

Indonesian Land Law



Integration at last?

And for whom?

Blaming Land Law

- Fragmentation
- Overlap
- Inconsistencies
- Duality



Land Law Dualities

- Private and public law
- Land administration of private land rights
- State and non-state law



Development of Indonesian Land Law

- Culture System (1830 – 1870)
- The Agrarian Law of 1870
- Independence (1945)
- The Basic Agrarian Law (1960)
- The Forestry Law (1967 / 1999)
- The Spatial Planning Law (1992 / 2007)
- Dispute resolution

Problems

- Forest – Non-Forest Land
- The position of masyarakat adat
- Squatters
- Expropriation
- Economic development
- Jurisdiction

To what extent is law the cause of the problem?

New developments

- The Constitutional Court rulings
- The Joint Ministerial Regulation on Procedures for Land Claim Settlements inside Forest Zones
- The Land Bill



Conclusions

- Blaming land law
- Tenure security for whom?
- The future of the adat paradigm
- Rule of land law