

THE ROLE OF LOCAL GOVERNMENT TO IMPROVE THE ECONOMY AND WELFARE FOR THE TRIBE OF GREAT WAMESA IN WEST PAPUA, THROUGH THE SUSTAINABLE INDIGENOUS FOREST DEVELOPMENT PROGRAM: IN THE PERSPECTIVE OF COLLABORATIVE GOVERNANCE IN PUBLIC SERVICE

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Abstract

This study aims to analyze and describe the role of local government in improving the economy and welfare of the Wamensa indigenous people in West Papua, through a sustainable forest development program in the perspective of collaborative management in public services. This research uses qualitative methods with case studies in forests in West Papua. The results of the research show that the success of the Government's role in sustainable forest development is based on 3 determining indicators: economic, social, and ecological. The success of Collaborative Governance is demonstrated by the presence of pillars of governance in the paradigm of Public Administration which demands Collaborative Governance

Keywords: Indigenous Law Community, Local Wisdom, Collaborative Governance, Public Service, Sustainable Customary Forest Development

INTRODUCTION

The problem of deforestation and forest degradation that runs massively and uncontrollably has caused damage to infrastructure and the environment, causing a decrease in water availability and carbon production which triggers global warming on a world scale (Wahyuni & Suranto, 2021) . This can be a serious threat to human life and forest ecosystems. According to Dharmika, (2014) , this incident was caused by the anthropocentric paradigm of humans who exploit nature without paying attention to its sustainability (Vonny, 2017; Zulfa, 2015) .

The anthropocentric paradigm is one of the paradigms that is considered to play an important role in environmental degradation (Gunawan et al., 2015; Kopnina et al., 2018; Muda, 2016; Yuono, 2019). This condition makes Indonesia a country that is considered to have carried out unsustainable forest management and is the country with the most severe deforestation rate (FAO, 2012; Purwatiningsih, 2022).

Based on data from Forest Watch Indonesia (FWI) from a compilation of data from the Ministry of Environment and Forestry (KLHK), the practice of deforestation or deforestation in Indonesia has been increasing intensely from time to time, starting from 2017 to 2020 (Bara et al., 2022). This is due to the increase in the area of production forest utilization for private company concessions in the provinces of Papua and West Papua, which reaches more than 1,000,000 hectares per year. The area of forest use in other areas such as Sumatra, Kalimantan, Nusa Tenggara, Maluku, and Sulawesi only reaches hundreds of thousands of hectares (PANDU, 2020).

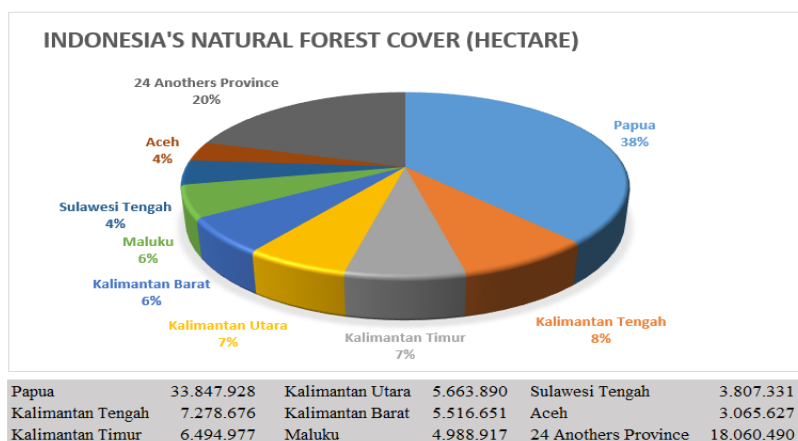


Figure 1. Distribution of Indonesia's natural forest cover

The picture above shows the distribution of forest cover in several regions in Indonesia, in 2020 data, Papua and West Papua Provinces still contain 33,847,928 hectares, the data shows that Papua's forest cover has been ranked 1st (one) and West Papua has ranked 2nd (second) in Indonesia (KLHK, 2021). We should be proud of this data, because currently West Papua still has about 81% remaining sustainable forest, with a wealth of various types of wildlife and the ecosystems contained therein (mega-biodiversity). This condition makes sustainable forest development efforts very important and urgent in nature. Deforestation activities and management of forest conversion into plantation or agricultural land, must receive more serious attention and consideration by the Government. Forest conservation efforts must be increased and become a top priority in forest governance in West Papua, there must be new data-based policies that can help sustainably maintain forest functions, while improving the welfare of people who depend on forests for their lives. The government of West Papua is currently trying to reduce the rate of deforestation and forest degradation (Aggata, 2021). This commitment

was born due to the declining performance of forest management and the lack of involvement of local communities around the forest area itself (Aggata, 2021) .

The forest area becomes a management unit that can be managed sustainably so that it is hoped that not an inch of forest area will escape management at the site level. Where the socio-economic conditions of the community around the forest and the potential of forest resources can be known with certainty so that the forest management system can be prepared based on the existing conditions of the forest area and prospective business development in the future, as a business area. Apart from that, it must be able to take advantage of opportunities for innovation and creativity, so that they are advanced and independent. Then through the acceleration of paradigm change, among others, the use of appropriate technology, the mainstreaming of regulations and forest management as well as forest resource-based businesses. In this condition, the involvement of local indigenous peoples can be involved in their operations so that they can contribute to improving the economy and community welfare.

THEORETICAL FRAMEWORK

The Concept of Sustainable Development Forest

Forestry development is directed at increasing its functions and roles in the environment, and social community, meeting the needs of industry and exports, as well as income for the state and society. According to Suntana et al, (2000:11) , there has been a shift in the weight of the handling of various activities that have been carried out so far, stating: 1) The principles of sustainable production (sustainable yield principles) are improved so that their handling is more directed towards forest and ecosystem sustainability. it (sustainable forest management) where the forest products used are obtained based on sustainable management; 2) Encouraging the involvement of communities around forests and medium and small entrepreneurs in the forestry sector to be significantly increased, shifting from economic growth to social growth. Large entrepreneurs and BUMN are directed to develop the people's economy and foster partnerships in business with the community and small/medium entrepreneurs; 3) Increasing the development of community forests to increase the production of forest products, preserve soil and water and improve the welfare of rural communities; 4) Development priorities are more directed at areas that are still lagging, adapted to natural conditions, forest conditions, and community conditions; 5). Increasing the capability of supporting factors for forestry development (human resources, science and technology, institutions, and investment). This element is very important because it will be the driving force for forestry development in the long term. Forests used for the benefit of the people are a new paradigm in social forestry programs (Koentjaraningrat, 2010) . The shift in forest governance is not only for the benefit of large business groups but also for the community living around the forest to obtain guaranteed permits or rights for the management and use of the forest. Forests are one of the natural resources that have used values in the process of human life for various interests ranging from social, economic, and even environmental so the existence and function of the forest need to be maintained in order to remain good (Nilasari et al., 2017) .

Concept of Collaborative Governance in Public Service (Collaborative Governance in Public Service)

Collaborative governance has become increasingly popular to address environmental issues (Armitage et al., 2011; Bodin, 2017; Jager et al., 2020) . This grew out of the general trend towards more collaborative governance regimes across all public policy domains (Newig & Fritsch, 2009) , and the awareness that natural resources are components of complex socio-ecological systems (SES) that are often linked to conflict (Guerrero et al. al., 2015; Ostrom, 2009) One well-established framework for analyzing this complex SES is Elinor Ostrom's socio-ecological systems framework (McGinnis & Ostrom, 2014; Ostrom, 2007) , which shows how collective action and its outcomes are fed into in a complex context. To deal with the uncertainty and conflict inherent in forestry, a more collaborative form of governance needs to be prioritized, aiming to incorporate local knowledge, decentralize decision-making, create institutions that are compatible with ecological dynamics, and increase the adaptive capacity of government regimes (Kirk Emerson & Gerlak, 2003). 2014; Plummer & Armitage, 2010) . Collaborative governments often operationalize adaptive management as a tool to generate systematic knowledge during the management process (Armitage et al., 2011; Fikret, 2017) . Adaptive management that combines collaborative aspects is called adaptive co-management. (Plummer, 2009) .

Collaborative governance is considered a form of governance structure, where one or more government agencies are directly related to non-governmental stakeholders in making formal decisions based on consensus, deliberative, and leading to the formulation or implementation of public policies or can also be a public asset program. In carrying out a collaboration between stakeholders, both local governments, private parties, communities, and customary stakeholders, it is necessary to have a forum or institution that will manage the cooperation.

Ansell & Gash, (2008) , suggest that what is meant by collaborative governance is governance where government institutions directly involve actors outside the government (both communities/communities, NGOs, and private collaborative) in formal decision-making processes. , which is oriented to the common interest. Its purpose is to implement policies and manage programs and resources together. From this perspective, according to Ansell and Gash, several important keywords must be noted, namely: (1) cooperation is initiated by government institutions, (2) the involvement of non-government actors, (3) all actors are involved in the policy-making process, (4) cooperation forums are jointly organized and designed, (5) the purpose of cooperation forums is to make joint decisions, and (6) the focus of cooperation is on policy-making and governance.

The Concept of Customary Forests in the Perspective of State Normative Law and Customary Law

In the legal context related to the existence of Forests in Indonesia, it has been regulated in state normative law, but the State also recognizes the existence of Customary Law regarding the reclaiming of customary forests, as has been stated in the 1945 Constitution Article 18B(2) Chapter VI concerning Governance which states that: "The state recognizes and respects

customary law community units and their traditional rights as long as they are still alive and by the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law".

According to Sari's view, a customary forest is a forest area within the customary area which is an inseparable part of the life cycle of the indigenous community that inhabits it. In general, forest-dwelling indigenous communities in Indonesia view humans are part of nature who must care for each other and maintain balance and harmony (Sari, 2021) . Indonesian history proves that the management and use of customary forests is often faced with conflicts between indigenous peoples (MHA) and the government (Laturette, 2016) . Article 1 point 6 of Law Number (No.) 41 of 1999 concerning Forestry (hereinafter referred to as the Forestry Law) defines customary forest as "state forest located within the territory of customary law communities". Thus, the permit for the use of natural resources, including customary forests, is with the Ministry of Forestry.

The Concept of Indigenous Peoples and Local Wisdom (Local Wisdom)

Indonesia has various tribes and ethnicities that have their systems and approaches to understanding and acting on natural resource management. Almost every tribe has its own traditional knowledge system and even has innovations in environmental management and utilizing natural resources based on local customs and culture (Marfai, 2016) . Local wisdom is a system in people's lives that is dynamic, sustainable, and acceptable to the community which includes social, political, cultural, economic, and environmental life (Thamrin, 2013) . The concept of collaboration to develop cultural preservation is intended to maintain local wisdom that can be created and practiced for the good of the community that develops it (Kirk Emerson & Murchie, 2011).

A community group that is used to survive by environmental conditions (Sufia et al., 2016). starting from the surrounding environment (Sufia et al., 2016) . Wise use of the forest environment will provide a natural balance that is beneficial for the welfare of the community (Senoaji, 2004) . The existence of local wisdom directly or indirectly has a role in maintaining and preventing environmental damage (Lampe, 2006) . According to Baharudin's view (Baharudin, 2012) exploitation of natural resources cannot ignore local wisdom, because local wisdom functions as a balancer and environmental harmonic. So that it can prevent the human anthropocentric paradigm of exploiting nature without paying attention to its sustainability (Vonny, 2017; Zulfa, 2015) .

RESEARCH METHODS

This research uses a qualitative method with a case study approach, using a post-positivist paradigm because it emphasizes the verification of the previous theoretical framework, which includes; the theory of sustainable forest development; collaborative governance theory (Collaborative Governance); customary forest theory in the perspective of state normative law and existing law; and the theory of indigenous peoples and local wisdom. The purpose of this study is to describe how Collaborative Governance theory contributes to efforts to develop

sustainable forests based on local wisdom in West Papua. According to (Creswell & David, 2017) , by using qualitative methods, the knowledge gained is formed through several perspectives and ways of interpretation originating from the participants involved in the study, not limited to the research conductor.

The data generated in this study were analyzed through interactive analysis. (Miles & Huberman, 2018) emphasizes that interactive analysis is an interactive process that aims to present data in a systematic, factual, and accurate manner. Furthermore, the data analysis plots are; 1) Data Collection, 2) Data Condensation, 3) Data Display, and 4) Conclusion Withdrawal and Verification. Furthermore, for testing data validation, researchers used triangulation techniques, namely techniques to test data validation by checking or comparing data from various data sources used. Research sites; The Wamesa Tribal Customary Forest, Werianggi Village, Nikiwar District, Wondama Bay Regency, West Papua Province.

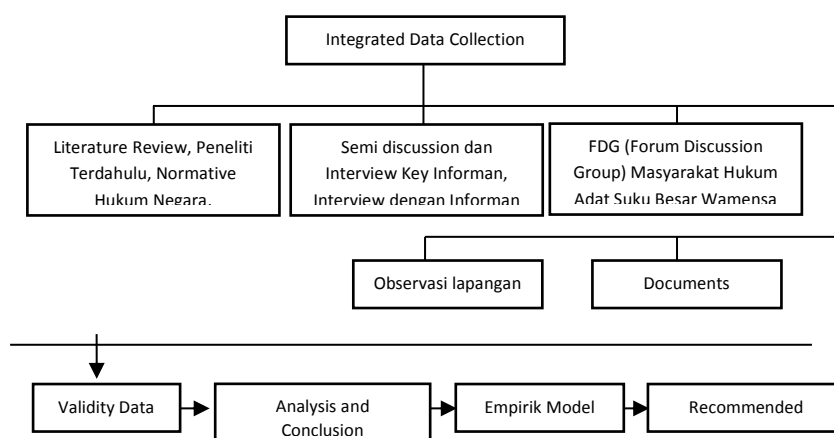


Figure 2: Research Design for Preservation of Indigenous Forests Based on Local Wisdom

Source: Processed by Researchers/Theoretical Studies: (Creswell & David, 2017; Miles & Huberman, 2018; Moleong, 2014)

RESULTS AND DISCUSSION

The Role of Local Governments in Improving the Economy and Welfare of Indigenous Peoples, Through Sustainable Development of Customary Forests.

The policy orientation of the Government of Indonesia in forestry management in Indonesia has shifted from the orientation of timber management to resource management, centralized to decentralized management, and equitable resource management. Shows that forest management considers the balance between economic, ecological, and social aspects of the community as the ultimate beneficiaries in forest management.

This policy orientation is proven through the issuance of Law No. 41/1999 on "Forestry", it is emphasized that forests as national development capital have real benefits for the life and

livelihood of the Indonesian people, both ecological, socio-cultural, and economic benefits, in a balanced and dynamic manner. . For this reason, forests must be managed and managed, protected and utilized sustainably for the welfare of the Indonesian people, both present and future generations. This Law, in line with Article 33 of the 1945 Constitution as the constitutional basis which obliges the state to control the earth, water, and natural resources contained therein and used for the greatest prosperity of the people, the forestry administration must always contain soul and spirit of the people, just and sustainable. Therefore, forest management must be carried out with the principles of benefit and sustainability, democracy, justice, togetherness, openness, and integration based on noble character and accountability.

In the context of sustainable forest development, we can analyze that; All forms of activities related to natural resource management must be in harmony and not contradict what has been mandated in the 1945 Constitution Article 33 paragraph (3), Indonesia as a state of the law has placed the 1945 Constitution as the constitutional basis and is the source of all sources of law in a unitary state. The Republic of Indonesia. It can be interpreted that all forms of legal products or regulations that are made must be in harmony and not conflict with the 1945 Constitution. This indicates that both legally and in practice, that sustainable forest development must be aimed at the greatest prosperity of the people.

Although the existence of Laws and Regulations has been issued so that it becomes an ideal form of forestry development management that is pro-interest for the people, and is in line with the constitutional basis, at the level of implementation it is necessary to prove the truth. In many cases in Indonesia, the legal products of government policies and their implementation are not always the same.

Empirical Condition of Wamesa Tribe Indigenous Forest Governance

Based on the results of the study, it is shown that the development of a sustainable forest of the Wamesa tribe located in Werianggi Village, Nikiwar District, Wondama Bay Regency, West Papua Province, has proceeded according to the following conditions; It is estimated that the customary forest of the Wamesa tribe is +- 18,578 Ha, according to the mapping data on the "Map of potential conflict areas for business licenses for the use of timber forest products in natural forests in production forests", the area has been identified as data on the distribution of customary rights or land rights. Customs in the forest. However, since 2013 the government has handed over the land management rights to PT. Wijaya Sentosa, based on an IUPHHK permit with SK.HPH No. SK.33/Menhut-II/2013 dated January 15, 2013, with a total concession area of 130,755 Ha.

The indigenous people of the Wamesa Tribe have lived side by side with customary forests for generations, one of the local wisdom they have is the Siweruri Kuweta traditional customs, these customary norms have been used as a way of life and signs in relationships between humans and nature. This is a traditional custom that was handed down by their forefathers. The indigenous people of the Wamesa Tribe are very thick with the issue of trust in their ancestors, by obeying customs and staying away from their prohibitions, is considered a form of respect for services to their ancestors.

The term local wisdom or local culture is included in the concept of culture. Etymologically local wisdom consists of two words, namely wisdom (wisdom) and local (local). Local means local and wisdom is the same as wisdom. Thus, local wisdom can be understood as local ideas, values, and views. that is wise, full of wisdom, and of good value which is embedded and followed by members of the community (Koentjaraningrat, 2010) . According to Liliweri (2014) , local wisdom can be interpreted as a view of life that develops in a certain social and ethnic community that is limited by regional, geographical, and unique historical experiences. Therefore, local culture is not seen as two opposite entities, but rather as an element that forms the identity of a cultural community.

From the results of the research and theoretical studies above, it can be analyzed that the implementation of forest conservation based on the local wisdom of the Wamesa Tribe in the Indigenous Forest of Kampung Werianggi is in line with the theories of the researchers. The existence of forest management based on Siweruri Kuweta customary norms, shows the existence of wise and responsible customary values, so until now, the customary forest in Werianggi Village is still preserved. This condition shows that the existence of the Indigenous Peoples of the Wamesa Tribe can guarantee a social buffer in sustainable development efforts.

However, since their forest was handed over by the government based on SK.HPH No. SK.33/Menhut-II/2013 dated January 15, 2013. Indigenous peoples no longer have management rights over their customary forests, although they can still take non-timber forest resources. Like; Papuan nutmeg, red fruit, matoa, traditional medicinal plants, and hunting wild animals in customary forests to cover their daily needs.

In fact, through PERGUB Prov. West Papua No. 5/2014 the government has also determined compensation to indigenous peoples from timber harvested; for the Kayu Indah group: IDR 150,000 / M3; Ka-yu Merbau Type: Rp * 100,000 / M3; Meranti Type Group: IDR 40,000 / M3; Mixed Jungle Group: IDR 40,000 / M3; Small Logs / Mangroves : IDR 10,000 / M3. This value is the minimum value that must be paid as compensation from the management company to the indigenous peoples. Through Perdasus No. 10 of 2019, the CSR (Corporate Social Responsibility) program is a social responsibility in the form of program activities for national, multi-national, and foreign private companies that have community empowerment programs in West Papua Province.

Based on the findings in the field, through observations, interviews, discussions, semi-discussions, and FGDs (Forum discussion Groups) with the Wamesa tribal community, it can be analyzed that the government's decision to issue SK.HPH No. SK.33/Menhut-II/2013 dated January 15, 2013, has changed the governance of indigenous peoples towards customary forests which have been the foundation of their lives. In the past, the community could still collect wood for building timber and other needs, but after the management was handed over to a private company, the community only had access to take nutmeg, red fruit, matoa fruit, vegetables, and traditional medicinal plants, including hunting. Timber forest products are a domain commodity that cannot be touched by indigenous peoples because it concerns the company's core business, wood is the company's main commodity that has high economic value among existing forest resources.

The results showed the presence of PT. Wijaya Sentos as a customary forest manager did not provide significant changes to the economic improvement and welfare of indigenous peoples. Although CSR (Corporate Social Responsibility) programs have been implemented and compensation for logging products from the company, has not contributed to the economic improvement and welfare of indigenous peoples. The decision of the Minister of Forestry in issuing HPH SK to private companies has had an impact on the loss of indigenous peoples' rights to manage customary forests, the rights of indigenous peoples to have access to the benefits of forest resources are increasingly limited, wood commodities have the potential to be a driver and driver of the economy and welfare of indigenous peoples. Also, run aground on this decision. Indigenous peoples as owners of customary forest rights seem to be objects of the dynamics of sustainable forest development. So far from the concept of community-based sustainable forest development (community-based forest management). (Outside, 2022; Nugroho, 2017) . This condition is still far from expectations as forest management considers the balance between the economic, ecological, and social aspects of the community as the ultimate beneficiaries in forest management.

The conditions and exposures above have placed indigenous peoples as impact parties in terms of social, economic, and cultural aspects. Such a pattern of forest management is not in harmony and is contrary to the mandate and spirit of the 1945 Constitution, especially Article 33 paragraph (3) which requires that the earth, water, and natural resources contained therein be controlled by the state and used for the greatest prosperity of the people. . So when there is a policy and results in the field that do not reflect the realization of the obligations and mandates contained in the 1945 Constitution, it will indicate a violation of the constitutional law of the state. Indonesia is a legal state that enforces the law as the main foothold in the life of the nation and state.

According to Soetaryono, (2000) , "the management of forest and garden resources in the future will consider the balance between the economic, ecological and social aspects of the community as the ultimate beneficiaries ", according to Suntana et al, (2000:11) . there is a shift in the weight of the handling of various activities that have been carried out so far, by stating: 1) The principles of forest and ecosystem sustainability (sustainable forest management) ; 2) Encouraging the involvement of communities living around forests and medium and small entrepreneurs in the forestry sector to be significantly improved, shifting from economic growth to social growth ; 3) Increase the development of community forests to increase the production of forest products, preserve soil and water and improve the welfare of rural communities; 4) Development priorities are more directed at areas that are still lagging, adapted to natural conditions, forest conditions, and community conditions; 5). Increasing the capability of supporting factors for forestry development (human resources, science and technology, institutions, and investment). This element is very important because it will be the driving force for forestry development in the long term. Indonesian history proves that the management and use of customary forests are often faced with conflicts between indigenous peoples (MHA) and the government (Laturette, 2016) . Based on the results of research in the FGD (Forum discussion Group) event, it was found that there were dialogues and statements from several indigenous Wamesa people that they did not understand the boundaries of their

customary forest, nor did they know the difference between state forest and customary forest. So there is confusion and unrest among indigenous peoples regarding the certainty of the status of their customary forest rights. In connection with these conditions, this indicates that the Government has not yet realized and committed to the Perdasus. Although it has been published for almost 3 (three) years, it still cannot be realized at the field level. Indigenous peoples need realization and commitment from the government. If this condition is allowed to drag on, it will create the potential for conflict. Communities need recognition of their customary forest rights as inherited by their ancestors, the Government is obliged to provide legal certainty and legal protection for their rights. And those who live around the forest must be empowered in activities that access the utilization of customary forest resources as a form of livelihood as their life support.

In a more critical analysis, it has been stated in the 1945 Constitution Article 18B (2) Chapter VI concerning Governance states that: " The state recognizes and respects customary law community units and their traditional rights as long as they are alive and in accordance with development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law". In Article 1 point 6 of Law (UU) Number (No.) 41 of 1999 concerning Forestry (hereinafter referred to as the Forestry Law) defines customary forest as "state forest located within the territory of customary law communities". Thus, the permit for the use of natural resources, including customary forests, is with the Ministry of Forestry. However, in the Constitutional Court Decision No. 35/PUU-X/2012, the customary forest is not classified as a state forest. As decided by the Constitutional Court, the government should recognize customary forests as an independent areas, separate from state forests. Because in practice this creates a dualism of understanding between the application of State Law and Customary Law, often causing problems that lead to conflicts and disputes (Laturette, 2016) .

The analysis and explanation above show that the constitutional basis of the 1945 Constitution and the decisions of the Constitutional Court is very clear on the position and legal status of Customary Forests. So there should be no doubt about accommodating the community's desire for recognition of the status of customary forests and the rights inherent in them. Legal certainty over the status of customary forest rights will provide bargaining for the position and position of indigenous peoples in customary forest management and will provide greater economic and social contributions.

Recommendation of the Government's Role Model in Sustainable Development of Customary Forests for Economic Improvement and Welfare of Indigenous Peoples: From the Perspective of Collaborative Governance in Public Service.

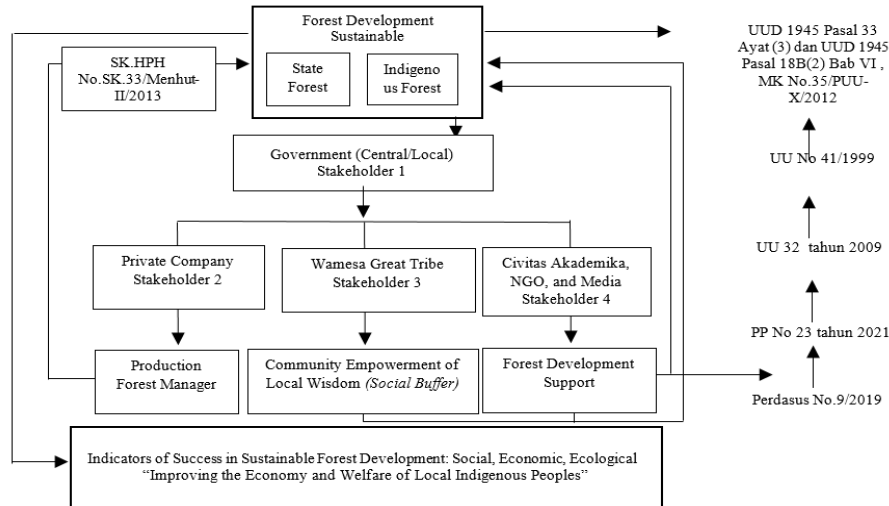


Figure 3: Recommendations for Sustainable Forest Development Model in Collaborative Governance Perspective

Source: By researcher/theory; Suntana et al, (2000:11) and Ansell & Gash, (2008)

Based on the findings as stated above, the customary forest of the Wamesa tribe, which is indicated to have customary land in an area of 18,578 hectares of forest, has been handed over to private companies for its management. This condition makes the Indigenous Peoples not have management rights in the area. However, based on the constitution in the 1945 Constitution Article 33 paragraph (3), the existing regulations do not eliminate their right to receive and or gain access to the utilization of their customary forest resources for social, economic, and ecological benefits. Moreover, according to Soetaryono, (2000) , "the management of forest and garden resources in the future will consider the balance between the economic, ecological and social aspects of the community as the ultimate beneficiaries ".

This fact conditions the Government as the organizer of good governance, which is confirmed as a public institution to be able to solve all forms of challenges and problems that exist. The existence of potential conflicts and inconsistencies between existing policies and the implementation of the policies themselves will direct the Government to act as a public institution that can manage all potential resources and potential conflicts in it. The success of the government as a regulator is not only measured by the implementation of the policies that have been made but is also determined by the time acceleration in the achievement of these policies. Sustainable Forest Development from Collaborative Governance Perspective shows the role of the Government which has a position and position as a key actor indicating that it can play a role as; an Initiator, dynamized, coach, protector, and enforcer of justice. The government is obliged to unite the diversity of stakeholders who have different motivations

and interests to deliberate in finding a consensus in a togetherness forum, where all parties are given equal rights in conveying their rights, aspirations, and interests. This will bring a sense of togetherness, mutual need, and mutual trust among stakeholders.

In the context of forest management having been handed over to the concession company, the company will act as the main actor, regarding the obligation to manage forest use and conservation that has been determined under existing regulations and is obliged to carry out CSR (Corporate Social Responsibility) programs. However, in terms of its relationship with the empowerment of indigenous peoples, both from the government and the company, it cannot be separated from the responsibility of empowering indigenous peoples to receive and gain access to the use of customary forest resources that can support their economy and welfare. This obligation is mandatory because it is based on the provisions of the 1945 Constitution.

In the context of indigenous peoples who have lived around the forest for a long time, they will participate as supporting actors, namely supporting the sustainable use and preservation of forests through their local wisdom. Here, indigenous peoples have an important position in the eyes of the state, hope that indigenous peoples can play a role as social buffers that can function as control over the actions of private companies when committing violations that can endanger forest ecosystems. Indigenous peoples are also entitled to receive recognition of the status of customary forests and the rights inherent in them. Likewise, the existence of the academic community, NGOs, and the media will act as supporting actors in sustainable forest development. As long as stakeholders can be met in a deliberation forum, and can take the same position on their voting rights, and as long as their rights are normatively obtained under the provisions of the applicable laws and regulations, it is certain that the Collaborative Governance approach will be an option. Strategically in solving all the challenges and potential conflicts that exist. So the condition of sustainable forest development in the Wamesa tribal forest will run optimally and conducive. So that indicators of the success of sustainable forest development in the form of progress in social, economic, ecological aspects and legal certainty can be realized as well as possible.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

Based on the findings of this study, it can be concluded that;

1. The implementation of sustainable forest development in the customary forest of the Wamesa tribe indicates that the constitutional rights of the indigenous people of the Wamesa tribe are not being fulfilled, as stated in the 1945 Constitution Article 33 paragraph (3). With the issuance of SK.HPH No.SK.33/Menhut-II/2013 dated January 15, 2013. Indigenous peoples no longer have the right to manage customary forests as their source of livelihood, while private companies and the government have made no effort to provide access to them. cooperation in the form of partnerships or real empowerment that can improve the economy and welfare of the indigenous people of the Wamesa tribe. The

government does not have the initiative and effort to mediate the basic interests of forest communities.

2. Based on the provisions of the 1945 Constitution Article 18B(2) Chapter VI, the Constitutional Court Decision No. 35/PUU-X/2012, as well as the issuance of Perdasus No.9 of 2019. It has shown that the conditions and facts are very clear, but at the site level, there has been no implementation and realization from the government to recognize the status of forest rights customs. This condition indicates the non-fulfillment of the constitutional rights of the community in obtaining their traditional rights to customary land and the traditional culture in it.
3. From the perspective of collaborative governance in public services, there is no government role as a key actor that can unite stakeholders in producing a consensus and togetherness. Private company actors carry out forestry management activities based on their motivations and corporate interests, there is no indication of a partnership or cooperation plan with indigenous peoples related to the utilization of customary forest resources that can significantly improve the economy and welfare of indigenous peoples. This shows that there is a communication freeze between stakeholders. This shows that the government does not function as a key factor that should be able to initiate and facilitate stakeholders so that they can meet to communicate with each other, to be open and transparent with each other in resolving potential conflicts that exist, as well as the possibility of forming its a mutually beneficial cooperative relationship.
4. In the context of indicators of success in the development of the Wamesa tribal customary forest, it can be said that economically it has not shown any significant impact on the economy and welfare of indigenous peoples, ecologically it is still running normatively and there are no findings of damage to infrastructure and ecosystems in the forest. This shows that forests can be managed sustainably. Socially, the relationship between indigenous peoples and customary forest managers is well established with the CSR (Corporate Social Responsibility) program. Nevertheless, the recognition of customary forests and traditional community rights is a symbol of recognition of the original values and identity of a nation. Indigenous people-based policies are very important to position the community according to its actual conditions. If the current problem drags on, then social conflicts related to indigenous peoples are at risk of erupting in the future.

Suggestions

1. **To the Government;** Based on conclusions 1 and 2, the researcher suggests that the government should pay serious attention to the position, position, and rights of indigenous peoples, indigenous peoples are an integral part of sustainable forest development, they are essential subjects, and not objects of dynamic development. forestry. It can be underlined that the fulfillment of the constitutional rights inherent in indigenous peoples is the estuary of potential conflicts in forestry development, therefore it is obligatory for the government to immediately resolve this matter. The government needs to be present in providing legal certainty and clarity on their rights. If the collaborative governance of the Government in

sustainable forest development can be carried out based on the spirit of multiculturalism, and the composition of the diversity of entities can be managed based on a Good collaborative governance approach, where public institutions directly involve non-state stakeholders in a deliberative joint decision-making process. For example, the media has framed, academics to bring practical theoretical values that prioritize evidence-based, indigenous communities as social capital who have customary land and local wisdom, and companies that have access to investment, technology, management, and markets. By understanding the typical characteristics of these participants, then reciprocity, cooperation, and learning between stakeholders can be built, and it will lead to the emergence of creativity for problem-solving or in other words collective problem-solving occurs. Sustainable forest development based on local wisdom will be realized optimally and conducive.

2. **To Private Companies;** Although forest management is under the control of the company, it is obligatory to participate in encouraging the process of recognizing customary forests by providing access to the use of superior resources that do not prioritize timber forest products (HHK), such as Papuan nutmeg and black fruit sustainably. Another potential is the development of ecotourism based on indigenous territories which can also be a unique feature of Papua's biogeography, ranging from coastal ecology to mountains. The potential of NTFPs and environmental services that have not been managed is an important note to realize the future independence of customary forests as entities and identities of indigenous peoples in the Land of West Papua.
3. **Indigenous Peoples of the Wamesa Tribe;** The loss of customary forests will make the indigenous people of West Papua lose their identity as a nation that is in charge of natural conservation (stewards of natural resources), therefore there is a need for intense efforts to recognize the existence of indigenous peoples who have the characteristics of their customs and culture. as well as the customary law that applies in it, and has forest boundaries where it is inhabited, for this reason, it is necessary to excavate and reconstruct the history of customs and geology of the ancestors of the great Wamesa tribe. This is a mandatory requirement that has been stipulated in the 1945 Constitution Article 18B(2) Chapter VI. To follow up on this, it is necessary to create organizations and institutions so that they can be used as a forum for communication and coordination both for the indigenous peoples themselves or with outside parties (Government, private companies, and so on). This will make it easier for government and non-government parties to gain recognition of customary forests and the rights contained therein.
4. In the future, it is necessary to strive for togetherness from all parties, both government and non-government actors (indigenous people, the academic community, NGOs, private collaboration, and media) to restore the rights of indigenous peoples. Customary land or customary forest must receive recognition from the government either *de jure* or *de facto* . Forest management rights must be returned to indigenous peoples. All parties must deliver and support the existence of indigenous peoples to be able to appear as customary forest managers based on their local wisdom.

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