**The Nexus between Rule of Law, Democracy, and Natural Resource Governance in Southeast Asia**

Convener: [Widya Tuslian](https://www.universiteitleiden.nl/en/staffmembers/widya-tuslian#tab-1), Van Vollenhoven Institute of Leiden Law School & the KITLV Leiden, (w.n.tuslian@law.leidenuniv.nl) (Advisors: Prof. Diana Suhardiman and Prof. Adriaan Bedner)

**Format (Alternative Format: “Panel-Roundtable Discussion”)**

In this session, I chose an alternative “Panel-Roundtable” format. Unlike traditional roundtables in which a convener ignites current issues followed by brief statements from the participants and continues with discussions, this format combines a short panel and roundtable format. It requires the participants to submit pre-circulated short papers (500-1000 words max) and a max of 10-minute on-the-spot presentations followed by discussions. In this session, I expect the participants to have expertise in natural resource governance in relation to the rule of law and democracy from various Southeast Asia countries. The participants would ideally be legal practitioners, academicians, or any other experts with a social science background focusing on various Southeast Asia Countries.

 I chose this alternative format because it will enable the participants to demonstrate their knowledge and experience better substantiated by pre-circulated papers and presentations. Ultimately, this format can promote substantial discussion and result in data comparison outcomes from the participants. The convener will start with an opening and descriptions of current issues. A maximum of 5 participants will present for 10 minutes each of their pre-circulated paper. Followed by discussions among participants, convener, and audience for around 40 minutes. The convener will conclude the roundtable at the end of this session.

**The Urgency of The Topic**

According to (Graham et al., 2003), natural resource governance can be termed as the norms, institutions, and processes that control how power and responsibilities over natural resources are distributed and exercised, how a decision is produced, and how citizens from every group participate in and benefit from the management of the natural resource. In this regard, the rule of law and democracy are crucial in natural resource governance for some reasons: As the rule of law protects citizens from the authorities and each other (Bedner,2010), the functioning rule of law is crucial in natural resource governance to make sure that power and responsibility allocation is done in such a way to empower all groups in societies. Apart from that, a healthy democracy is pivotal to guarantee that no one is left, let alone violated, in natural resource decision-making. Nevertheless, it is common knowledge that during the last decades, most Southeast Asian countries have experienced a [downturn](https://www.economist.com/asia/2023/08/31/south-east-asian-democracy-is-declining) in their rule of law and democracy conditions. Cambodia and Indonesia set an example of that. A [sham election](https://www.cfr.org/in-brief/cambodias-elections-no-surprises-uncertain-leadership-future), the current [shutdown](https://www.ibanet.org/media-freedom-cambodia-democracy) of independent media outlets, and [threats](https://rightlivelihood.org/news/mother-nature-cambodia-receives-the-prestigious-right-livelihood-award-for-protecting-nature-and-standing-up-for-democracy/) to youth-led natural resource and environmental defender organizations in Cambodia have proven that the rule of law and democracy do not function properly there. Meanwhile, in Indonesia, [threats](https://indonesiaatmelbourne.unimelb.edu.au/talking-indonesia-democracy-under-threat/) to freedom of speech by Indonesian information and electronic law and highly controversial job creation law, which is said to be [deceitful](https://news.republika.co.id/berita/ro0dsy436/bivitri-perppu-cipta-kerja-bentuk-keculasan-pemerintah) by some legal observers, have shown that the rule of law and democracy are no better. Interestingly, in the decline of the rule of law and democracy conditions, these countries are also experiencing a downswing in their natural resource regimes. Persistent [illegal logging](https://news.mongabay.com/2023/10/communities-track-a-path-of-destruction-through-a-cambodian-wildlife-sanctuary/) in Chhaeb-Preah Roka Wildlife Sanctuary, [sand exploitation](https://news.mongabay.com/2020/08/in-cambodia-a-sweeping-new-environment-code-languishes-in-legal-limbo/) in Mekong in Cambodia; and [Coal pollution](https://news.mongabay.com/2023/08/activists-slam-coal-pollution-from-indonesias-production-of-clean-batteries/), water mismanagement, and palm oil exploitation in Indonesia are some instances of natural resource issues amidst the retrograde of the rule of law and democracy. In view of that, this session will explore the nexus between the rule of law, democratic situation, and natural resource governance in Southeast Asian countries by reflecting on the following:

* What are the linkages between democracy, the rule of law decline, and the deterioration of natural resource regimes in Southeast Asia?
* What’s the role of development agencies in natural resource governance in Southeast Asia?
* What investments or activities by local or multinational companies shore up or undermine natural resource regimes in Southeast Asia?
* What are the states' and development agencies' outlooks on the role of common property regimes over natural resource governance?