

KARAKTER REGULASI TERKAIT HUTAN ADAT DAN IMPLEMENTASINYA DI INDONESIA

INTISARI

Oleh :

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Pengelolaan hutan telah bergeser kepada pengelolaan hutan berbasis masyarakat atau yang disebut *community based forest management (CBFM)* yang dipandang dapat memberikan dampak positif pada sektor lingkungan dan sosial. Salah satu bentuk pengelolaan hutan dengan pendekatan *CBFM* adalah hutan adat. Pengelolaan hutan adat sebagai bagian dari pendekatan *CBFM* terbukti memberikan dampak yang positif di berbagai negara. Dalam konteks Indonesia, praktik pengelolaan hutan adat telah eksis di Indonesia sejak zaman dahulu. Hutan adat juga diakui dan dilindungi keberadaannya oleh negara, akan tetapi progres penetapan hutan adat di Indonesia dipandang masih belum optimal. Oleh karena itu, penelitian ini bermaksud untuk mengkaji regulasi-regulasi yang berkaitan dengan hutan adat di Indonesia termasuk karakter dan bagaimana implementasi dari regulasi yang ada.

Penelitian ini berfokus pada analisis regulasi tingkat pusat terkait hutan adat dan implementasinya di Indonesia. Penelitian ini menggunakan pendekatan kualitatif yang berbasis pada sumber sekunder, wawancara, dan observasi.

Hasil analisis regulasi menunjukkan bahwa terdapat 4 regulasi yang mengatur terkait hutan adat di Indonesia. Dari 4 regulasi tersebut, teridentifikasi bahwa 2 diantaranya berkarakter *procedural-mandatory*. Hal ini menunjukkan bahwa, regulasi terkait hutan adat di Indonesia masih bersifat umum dengan memuat persyaratan dan tata-cara dalam pelaksanaan program pemerintah. Regulasi yang dibentuk juga bersifat terbatas dan wajib untuk dilaksanakan. Berdasarkan hasil pembahasan, diketahui bahwa implementasi regulasi terkait hutan adat di Indonesia masih perlu adanya evaluasi lebih lanjut. Utamanya pada penetapan status hutan adat di Indonesia yang masih cukup lambat dikarenakan minimnya anggaran yang dialokasikan dan minimnya sumber daya manusia pada tubuh Direktorat Penanganan Konflik Tenurial dan Hutan Adat.

Kata kunci : *indigenous people, indigenous forest*

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THE CHARACTER REGULATIONS RELATED TO CUSTOMARY FOREST AND ITS IMPLEMENTATION IN INDONESIA

ABSTRACT

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Forest management has shifted to community-based forest management (CBFM), which is considered to have a positive impact on the environmental and social sectors. One form of forest management with a CBFM approach is customary forests. Customary forest management as part of the CBFM approach has proven to have a positive impact in various countries. In the Indonesian context, customary forest management practices have existed in Indonesia since a long time ago. Customary forests are also recognized and protected by the state, but the progress of establishing customary forests in Indonesia is still considered not optimum. Therefore, this research intends to analyze regulations related to customary forests in Indonesia, including the character and implementation of existing regulations.

This research focuses on analyzing national-level regulations related to customary forests and their implementation in Indonesia. This research uses a qualitative approach based on secondary sources, interviews, and observations.

The results of the regulatory analysis show that there are 4 regulations related to customary forests in Indonesia. It was identified that 2 of the 4 regulations are characterized as procedural mandatory. This shows that regulations related to customary forests in Indonesia are still general in scope, containing requirements and procedures for implementing government programs. The regulations that were formed are also restricted and mandatory to be implemented. Based on the results of the discussion, it is known that the implementation of regulations related to customary forests in Indonesia still needs further evaluation. In particular, the status establishment of customary forests in Indonesia is still quite slow due to the lack of budget allocated and the lack of human resources within the Directorate of Tenurial Conflict Handling and Indigenous Forests.

Keyword : *indigenous people, indigenous forest*

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