruction, which averaged 1.6 million hectares annually over the last decade. Reports documented forest destruction of 11.6 million ha or 28% of the whole the 41 million ha designated for production forests. The government granted logging concessions for the production forests to 329 timber concession companies. In the logged-over areas covering 5.7 million ha (currently managed by PT. INHUTANI I-V), 2,6 million ha or 45% of the area was destroyed. The degraded forests area had turned into bush, empty land and fields. Recent assessment of protected forest and conservation areas covering 29.9 million ha shows the remaining primary forests only cover 6.7 million ha (54%) of the protected forests and 10.7 million ha (62%) of the conservation areas (i.e. nature and game reserves, parks and national parks) (Dephutbun, 2000).

Indonesia's depressing forest status has been worsening, with escalating conflicts between logging companies (HPH), timber plantations (HTI) and local communities with support from NGOs. PUSDOKINFO and LATIN (see Table 1) placed conflicts over forest resources on the highest rank of resource conflicts in Indonesia. In some incidents, local communities took violent measures by torching the logging companies camp and blockading the logging trails to stop operations. Recent violent incidents against logging companies include: in Aceh where local communities set fire to a logging company camp (*Warga Mara: "Base Camp HPH Dibakar"*, Kompas, 30 Mei 1999); in Medan, North Sumatra, where communities blockaded HPH's logging activities; and in East Kalimantan where indigenous communities are still resisting HPH and HTI (see Table 2). The core problem that sparks conflicts is the appropriation of customary land and unlawful land clearing conducted by HTI.

**Table 1: Recapitulation of Conflicts over Natural Resources in 1990-1996 in Kalimantan**

| Source of conflicts | Number of cases | Areas of conflict  | Actors involved in conflicts                                 |
|---------------------|-----------------|--|--|
| HPH                 | 8741            | Burning of logging areas, land use overlap, and social conflicts         | Companies, local communities, and local/central governments. |
| HTI                 | 5757            | Change in area use status, marked up re-greening funds, social conflicts | Companies, local communities, and local/central government.  |

|  |      |  |  |
|--|------|--|--|
| Perhutani (state-owned plantation companies) | 3097 | Timber smuggling, looting of teak plantations and fields, attacks on officials.                          | Perhutani, local communities and burglars.                       |
| Land   | 1492 | Land disputes and misuse of business permits.  | Perhutani, local communities and burglars.                       |
| National Parks                               | 1492 | Illegal logging, land use overlap, illegal field opening, and looting.                                   | Perhutani, local communities and burglars.                       |
| Plantation                                   | 405  | Looting of yields, and forced eviction of communities fields   | State owned companies, private companies, and local communities. |
| Ethnic conflicts                             | 331  | Ethnic conflicts, ethnic cleansing, social conflicts between migrants and indigenous/tribal communities. | Various ethnic groups, and government.                           |

**Table 2. Some conflicts of HPH/HPHI in Indonesia**

| <b>Name of logging companies (HPH/HPHI)</b> | <b>Location</b> | <b>Demands</b>  | <b>Description</b>  |
|---|-----------------|---|---|
| PT Ananga Pundinusa                         | Kutai           | 20% from production should be shared; land claims over adat land covering 75,000 ha   | Advocacy team of APHI and Komda APHI are trying to find solutions together with social experts.             |
| PT Adindo Hutan Lestari                     | Bulungan        | Rp 5.7 billion to compensate the destruction of ancestral graveyard; Rp 950 million compensation in cash to replace the value of destroyed community orchards and plants. | Imminent threats of occupation of heavy machinery by local communities.                                     |
| PT Tunggal Yudi Hutani                      | Kutai           | Rp 21,954 million compensation to be paid for communities' land; Compensation of overlap in customary land use as much as Rp 3 billion.                                   | Negotiations on the way but haven't reached any agreement. Compensation disbursed amounting Rp 400 million. |
| PT Belayan River Timber                     | Kutai           | Levy and Grants worth Rp 17.000/m <sup>3</sup> ; Employment of local work force; Re-delineation of HPH boundaries and local villages.                                     | Community leaders are trying to resolve the conflicts.  |

|                      |             |  |  |
|----------------------|-------------|--|--|
| PT Kiani Lestari     | Kutai       | US\$ 2 per m <sup>3</sup> of timber production (in cash) paid to local communities | The management of PT Kiani Lestari and community leaders; Threats to stop activities in the forests; KU APhi & Komda APhi Kaltim consulted with Director General Direjen PHP to resolve the conflicts. |
| PT Limbang Ganeca    | Kutai       | Provision of water pump and construction of water drainage and water catchments.   | Demands made according to the Minister of Forestry and Plantation promise (Muslimin Nasution) when visiting the site.  |
| PT Susukan Agung     | Kutai       | US\$ 2 per m <sup>3</sup> timber production in cash                                | Threats to halt activities until the companies meet the demands.   |
| PT Melapi Timber     | Kutai       | Levy & Grants  | Threats to occupy base camp.   |
| PT Jatitrin          | Kutai       | US\$ 2 per m <sup>3</sup> of timber production in cash.                            | Threats to strike until all demands are met.   |
| Cases of 3 companies | Kutai Barat | US\$ 2 per m <sup>3</sup> of timber production in cash.                            | A team consisting of APhi, Head of districts and Muspika, and Adat leaders have tried to resolve the conflicts but reached deadlock. Community insists in their demands.                               |

One of the striking issues that appeared in the process of drafting Law no 41/99 was the discussion on customary forests. Non governmental organizations, indigenous communities and academics insisted that the government should give equal status to hutan adat or customary forests bearing the same legal status as people's forests and state forests. This demand was in response to the negative impact on local communities of the old forest law UUPK No: 5/67 in which the state regarded all customary forests as state forests. This law denied the rights of indigenous communities to the ownership of their forest land despite the fact that many communities had owned and managed particular forests for many generations. Consequently, conflicts over forest ownership and management continue to emerge between companies, governments and indigenous communities, bringing loss of resources and even lives on each side.

Meanwhile, according to the new Forestry Law, Article 5 paragraph 1: "State forest can take form as adat forest, that is state forest that allows an indigenous community to manage the forest (*rechtsgemeenschap*). Adat forest used to be called communal forests (*hutan ulayat*), clan forest, hutan pertuanan, and other names. Forests managed by the indigenous community is categorized as state forest bearing the consequence that all rights reserved by the state as an organization of peoples' sovereignty in the highest level and guided under the principles of the Republic of Indonesia. The inclusion of adat forests as state forests, however, does not entail negation of rights of indigenous community over the adat forests as long as the community can present evidence that such rights exist and are recognized with regard to forest management activities."

From all explanations and arguments expressed by Department of Forestry and Plantation in addressing critics and inquiries regarding the Forestry Law, it is clear that the government is very concerned in giving trust to indigenous communities and that the government underestimates the ability of indigenous communities to practice sustainable forest management. The Department's concerns focus on securing the rights to possess control over the forest. In practice, the Department has a poor record of managing forest in a sustainable fashion.

Information concerning government policies rarely reached indigenous and local communities who interact directly with the forests and natural resources. Foresters, businessmen, academics and NGOs or other city-based organizations and communities usually receive this kind of information. When the information finally received by the indigenous and local communities, the information is biased and contaminated by the interests of city-based groups. Example in this case includes the socialization of Ministerial Decree Menhutbun No: 677/Kpts II/98 concerning Social Forestry (Hutan Kemasyarakatan/HKM). This Decree actually gives an opportunity to local communities to acquire rights to manage the forests. Not very many indigenous groups realized that they are eligible to apply for management rights to access forest resources. Despite the criticism mentioning how difficult the procedure of HKM and how to establish local cooperative, the city-based groups who received and understand the information earlier submitted proposals to establish HKM with a fly over night cooperative that does not even include the local communities.

The lessons learned above shows the gap between policy makers in Jakarta and communities in the vicinity of forest areas. The policy makers do not know well enough the forests community who supposedly should be treated as the subject of the policies. The information intended to regulate the communities never reached the target groups. This gap has become a fertile fields for interested parties in leading a collusion, corruption and nepotism.

### **The SHK Concept**

Since 1980's, non-government organizations have been actively campaigning for indigenous and local communities rights for forests management. In 1993, some activists from different regions who worked in the areas of indigenous communities, transmigration, conservation areas management, natural resources management and related groups convened to discuss field findings in community-based forest management. The existence of traditional patterns of forest management were threatened by development activities reflected by the logging companies, timber plantations, transmigration, large scale plantations, and mining. The group of activists then introduced the concept of Sistem Hutan Kemasyarakatan (SHK) or Community Forestry System and formulated community-based natural resource management already practised sustainably by local communities. The SHK concept was developed as antithesis in challenging the state's concept of natural resources management.

SHK was chosen as different name than the existing terminology that contain community word in them but rarely empower the communities to exercise their rights of ownership, control and manage natural or forests resources. The terms like social forestry or agro-forestry or community forests do not necessarily place communities as subject. SHK has distinct attitudes in accordance to local situations. Different places will have different names to refer to SHK, for example in West Kalimantan, the locals call it *tembawang*, repong in Krui Lampung, *simpungk* in East Kalimantan and so on.

The key word in SHK concept is "forest system" and "community-based". SHK perceives that forests constitute more than tree stands. The concept to understand forest should include a system of area management delineated within the "customary law jurisdiction" that cover the elements of natural forests, secondary forests, river, lake, field, orchard, residence, scared forests and other elements depending on respective communities and ecological systems. The second crucial key word "people" or community stresses that the main actors in SHK are local communities to whom the benefits should be received the most.

### **Example: Damar Resin in Krui**

The most popular example is the Krui community case where local community has been cultivating 300,000 ha repong or resin forest garden in the coastal area of west Lampung. According to the history of Krui, farmers have been using the Damar mata kucing (*Shorea javanica* of dipterocarpaceae family) for more than 100 years. The Damar orchards resemble the structure of natural forests. Damar is one of the oldest forest product traded in Southeast Asia.



Damar tapping in Krui (Sumatra)

*Photo: Muayat Ali Muhsi*

Since three thousand years ago, damar was traded in short trading routes of Southeast Asia. However, it is quite possible that damar is also one of the first goods exchanged with the Chinese starting from the 3rd century A. D.. (See Dunn, 1975). A Script from the 10th century discloses the word Damar in the list of commodities brought to China from Southeast Asia. (See Gianni 1981). The first export to Europe started in 1829 and export to America in 1832 (Koppel 1926). Research shows that communities in Krui planted damar since 1870 when the coastal people from Pesisir Tengah arrived in Hutan Batu Bulan, a famous place for damar grove, to ask for seedlings. Nowadays, local communities plant damar in a mix with other plants to meet the daily basic needs. It is becoming difficult to collect damar from the wild today because of increasing conflicts in gathering forests resources among neighboring villages (Peluso, 1990). The difficulty of damar collection is also due to excessive damar tapping in the beginning of the 20th century when damar prices were at its height. Many mother trees died because of over-production.

Damar planting on farmers fields had changed the status of damar from wild commodities into cultivated ones. Before they introduced pepper and coffee, farmers planted only rice in their fields. Farmers planted dry field rice complemented with some vegetables during the first half of coffee and pepper growth. In the post growth of the later commodities, farmers started to plant young damars. After 4-6 years of cultivation, farmers left fallow the fields and the young damar trees. The trees soon took over the fallow land. Ten years after, the formation of the fields started to form canopy predominantly covered with damar crown. The field at this stage looked like young primary forest in its climax growth or tropical forest ecology model.

The planting process of damar has become a success story of Krui farmers in developing artificial forests in the world. Vegetation succession is very important to take place and holds high economic values. Farmers shorten the productive time span from 20-25 years into 5-10 years. If they decided to plant sole damar trees on their fields, they would have had to wait for 25 years without harvesting any rice, coffee

and pepper. Damar tree itself cannot grow because they need protection from other plants' crown such as coffee and pepper.

In 1984, two third of damar produce or 60% of the annual production was absorbed by local market to feed raw materials for paint factories; 24% for incense and 16% for batik wax industry. At present, the main producer of damar mata kucing is Lampung. About 80% of damar mata kucing from Indonesia was collected from Pesisir Krui within damar fields covering 22,000 ha.

Basically, there are nine principles contained in SHK. These nine principles are: (1) Communities are the main actors (local communities and indigenous communities); (2) Management institution is formed, run and controlled by respective community; (3) Cover clear areas or territory supported with legal status; (4) Interactions between community and the environment take place directly and closely with ecosystem as the important part of local communities' live; (5) Indigenous knowledge is the base of policy and forests management system without limiting the adaptation of modern knowledge that enrich the development of SHK; (6) When not using local technology, the applied technology has been adapted and local community can operate the technology; (7) Production scale should be limited only by the principles of sustainability; (8) Economic system should be based on common welfare and (9) Diversity of biological resources should be the base of development that pay attention to the diversity of genus and genetic diversity; cultivation patterns and utilization of resources, economic system and so on.

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**Written by:**

**Muayat Ali Muhsi**

**National Coordinator KPSHK**

**(Consortium for Supporting Community Based Forest System management.)**

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***Voices from the Forest***

## *Voices from the Forest*

### **The Challenges of Implementation: Enforcing Indigenous Peoples Resource Rights within their Ancestral Domains, Experiences from the Philippines**

Seventy participants from various parts of the Philippines had come together on the island of Palawan for the Southeast Asian Exchange Visit on Sustainable Management and Marketing of Non-timber Forest Products from December 13-17, 1999. Unrelenting rains had prevented delegates from Cebu, Nueva Vizcaya, Manila and Benguet from attending the affair. Ticketing problems had also barred the arrival of international guests from Indonesia, India, Sri Lanka and Malaysia. Though the workshop had not come together as planned, these fortuitous events provided the opportunity for the visit to redirect focus towards the pressing national issue of ancestral domain recognition and management.

Nine Philippine NGOs, and 12 indigenous community associations participated in the workshop. Mangyan, Dumagat, Agta, Pala'wan, Tagbanua, and Batak groups were represented. Each indigenous group shared their experiences in the struggles for the recognition of their ancestral domains. David Belleza, Agta leader from Cagayan Valley, was thankful that their community had been granted a CADC (Certificate of Ancestral Domain Claim), but he related that they still lacked the skills and resources to prepare a management plan for the ancestral domain. Tony Marquez, Dumagat representative from Quezon, related that they were not yet able to obtain a CADC.

Matimyas Gayoso, SANAMA Livelihood Coordinator, related their ongoing efforts in Mindoro as the Mangyan representative. Nine CADCs covering 280,684 have been granted to the Mangyan and Buhid in Occidental and Oriental Mindoro. Unfortunately, the Mangyan ancestral domain management plan (ADMP) was still not completed after 2 years. This is clear as expressed by DENR Department Administrative Order # 34, and is further supported by the legal opinion of Attorney Antonio La Vi?a in his memorandum dated June 25, 1997. Furthermore, completion of an ADMP is not necessary before an IP community can enjoy the rights of the ancestral domain. According to DENR Memo Circular 97-12, CADC holders may be granted Interim Resource Use Permits (IRUP) while ADMP formulation is ongoing. Furthermore, DENR (Department of Environment and Natural Resources) officials had informed the Mangyan that apart from the submission of an ancestral domain management plan, licenses for each forest product (rattan, vines, etc.) would still be required. This information left the Mangyan fearing that added bureaucracy would further delay their access and protection of their natural resources.

Palawan participants were shocked to hear about the problems of implementation of CADCs and ADMPs in other parts of the country. NATRIPAL, Filipino acronym for United Tribes of Palawan, had successfully assisted 4 communities in securing ancestral domains and in the formulation of ADMPs. Two other CADCs had been issued in Palawan, but they have not been awarded because of conflict with the local government. A memorandum released by Secretary Cerilles has also delayed the processing of other CADCs for 2 years now. President Naron Asura of PINPAL, the indigenous community association of Punta Baja, Rizal shared that with the issuance of the CADC and the completion of the ADMP, the Pala'wan were slowly taking the reigns of protecting and managing their lands and natural resources. He went on to relate to other participants that the ADMP can legally serve as a permit for non-timber forest products in itself. This document takes the place of a permit and once completed and submitted there would be no need to apply for a license for forest products individually. IP (Indigenous Peoples) representatives realized that since the Palawan CADC holders had been able to enforce the law in the implementation of the CADC, this would give them new hope in their own struggles over access to forest products back in their respective locales.

Palawan CADC holders, assisting NGOs and Peoples' Organizations also expressed that the CADC and ADMP had provided greater recognition, to the IPs of Palawan.

The IPs had greater strength to arrest those performing illegal activities and greater freedom to set prices and transact with their chosen buyers for their non-timber forest products. CADC holders from the town of Rizal guided participants around their ancestral domains as they shared these experiences.

Though the management of ancestral domains is an ongoing issue, such promising cases must be further documented so that IP groups can better address implementation problems in different parts of the country. This is all the more important in times when the DENR does not appear to favor community-based efforts (particularly ancestral domain activities), the NCIP appears to lack credibility, organisation and funds, and the Indigenous Peoples' Rights Act awaits the decision of the Supreme Court (Republic Act-8371, otherwise known as the Indigenous Peoples Rights Act (IPRA), is being reviewed by the Supreme Court because its constitutionality is in question. The NCIP was the body created by the IPRA, which is responsible for processing CADCs).

The exchange visit ended with hopes of further exchanges on ancestral domain recognition and management. In the short term, the visit expanded the advocacy agenda of IP groups in the Philippines to be vigilant in their struggle for proper implementation of laws concerning IPs. It is hoped that increased dialogue and the dissemination of positive CADC experiences will result in the resumption in the process of ancestral domain delineation and recognition.

*N.B. Please refer also to the Section Books for a review of "Contesting Frontier Lands in Palawan, Philippines: Strategies of Indigenous Peoples for Community Development and Ancestral Domain Management" by Eufemia Felisa Pinto.*

**Written by:**  
**Maria Cristina S. Guerrero**  
**Coordinator Regional NTFP Desk**

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***Voices from the Forest***

## Voices from the Forest

### Fruit Bats, Friends of Forests and Men

Every person knows bats, the animals that fly in the night. Small ones, eating insects, and big ones, eating fruits. In some regions, bats are eaten by man. But bats have other functions for man, especially for people who live in and near forests. There, like many animals and plants, bats are part of the forest. They have got work to do, in the forest. And in return, the forest feeds them. If the forest would not feed them, they would surely die. But if all the forest bats die, the forest will follow, and also die. Yes, the forest depends on tiny animals like bats for its survival.

The insect eating bats are not restricted to forests. You can find them nearly everywhere, also in colder climates, even in many cities. They destroy many pest insects, like mosquitoes and others. It is incredible how many insects a bat colony can catch and eat per night. If they would not do this, insects may more easily act as pests, in agriculture and as carriers of diseases for both man and animals. The fruit eating bats are found mostly in tropical forests. Some live in drier forests, or on islands, but they always need trees. They need trees to hang in, or roost. Only few fruit bats roost in caves, because most species can not fly in the dark. They need a little bit of light to go by. The light of the moon and the stars will do. But the trees are not only their homes. They also provide the bats with food. Fruit bats eat fruit, of course, but some species also eat the honey of tree flowers. And some eat the leaves of trees.



Rousette Bat (*Rousettus amplexicaudatus*)  
Photo: S. Donnellan

There are about 165 different species of fruit bats. About 35 live in Africa and the 130 others live in Asia and on Pacific Islands. They are not found in tropical America. Many belong to the group of large species also called flying foxes, because their heads resemble those of foxes, or dogs. During the daytime these live in large groups in trees, where you can often see them, moving about, flapping their wings, squeaking, and fighting with their neighbours for a place. But there are also many smaller species. For instance, some are specialised in visiting flowers to lap honey. They weigh maybe up to 20 g, and have a very long tongue, to get at the honey.

What kind of job do they do? When eating fruits, they often fly away from the tree where they picked a fruit, to eat it somewhere else. When the seeds are large, as in mangoes, they drop these directly, at this other place. When the seeds are very

small, as in bananas, they eat the seeds and drop them later, at places sometimes far from the mother tree. This is good for the seeds because, as scientists have found, seeds which fall near the mother tree have only a small chance to grow into a tree, but seeds which fall far from the mother tree have a much bigger chance. The bats promote the growth of more trees, and help sustain the forest. And fruit bats do more than that! The smaller species, which visit flowers, take the pollen of these flowers with them, sticking to their fur, and when they visit another flower of the same tree species, this will be pollinated. Only pollinated or fertilised flowers will form new fruits and seeds. And many species of trees are pollinated only, or mainly, by fruit bats. That is why so many forest trees have big, strong flowers, which are easy to reach and to hang on to by bats. That is why many of these flowers open at night, and have a strong smell. The banana flower is a good example, and many other very useful trees need fruit bats. When fruit bats are all killed, all these tree species will remain without fruits and seeds, and in the end die without children. This would lead to their disappearance, and eventually to the death of the whole forest. As trees can grow very old, we would not be able to see this all happen during our lifetime. But we can easily understand it.

In some regions fruit bats are hunted for consumption. Some species have become scarce, or have disappeared, as a species of flying fox on the island of Guam. As a result, the forest of Guam is in great danger now, because there are only small numbers of one other species of fruit bat left. One would wish that everywhere the hunting of forest animals would be regulated and controlled by the people living in and near the forest. Only a certain number of specimens can be hunted per year, or otherwise the species and the forest, will suffer, or even disappear. That is what forest people know, and what young people, or people new to forest areas, must learn.

**Written by:**  
**Wim Bergmans**  
**Netherlands Committee of IUCN**

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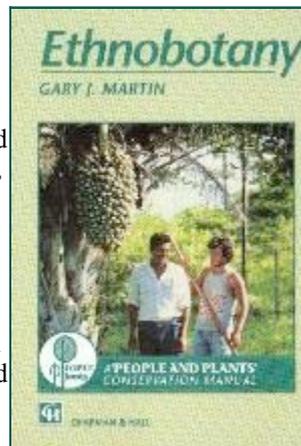
## Books

### I Ethnobotany

A methods manual

*Gary J. Martin Chapman and Hall, London (268 pages)*

Ethnobotany is the study of people's classification, management and use of plants. This book provides a detailed overview of this emerging discipline. It is written in a non-technical style accessible to researchers from various academic disciplines. The manual is aimed primarily at researchers who are beginning field studies, but it will also be of interest to field workers who wish to review new concepts and techniques drawn from botany. Ethnobotanists and local people face the challenge of not only recording knowledge of the plant world, but also applying the result of their studies to biodiversity conservation and community development. The manual describes basic skills and techniques needed to collect quality field data. It focuses on six academic fields related to ethnobotany: botany, ethnopharmacology, anthropology, ecology, economics and linguistics. The publication is illustrated with experiences from around the world.



The People and Plants Initiative on Ethnobotany and Sustainable Use of Plant Resources, a programme of the WWF/UNESCO/Royal Botanic Gardens, Kew, has been so generous to provide a limited number of copies free of charge to the partners in the NTFP Exchange programme.

### II Contesting Frontier Lands in Palawan, Philippines: Strategies of Indigenous Peoples for Community Development and Ancestral Domain Management (unpublished)

A thesis submitted in December 1999 to the Faculty of Clark University, Worcester, Massachusetts, USA.

*Eufemia Felisa Pinto*

This thoroughly written thesis analyses the trajectory of the indigenous peoples' struggle for land and resource use rights in the Philippines, particularly within the scope of a shifting national environment and development policy agenda, and the institutional arrangements that operate in practice.

It contains 1.3 kg of up-to-date information, which may be highly interesting to some of the readers of 'Voices from the Forest'.

The first part of the book explains the provisions of the Convention on Biodiversity (CBD) on access and benefit-sharing, national laws to implement them, and material transfer agreements. The second part - in fact the core of the book - comprises seven chapters, each of which takes as its theme a major industry sector which requires access to genetic material for research and development.

The thesis asks two critical questions:

- Are the indigenous peoples positioned strategically within the existing political and legal space in order to move decisively towards their desired goal of self-determination and equitable development?
- In attempting to meet their objectives, what are the barriers that indigenous peoples encounter, and the strategies that they adopt in order to leverage greater political space at various levels in the institutional landscape?

The thesis addresses these questions through a case study analysis of NATRIPAL (United Tribes of Palawan), the indigenous federation in the island of Palawan, Philippines.

For further information please contact Eufemia Felisa Pinto at femy@bigpond.com.kh.

### **III Manufacturing and Plant Construction Handbook**

*Protrade*

For many developing countries, regional and international trade in non-traditional agricultural products (such as medicinal and aromatic plant extracts and especially essential oils) is an important source of foreign exchange, and is thus vital to the economic development of those countries. The rural sector plays a key role in the production of essential oils, and thus enhancement of trade will benefit the most needy sectors of the population. However, the lack of technical know-how often means to many small and medium-sized enterprises that controlled wild collection and cultivation of herbal raw material cannot be followed by the subsequent on-site processing of essential oils to achieve the desired value-added in the country of origin itself.



This manual presents detailed engineering designs of stills suitable for the distillation of essential oils. It also takes into account the varying needs of the industry, and the circumstances within which they may be fabricated in the developing regions of the world.

Protrade has been so generous to provide a limited number of copies free of charge to the partners in the NTFP Exchange programme.

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**Redaction 'Voices from the Forest'**

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**Editors**

J. de Beer, E. van Poederooijen, M. Rikken and B.J. Ottens

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M. Rikken and E. van Poederooijen

**Editorial address**

ProFound - Advisers In Development

Hooghiemstraplein 128

3514 AZ Utrecht

The Netherlands

Telephone: (31) 30-2769262

Telefax: (31) 30-2720878

Email: [info@NTFP.org](mailto:info@NTFP.org)

Internet: <http://www.ThisIsProFound.com>

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