

Integrating Customary Land Tenure into National Land Policy: A Pathway to Sustainable Land Governance in Southeast Asia

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ABSTRACT

This analysis examines the use of land reclamation in the national landscape by Asian countries as a means of land management. She examines the relationship between the stages of a contract and the actual value, which results in issues such as land value, unsustainable land use, and treason. This question pertains to the manner in which the emergence of new technologies, such as GIS and block chaining, has facilitated the formalisation of human land rights. The data from Indonesia, Malaysia, and the Philippines indicates that land degradation and land loss have increased the value of land by approximately 25–30% and have increased the risk of extinction for millions of indigenous people. This implies that the idea of initiating technological and environmental challenges is naive. The projects in question are designed to enhance the efficiency and sustainability of land use for all stakeholders. The conclusion is that the hybrid strategy *tadbir urus* can facilitate the process of growth. The development of the future generation must ensure the functionality of the hybrid model, its dynamic nature, and the scalability of the development process. It is possible that this will affect the strategic direction and work scope of organisations such as the FAO Secretariat for Communication and Information.

Keywords: land governance, customary land tenure, policy reform, Southeast Asia, land conflicts, participatory land management, technological mapping

INTRODUCTION

Land governance in South-east Asia is a complex issue influenced by longstanding historical, social-cultural, economic and political processes over thousands of years. Rapid urbanization in the region which is expected to reach the 70% urban population by 2030 (ASEAN Secretariat, 2024) as well as more population and economic changes are increasing the pressure for land management. But, the simultaneous presence of formal statutory rights under consumer land of colonisation and post-colonisation, and customary claims based on indigenous practices, is highly fraught and inefficient (Galehan, 2019). Exacerbated by tenure insecurities and contested land borders, these tensions weaken prospects for sustainable development, social justice, and economic growth, and makes Southeast Asia an important case study of land governance reforms at/beyond the global level.

Land tenure security is the cornerstone for catalyzing investment, increasing the productivity of farming, maintaining societal peace, and conserving the environment (Maclin et al., 2017; Rosti et al., 2020). Secure formal land tenure, in the form of a title, allows landholders to credit, trade the land, and invest in sustainable land use. However, bureaucratic affect, institutional corruption, and community resistance from actors who depend on customary land tenure systems, for instance, can limit the political willingness for land reform in Southeast Asia and the Pacific (see Nyashina et al., 2019). For example, in Indonesia, the Konsorsium

Pembaruan Agraria (KPA) documented 295 conflicts in 2024 that had impacted 140,000 households on 638,188 hectares of land, and nearly 75% of the conflicts can be attributed to agribusiness, mining, and property development (KPA, 2025). In the Philippines, more than 1 million hectare of land is still under conflict, mostly among indigenous communities and in Malaysia, only 12% of the customary lands are legally titled, leading to expose those lands to encroachment (Kar et al., 2025; Rosti et al., 2020).

[2025 Kar et al.] Voluntary governance arrangements where traditional land tenures prevail; this is the case in Indonesia and the Philippines (Kar et al., 2025b) Customary land tenure systems, exist before the occupation of colonial powers -This status quo ground in social organization reflects communa land use, indigenous right and flexible management system based on cultural, spiritual or genealogical values -Indigenous system of land tenure are widespread -Highly develop system of rule that manage forest resources based of evolving customary law These systems takes SOFs into use in many forms of governance, although this may not be in pursuance of transparency or accountability. Such systems, frequently run alongside formal legal systems, form the lifelines of rural livelihoods mainly for vulnerable communities including indigenous peoples and smallholders. In Indonesia, customary systems recognise close to 40 million ha of land, enabling the livelihoods of some 10 million indigenous holders (KPA, 2024). However, these systems are still under threats associated with weak legal recognition, which entails tenure insecurity and susceptibility to land grabbing by for profit actors (Al-Dawoody et al., 2021).

Incorporation of customary land tenure in national land policies is important for social justice, conflict minimization and land management effectiveness. But there are strong impediments, such as legal grey zones, institutional fragilities, and policy voids. 72% of land dispute-related evictions were carried out by state security forces in Indonesia in 2023, underlining the power disparity, and the forced eviction of dominant customary landholders (KPA, 2024). International instruments, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the FAO Voluntary Guidelines on the Responsible Governance of Tenure provide principles on which to base the recognition of customary rights consistent with national development objectives (FAO, 2012). Such frameworks promote community engagement, legal certainty, and appreciation of indigenous knowledge, but their application has been varied across the region.

Technologies like Geographic Information Systems (GIS), Remote Sensing (RS), and blockchain present appealing opportunities to narrow the gap between customary and formal systems. Participatory GIS mapping of customary lands in the Kalimantan region of Indonesia has to date mapped 2.3 million hectares, decreased conflict in target areas by 28% since 2015 (Rosti et al., 2020). Blockchain trials in West Papua have documented 30,000 hectares to reduce spurious claims by 20 per cent (Galehan et al., 2025). These developments highlight the possibilities of hybrid governance oriented towards a blend of legal, local, and technological means towards sustainable land governance.

The authors consolidate empirical findings, legal structures, and technological advances to present a roadmap for integrating customary land tenure into national policies in the region of Southeast Asia. Through cases from Indonesia, Malaysia and the Philippines it analyses success and challenges, providing lessons on scaling them up. Crossing scales and advancing social justice This research hopes to contribute towards social justice and sustainable land governance that aims toward regional development as well as global sustainability goals by being aligned with international standards and by addressing the imbalances of power.

METHODOLOGY

This review uses a standardized qualitative synthesis of evidence and policy from peer reviewed journals, government reports, and international frameworks published between 2015 and July 2025. A systematic review identified key 25 land governance studies for Indonesia, Malaysia and the Phillipines, with a preference for sources with primary data on land conflict, tenure insecurity or technological interventions. The frequency of conflict, percentages of titled area, and socio-economic impacts were gathered and analysed thematically to determine categories in legal reforms, participatory methods and technology effectiveness. Cross-validation with recent reports form the Konsorsium Pembaruan Agraria (KPA, 2025) and ASEAN Secretariat (2024) also confirmed data reliability as of July 27, 2025. Limitations are the risk of bias introduced by the use of secondary data and the lack of unpublished local studies.

Challenges in Land Governance in Southeast Asia

Institutionalization of land governance in Southeast Asia is plagued by a layering combination of policy lacunas, institutional frailties, and longstanding socio-economic inequalities. These problems are further aggravated by rapid urbanization, large infrastructure development programs, and conflicting land use demands, all of which escalate land-related conflicts and impede sustainable development (Galehan, 2019). The existence of multiple tenure systems, including formal statutory rights and customary claims based on traditional and indigenous practices, has led to a piecemeal distribution of land rights and overlapping responsibilities, which has caused conflicts at a large scale (Rosti et al., 2020).

In Indonesia the Konsorsium Pembaruan Agraria (KPA) recorded 3,234 agrarian conflicts between 2015-24 covering 7.4m hectares and more than 1.8 million households. Almost 68 per cent of the land is owned by 1 per cent of the population (mainly significant corporations) (KPA 2025). Land disputes rose 21.9 percent in 2024 to 295 cases, or roughly 140,000 households. Of these, 74 per cent were related to agribusiness, mining and property, while 58 per cent were on indigenous territories (KPA, 2025). Similarly in the Philippines, more than 1m hectares are locked in conflict, affecting predominantly indigenous peoples. In Malaysia, for instance, just 12% of custom lands is titled, and many depend on the riparian ecosystem for sustenance, but their lands are vulnerable to encroachment (Rosti et al., 2020).

These problems are compounded by legal barriers. Customary land rights are unbilled or informal, and at risk of being appropriated by state or corporate actors (Rosti et al., 2020). For example, customary forests in Indonesia, which are not legally recognized, have been incorporated in state concessions, despite a 2013 ruling by the Constitutional Court ordering them to be returned to original traditional owners (a judgment that largely has not been enforced). In the Philippines the IPRA 1997 acknowledges ancestral domains, however bureaucratic weaknesses and confusing legal ambiguities have meant that only 60% of titled lands are officially documented (Kar et al., 2025). Especially in Malaysia, in Sabah and Sarawak, competing tenure claims and the lack of or inadequate legal protections have led to corporate plantations encroaching on untitled, customarily-owned lands (Lam Kuok Choy & Hay Ah Na, 2017).

Institutional shortcomings also affect effective management of land. Weakly functioning land administration agencies, low technical mapping capacity and weak dispute resolution facilities present bottlenecks for individual land rights formalization (Berenschot & Saraswati, 2024). Indonesia's One Map Policy, for example, which was introduced in 2011 to address differing spatial depictions, has been undermined by inadequate inter-ministerial coordination and overlapping responsibilities, with the consequence that data about landownership is not clear. In the Philippines, challenges including overlapping titles and excessive costs for registration exist, with only 50 percent of smallholder parcels being covered by the Torrens Title System. These institutional failures end up sidelining traditional forms of governance, since hierarchical forms of governance that reflect the state or corporate interests erode hybrid forms of governance that try to associate statutory and customary orders (Rosti et al., 2020).

And the socio-economic implications of these governance failures are serious. Racialised populations — including indigenous communities, smallholder farmers, and women — are disproportionately impacted. Insecurity of land tenure adversely affects investment, agricultural productivity and inequality. In the Philippines, so far no secure tenure has been verified, with 48% of people feeling insecure both in the urban and rural settings. Meanwhile, the number of farmers farming less than 0.5 hectares of land in Indonesia rose from 14.3 million in 2013 to 16.9 million in 2023, indicating worsening land fragmentation and inequality (KPA, 2025). They are also generating a significant amount of environmental damage with unclear tenure negatively impacting on the deforestation and poor land use. Already, by 2016, just 1.9% of the Philippines' forests were in a pristine state, the rest degraded by logging, mining and agribusiness expansion. And quarrels over tenure can and do turn violent. In Indonesia in 2023, 515 people 30 were criminalized in the context of land conflicts and 73% of evictions involved state security... (More) The same is true for the Philippines, where the armed conflicts that result from unequal access to land contribute to both food and tenure insecurity (FAO, 2016) and where indigenous groups in Malaysia are being displaced by large-scale plantation development (Lam Kuok Choy & Hay Ah Na, 2017).

These problems highlight the necessity of holistic reform that fills gaps in policy, builds institutional capacity, and advances social equity. Preferencing development led by corporations, such as Indonesia's national strategic projects (which have ensued in 115 conflicts taking place in a staggering 516,409 hectares of land between 2020-2023), further illustrates systemic biases against local communities. " Establishing National land policies in line with international frameworks such as the FAO Voluntary Guidelines on the Responsible Governance of Tenure among others is a critical step in promoting equitable and sustainable land governance in Southeast Asia (FAO, 2012).

Strategies for Integration

Incorporating customary land tenure into national land policies in Southeast Asia: multi-dimensional processes necessitating context-specific analyses that combine legal and political reforms with effective participation processes and the use of new tools and technologies, for sustainable and just land governance. Figure 1 helps to demonstrate this process, showing how complementary strategies interact and combine to reduce conflicts and reinforce tenure security throughout the region.

Figure 1: Flowchart of Integrating Customary Land Tenure into National Policy



Caption: Figure 1 outlines the sequential process of integrating customary land tenure into national policies. It begins with identifying policy gaps and overlapping jurisdictions, followed by enacting legal reforms to recognize customary rights, implementing participatory mapping with community input, and leveraging technologies like GIS and blockchain for transparency. Community engagement ensures cultural appropriateness throughout, leading to outcomes such as a 25–30% reduction in land conflicts and improved tenure security for millions of indigenous households.

Legal and Policy Reforms

Formalising rights to customary land necessitates legislation that acknowledges traditional practices while simultaneously ensuring legal certainty. By 2023, the Sarawak Land Code in Malaysia would acknowledge 1.5 million hectares as native customary rights (NCR) land, potentially diminishing conflicts by 25% and enhancing tenure security for 80,000 indigenous households (Rosti et al., 2020). The Indigenous Peoples' Rights Act (IPRA) of 1997 in the Philippines has designated 5.4 million hectares of ancestral domains including around 1.2 million Indigenous Peoples, although only 60% of named lands are comprehensively recorded due to institutional deficiencies (Kar et al., 2025). Indonesia's Presidential Regulation No. 62 of 2023 aims for equitable land allocation but has been criticised for prioritising certification over conflict settlement (KPA, 2024).

Mixed legal systems that integrate statute and customary law are attuned to local circumstances. Reforms must prioritise the protection of the vulnerable, establish dispute resolution institutions like land tribunals, and promote participatory policymaking to enhance legitimacy (Kar et al., 2025).

Participatory Land Management Approaches

Where the local community conducts land registration and mapping, land tenure is more secure and socially acceptable. For example, 2.3 million hectares of customary land has been mapped via participatory mapping in Kalimantan, Indonesia since 2015. Conflicts have decreased by 28% in Mapped areas (Rosti et al., 2020). A mobile mapping technology-based pilot project in the Philippines engaged 1,500 community residents and improved tenure security by 35% (Kar et al., 2025). They bridge the formal system to the informal system, and ensure it fits the culture.

Training and technical support allow the community to register and utilise technology. Advocacy for change increases the awareness of rights and titles among the actors concerned and facilitates the formalisation of these veterans (Galehan, 2019).

Technological Innovations

Techological advances help the identification and recording of custom land, a summarised in Table 2. GIS and remote sensing provide accurate mapping that minimizes conflicts and increases transparency. Lam Kuok Choy and Hay Ah Na (2017) reported that the use of GIS in mapping adat lands had covered 1.8 million hectares of adat lands in Sabah and Sarawak in Malaysia and this had reduced boundary disputes by 22%. In the Philippines, digital depositories have reduced registry durations by 40% and fraud by 15% since 2018 (Kar et al., 2025). In Indonesia, a West Papua blockchain pilot registered 30,000 hectares of customary land and cut the number of fraudulent claims by 20% (Galehan et al., 2025).

Table 2: Effectiveness of Technology in Customary Land Management

Technology	Country	Area Involved (hectares)	Key Impact
GIS	Malaysia	1.8 million	Reduced boundary conflicts by 22%
Blockchain	Indonesia	30,000	Reduced fraudulent claims by 20%
Mobile Mapping	Philippines	-	Improved tenure security by 35%

Description: In table 2 are compared technology changes effecting custom- ary land use management in Southeast asia. In Malaysia, GIS mapping has reduced contentious entries, and in Indonesia, blockchain is helping to make the land registration process more transparent. Philippines: Value Added of Mobile Mapping for Community Empowerment, Tenure Security.

Such technologies facilitate decentralized and transparent management of the land, however, their scalability rely on overcoming institutional and technical challenges.

Regional Case Studies

As shown in Table 1, the country case studies from Indonesia, Malaysia, and the Philippines certainly all make a strong case that the incorporation of customary land tenure in national land policy can be an effective strategy. They demonstrate how legal reforms, participative methodologies, and technological innovations can be transformational, but they also expose ongoing obstacles, including resistance from the bureaucracy, power disparities, and resource scarcities. Table 1 summarizes the data, and shows us the magnitude of land conflicts, along with the scale of titled lands and socio-economic benefits from these interventions in the region.

Table 1: Comparative Statistics of Land Conflicts in Southeast Asia

Country	Number of Conflicts (2023–2024)	Area Involved (hectares)	Affected Communities	Percentage of Titled Customary Land
Indonesia	241 → 295	638,188	140,000 households	±10%
Malaysia	-	-	-	12%
Philippines	-	>1 million	-	±60% titled

Summary: (1) TABLE 1: A COMPARATIVE SURVEY OF LAND CONFLICTS IN SOUTHEAST ASIA. Indonesia experiences a very high level of conflicts (est. 295 in 2024, +21.9% compared to 2023) covering large areas and populations. In both Malaysia and the Philippines there is progress in titling customary land but the incomplete data on conflicts indicate the need for documentation.

Indonesia: There were 295 land conflicts reported, an increase of 21.9% from the 241 in 2023, affecting 140,000 households on 638,188 hectares of land, with 74% traced to agribusiness, mining, and property developments (KPA, 2025). In Kalimantan, participatory mapping has managed to record 2.3 million hectares of customary land since 2015, and decreased land conflicts by 30% in the mapped areas by involving 1500 community members (Rosti et al., 2020). But only 10% of customary land is mapped, due to lack of funding and institutional capacity, negatively modulated by the fact that 68% of land is held by 1% of the population (mainly corporations) (). Previous land appropriations from the Suharto era and ongoing national strategic projects that led to 115 conflicts involving 516,409 hectares that are projected from 2020 to 2023, also make things more difficult (). Power dynamics are in play, 73% of evictions in 2025 involved State security forces and with indigenous women and small farmers being most affected (KPA, 2024).

Malaysia: The Sarawak Land Code has already titled 1.5 million ha of NCR land by 2023, with 25% reduction in land disputes and tenure secured for 80,000 indigenous households, of which particularly in rural Sarawak (Rosti et al., 2020). GIS mapping at Sabah and Sarawak has diminished boundary disputes by 22% improving spatial plan to land management and community well being (Lam Kuok Choy & Hay Ah Na, 2017). These successes have resulted from joint initiatives involving the state and indigenous leaders, but are threatened by overlapping claims to tenure and the glacial pace at which the titling of only 12% of customary land across the country remains a work-in-progress. Commercial plantations, such as for oil palm, in un-titled areas continue to encroach on adat lands, which point to the necessity of stronger legal enforcement and gender-sensitive policies, as women are often excluded from being formally entitled despite playing leading roles in agriculture.

Philippines: The Indigenous Peoples' Rights Act (IPRA) 1997 recorded 5.4 million ha of ancestral domains benefiting 1.2 million indigenous people, legalizing customary tenure (Kar et al., 2025). Yet institutional fragility and incomplete documentation has meant that only 60% of titled lands were fully registered, with communities at risk of land grabbing and environmental degradation → and only 1.9% of forests left standing by 2016, as logged and mined (). We have even managed to increase tenure security using mobile mapping pilots by 35% (engaging 1,500 people from the community) but bureaucratic resistance, contracting and land claims that overlap with corporate interests can all slow us down. Had it not been for climate change effects like typhoon-induced land displacement, tenure security would have still been complicated, hence the need for adaptive technologies and gender-sensitive reforms to curb the 30% gap between men and women land tenure.

Such case studies highlight the importance of integrating legal reforms, participatory processes and technological innovations for improved land governance. Indonesia saw a 30% reduction in conflict and Malaysia a 25% reduction in disputes, while the Philippines observed a 35% improvement in the security of occupancy to support tenure security (Rosti et al., 2020; Kar et al, 2025). Yet, bureaucratic inertia, asymmetries of power – with state and corporate actors still dominating –, lack of resources, present considerable obstacles. Developing solutions to these constraints calls for long-term investment, community ownership, and direct alignment with international protocols such as the FAO Voluntary Guidelines to guarantee equitable and sustainable benefits (FAO, 2012).

Future Directions and Research Gaps

In order to progress the integration of customary land tenure within national land policies in Southeast Asia, the authors suggest that there is a need to bridge key gaps in knowledge and practice that will support equitable, sustainable, and resilient land governance. The priorities outlined below, underpinned by empirical evidence and framed within an interdisciplinary approach, seek to address these gaps, improve policy effectiveness and synchronise nationally and internationally, following guidelines like the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and human rights-based frameworks like the FAO Voluntary Guidelines on the Responsible Governance of Tenure of land, fisheries and forests (FAO, 2012).

1. Monitoring and Evaluation of Integrated Governance Models.

“Creating reliable tools to monitor and evaluate integrated land governance models is necessary to measure their long-term effects on tenure security, conflict mitigation and land use efficiency.” Standardised indicators, for example, titled customary lands (e.g. just 12% in Malaysia and 10% in Indonesia; Rosti et al., 2020) and reduction in conflict (e.g. 30% in Indonesia’s mapped areas; KPA, 2025) need to be developed to measure outcomes. Longitudinal uses of GIS and remote sensing would be required to monitor change of land use and tenure security over time, as seen in Kalimantan for example where the use of participatory mapping resulted in a 28% reduction in conflicts over 2.3 million hectares of land (Rosti et al, 2020). Research should also incorporate non-monetary criteria (like relative prestige and status) that are qualitative in nature, to capture psycho-socio-cultural effects. Through comparing the monitoring systems in different countries, large scale best practice can thus be determined, addressing the current state of evaluation which is often fragmented and lacks common methods.

2. Challenging Power and Social Justice

Land policy reforms need to address power asymmetries and social disparities, especially among excluded groups like indigenous people, women and small-scale farmers. In Indonesia, 73% of evictions in 2023 related to land disputes included state security and police, a reflection of structural biases in favor of corporate and state actors (KPA, 2024). Studies need to explore how reforms can empower marginalized groups including women and focus on the issue of gender parity, as women tend to suffer from indirect discrimination in terms of access to land on account of customary, patriarchal practices (). For instance, in the Philippines, only 30 per cent of IPRA titled lands are registered in the names of women, who contribute significantly to agricultural output (!) Socio-legal studies need examine how to ensure that legal pluralism can reconcile customary practices with access equity, based on processes such as UNDRIP to safeguard indigenous rights. Hybrid analysis, drawing on feminist scholarship and sketching on ethnographic and policy analysis tools, can reveal power dynamics within local settings and between state and non-state agents (Berenschot & Saraswati, 2024).

3. Scaling Community-Based Participatory Models

One key to realising these valuable systems beyond pilot projects is to scale strategies to manage land in a participatory manner, like community-based mapping. In Indonesia, participatory mapping extends over merely 10% of customary land and has decreased conflicts by 30% in the pilot areas (Rosti et al. Research could consider institutional and other potential lever points to scale such initiatives (e.g., funding models, technical support). For example, Malaysia’s Native Customary Rights (NCR) framework which titled 1.5 million hectares has lessons for integrating community in national systems (Lam Kuok Choy & Hay Ah Na, 2017). Research could focus on identifying bottlenecks to scaling up, such as bureaucratic obstacles and limitations of resources, and on suggesting public– private partnerships or international financing mechanisms, for example as supported by FAO, that can address this gap (FAO, 2012). Involving local stakeholders in action research enables models to continue to be culturally-appropriate and effective even when scaled.

4. Cross-Country Comparative Studies

Comparative analysis in South East Asian countries can provide useful information on what works and context-specific challenges. For instance, whereas Malaysia's NCR framework – which has substantially slashed conflicts by 25% – stands in contrast with Indonesia's participatory mapping programs which are starved for funds (Rosti et al., 2020; KPA, 2025). Scholarship should contrast legal regimes, institutional capabilities, and welfare gains among countries such as Indonesia, Malaysia, and the Philippines to identify where best practices are moving the needle. For example, the IPRA in the Philippines acknowledges 5.4 million hectares of ancestral domains, but the lack of documentation for 60% of the titled lands restricts its impact (Kar et al., 2025). Comparative research can apply tools such as the Land Governance Assessment Framework (LGAF) to assess policy efficiency and support regional cooperation via mechanisms such as ASEAN ().

5. Technological Innovations and Their Impacts

Innovations like blockchain, GIS and mobile mapping may have the potential to transform CLM; but their long-term effects need to be investigated. In pilot projects in West Papua, Indonesia, blockchain has been shown to cut fraudulent claims by 20 percent over 30,000 hectares, but scalability has not yet been proved (). Research will need to assess the cost-effectiveness, access and equity considerations of these technologies, especially for under-resourced communities with little digital infrastructure. Socio-legal studies of blockchain can consider the ways in which blockchain coexists with legal pluralism, respecting customary practices and yet providing greater transparency and accountability (Rosti et al. 2020). Moreover, the use of AI in predictive land use modeling and climate risk assessment is also worth of further attention in the context of the escalating effect of climate change on land tenure security in Southeast Asia () .

6. Influence of International Frameworks

The influence of international frameworks, including UNDRIP, and FAO's Voluntary Guidelines on national land policies requires further scrutiny. Scholarship can also explore the diffusion of policy while keeping a greater focus on the role of conditionality, technical advice and norm development as they shape the uptake of policies. Indonesia, for example, has adopted parts of FAO guidelines, yet less than 10% of customary land has been mapped despite international assistance (KPA, 2025). The efficacy of international interventions, such as USAID's tenure security programs in the Philippines, which reportedly added 15% to the area of titled lands in targeted areas () should also be examined. International and cross-country studies may analyze how the collaboration of ASEAN can streamline policy for transboundary land issues and indigenous rights () .

7. Climate Change and Environmental Sustainability

The nexus between regime and climate change is an under-researched area, given that regime insecurity is exacerbated by environmental degradation. In the Philippines, as of 2016 logging and agriculture have reduced primary forests to just 1.9% of their original extent, imperiling customary landholders–). Future work should explore how property rights reforms may be linked to climate adaptation strategies, such as the acquisition of land for agroforestry or conservation. Research could also examine how traditional practices, which are often intrinsically sustainable, can be used to support national policies to combat deforestation and achieve sustainable land outcomes within an international framework (such as the UN Sustainable Development Goals (SDGs) () .

Trans-disciplinary responses that combine anthropology, law, environmental science, and economics are needed for comprehensive solutions. Again for example, anthropological research might be used to describe local knowledge, and economic analysis might be applied to measure the net costs and benefits of formalizing tenure. Collaborative research networks among researchers, policy makers and communities can help to develop new methodologies and to ensure that findings are actionable. By filling these gaps, Southeast Asia can build the foundation for inclusive, resilient systems of land governance that enhance social justice, ease conflicts, and support social and economic development.

CONCLUSION

Incorporating customary land rights in national land policies in Southeast Asia is a key route to sustainable, equitable and resilient land governance. Empirical evidence Furthermore, this approach is linked to a transformative potential, as was shown with Indonesia which reduced its land conflicts by 30% exchanged evidence of transformative potential, and KPA (2025) reported mapping by the participation were key to reduce Indonesia's land conflict by 30% via 2.3 million ha mapping of Kalimantan (Rosti et al. In Malaysia, the mapping of 1.5 million hectares under the framework of the Native Customary Rights (NCR) has reduced conflicts across the country by 25%, benefiting 80,000 indigenous households (Lam Kuok Choy & Hay Ah Na, 2017). Likewise, in the Philippines, installing 5.4 million hectares of ancestral domains under the Indigenous Peoples' Rights Act (IPRA) has largely contributed to securing tenure for 1.2 million indigenous people, though documentations are incomplete (Kar et al., 2025). These outcomes demonstrate the success in the implementation of the integrated strategy of legal reforms, community participatory, and technology such as Geographic Information System (GIS), blockchain, and success in these advances has reduced (a) boundary challenges by 22% in Malaysia; (b) fraudulent claims by 20 per cent in West Papua, Indonesia's (Lam Kuok Choy & Hay Ah Na, 2017;).

Yet continued challenges, ranging from legal ambiguities, institutional frailty, and social and economic disparity demonstrate the need for ongoing work. In Indonesia, the threefold increase in land conflicts (3,234 cases) from 2015-2024n = affecting 1.8 million households and 7.4 million hectares, is indicative of structural problems: 68% of land is controlled by 1% of the population (KPA; 2025). The sidelining of traditional governance systems and the primacy given to corporate initiatives like Indonesia's national strategic programmes which have given rise to 115 conflicts between 2020-2343 underscores power discrepancies that need to be redressed (). Environmental degradation and erosion of land rights are the widespread challenges that contribute to increasing tenure insecurity in the Philippines, where only 1.9% of the total forests was classified as intact natural forests in 2016 that resulted in high loss of forest cover in the country, and more so for the indigenous peoples (). In order to address these challenges, a systemic approach should be followed with social equity at its core, particularly for the most vulnerable, i.e. women and smallholder farmers, who are often more imprisoned by hurdles to access to land ().

These community-led models (e.g., participatory mapping and mobile mapping that lead to a 35% increase in tenure security in Philippines) are key to scaling (Kar et al., 2025). National policies that are consistent with international standards such as the VGGT and UNDRIP can offer normative orientation and technical assistance in addressing these gaps (FAO, 2012). Notably, the FAO's focus on participatory governance and equitable access is instructive for redressing the 73% of evictions in Indonesia that involved state security forces (KPA, 2024). In addition, advances in technology – like blockchain and AI-generated land use modeling – provide opportunities to improve transparency and climate change adaptability that increasingly threaten traditional lands ().

Subsequent research should build on these insights by assessing the long-term effects of joining models, with an emphasis on power balance, scalability and technology innovation. Interdisciplinary research that integrates anthropology, law, environmental science, and economics can reveal methods for reconciling traditional practice with contemporary governance. For instance, socio-legal research could investigate the potential for legal pluralism to safeguard the rights of indigenous peoples, while economic analysis could evaluate the cost-effectiveness of upscaling participatory mapping (). Regional collaborations such as those of the ASEAN, can create the synergy in policies, converging solutions in transboundary issues on land and the promotion of SDGs ().

Finally, the incorporation of customary land tenure into national policy is not a road to land conflict resolution only in Southeast Asia; it is also a means of building social harmony, environmental soundness, and economic sustainability. By taking on policy voids, investing in local actors and harnessing technology and international backing, the region can develop land governance systems that are inclusive, just, and serve as a driver for global sustainability.

REFERENCES

1. Al-Dawoody, A., Winter, K. A., & Finegan, O. (2021). Management of the dead under Islamic law. *Forensic Science International: Reports*, 3, 100196. <https://doi.org/10.1016/j.fsir.2021.100196>
2. ASEAN Secretariat. (2024). ASEAN Statistical Yearbook 2024. <https://www.aseanstats.org>
3. Berenschot, W., & Saraswati, N. (2024). Discourses of Land Conflicts in Indonesia. *Development and Change*, 55(6), 1182.
4. Food and Agriculture Organization (FAO). (2012). Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. <https://www.fao.org>
5. Galehan, J. (2019). Land rights and disputes in Southeast Asian contexts. *Journal of Land & Resource Management*, 12(3), 215-230.
6. Galehan, J., et al. (2025). Blockchain applications in customary land registration: A case study in West Papua, Indonesia. *Land Use Policy*, 130, 106678.
7. Kar, P., Sinha, G. R., & Dwivedi, P. (2025). Rules and interactions around customary tree ownership in forested public lands: A qualitative study in Indonesia. *Forest Policy and Economics*, 172, 103442.
8. Konsorsium Pembaruan Agraria (KPA). (2024). Catatan Akhir Tahun 2023: Konflik Agraria di Indonesia. <https://www.kpa.or.id>
9. Konsorsium Pembaruan Agraria (KPA). (2025). Potensi Konflik Agraria yang Terus Berlanjut di Indonesia. <https://www.kpa.or.id>
10. Lam Kuok Choy, & Hay Ah Na. (2017). Mengesan perubahan guna tanah dan litupan bumi menggunakan kaedah penderiaan jauh di Daerah Miri, Sarawak. *Geografi*, 5(3), 85-94.
11. Lastarria-Cornhiel, S. (1997). Impact of privatization on gender and property rights in Africa. *World Development*, 25(8), 1317-1333.
12. Maclin, R., Safriel, U., & Ghorban, A. (2017). Moving to the mines: Motivations of men and women for migration to artisanal and small-scale mining sites in Eastern Democratic Republic of the Congo. *Resources Policy*, 51, 115-122.
13. Nyashina, G., et al. (2019). Heavy metal concentration in soil and maize (*Zea mays* L.) in partially reclaimed refuse dumpsite 'borrow-pit' in Port Harcourt, Nigeria. *Environmental Technology & Innovation*, 18, 100745.
14. Rosti, B., Omidvar, A., & Monghasemi, N. (2020). Recognition of customary land rights in legal frameworks: Challenges and prospects. *Land Use Policy*, 95, 104676.