



***Tagal Hutan* to conserve
culture, land and forest
through development of a
Policy Framework**

**Asia-Pacific Forestry Week
Stream 4: Tenure/Land
Rights and Food Security**

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Tagal = Time & Area specific Prohibition (Kadazan language)

- Traditional practice of indigenous/Orang Asal of Sabah.
- Concept - collective governance & responsibility; conservation of resources; & maintenance of indigenous values.
- Tagal system - manage any important community resources such as rivers, forests, watersheds, wildlife.

Important elements of Tagal:

- a community practice.**
- promotes conservation** ie. have three basic aims of preservation, restoration, sustainable use.
- promotes traditional governance** ie. emphasises on community involvement, manifestation of the adat, and enforcement based on village unit.
- has a spiritual element.**
- has an educational aim.**



Research on *Tagal Hutan*

1. Conservation initiatives :

- Community Conservation Resilience Initiatives (CCRI) - PACOS Trust & EU REDD+ projects by Sabah government;

2. Other research:

- *Tagal* Sungai di Sabah; Indigenous and Community Conserved areas (ICCA) & Indigenous Territories (by Jaringan Orang Asal SeMalaysia (JOAS))

3. Relevant international policy decisions on social forestry relevant to *Tagal Hutan*

4. Relevant Legal & Policy provisions supporting *Tagal Hutan* in Sabah

5. Existing Gaps, Opportunities and Challenges



Research on *Tagal Hutan*

1. Development of a policy framework to promote the Tagal Hutan is ideal but not critical.

As long as the right to self-determination of Orang Asal communities are respected, they are likely to be free to practice Tagal Hutan as a means to conserve their cultures, forests and lands and address climate change.

2. A policy framework can definitely add value and hasten the conservation of culture, forest and lands, particularly if it has the support of all communities in the state.



1. Community Conservation Resilience Initiatives (CCRI)

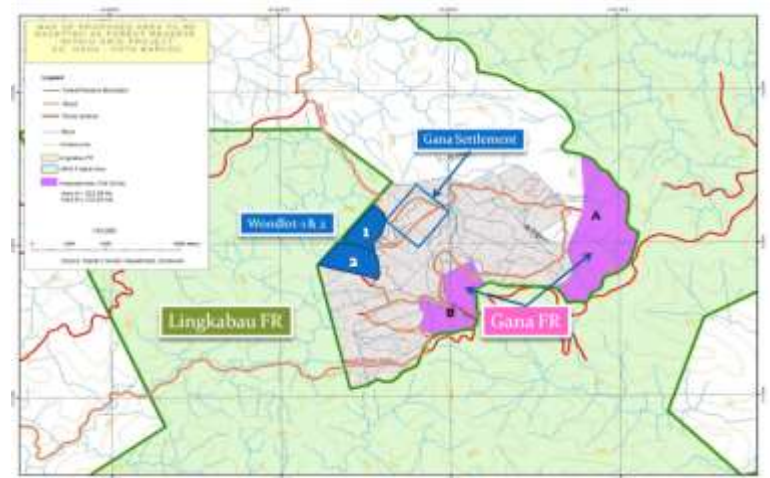
- Initiatives all showed that the communities are committed to conserve and govern their forest resources using their adat and traditional knowledge and practices.
- Project activities demonstrated that even without a policy framework, they are commitment is conserve traditional indigenous practices, enhance watershed management, and address climate change because of traditional governance and values important to them are enhanced, it promotes participation, and there are educational and spiritual elements within these traditional practices.



2. Pilot EU REDD+ Projects in Sabah

“Tackling Climate Change through Sustainable Forest Management and Community Development”.

- objectives - contribute to sustainable & low carbon development, to improve Sabah's REDD+ readiness and implementation through demonstration activities to strengthen community engagement in forest protection and pro-poor sustainable forest management.
- target groups - IPs of Kg Gana, the Upper Kinabatangan and the Kinabalu Park.



3. Experience: Riverine Tagal Sungai

- Fisheries Department adopted Tagal system in its management plan and incorporated into the Sabah Inland Fisheries & Aquaculture Enactment 2003.
- revitalised the practice of Tagal, from 50 villages (2002) to 536 villages (2016)



Pitfalls

- (1) incorporation of traditional system into the law has shown that indigenous concepts and governance was not captured adequately by the law.
- (2) community trust and spiritual and social significance are lost if the aims are changed to purely economic reasons (fly fishing, eco-tourism)



4. *Research on Indigenous and Community Conserved Areas (ICCAs)*

- government is at a relatively initial stage of familiarizing itself with the concept and its implications, yet to institutionalise community participation in safeguarding ICCAs.
- although most laws have specific sections allowing respective agencies the mandate and latitude to work with local partners toward conservation goals or sustainably managing land and other natural resources, they invariably stops short of full community governance.
- suggests creating enabling environment for govt agencies, NGOs and communities to engage with ICCAs and CBNRM strategies such as *Tagal Hutan*.



5. Research on *Traditional Territories*



- IPs have terms for spaces, geography and land use within their *Wilayah Adat* or Traditional Territory.
- scope of the traditional territory, including rivers, water and shores based on land use concepts in an area governed based on the customs of the Orang Asal.
- Findings - communal forests within indigenous peoples' traditional territories are being managed and conserved, and provide the potential for communities to implement and/or revitalise *Tagal hutan* by indigenous communities

Relevant international policy decisions on social forestry relevant to *Tagal Hutan*

ASFN

- ASEAN Senior Officials Forum (ASOF) 2013 Strategy on Social Forestry in Climate Change & Biodiversity Conservation
- 2015 ASEAN Social Forestry Network (ASFN) Conference Decisions

2020 Aichi Biodiversity Targets

- Target 18 aims to have governments respecting and fully integrating traditional knowledge, innovations and practices of indigenous communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, by 2020, with the full and effective participation of indigenous communities at all relevant levels.



Relevant Legal & Policy provisions supporting *Tagal Hutan* in Sabah

- Management of land and resources is primarily under State jurisdiction (rather than Federal jurisdiction).
 - No single law - resources are compartmentalized
1. Sabah Forest Enactment, 1968
 2. Sabah Biodiversity Strategy 2012-2022
 3. Sabah Biodiversity Strategy Action Plan
 4. Sabah Parks Rules in 2011
 5. Wildlife Conservation Enactment 1997
 6. Sabah Water Resources Enactment 1998
 7. Sabah Land Ordinance 1930
 8. Sabah Land Use Policy 2010



EXISTING GAPS, OPPORTUNITIES AND CHALLENGES

1. Competing interests of the state



2. Flexible Form of Tagal Hutan Recognition

- non-prescriptive, preserve trad governance, wilayah adat

3. Management Effectiveness

- co-management, formal agreements, mutual aims, harness conservation values and areas, facilitate compliance, PES

4. Effective participation and decision-making

- Trust-building, IPs as partners, financial support etc

5. Coordination & Jurisdictional Limits

- inter-departmental & inter-ministerial coordination, ecosystem approach

6. Research & Education