



COMMITMENT 1: SECURE TENURE RIGHTS

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?		Comments on the indicator, if any
1a. Documented land and water rights—number of women and men with legally recognized documentation or evidence of secure rights of land.	In accordance with the 2016 data of the National Land Agency, from the 44 million land parcels in Indonesia, 15.88% are owned by women. (http://binadesa.org/agenda-pemerintah-untuk-reforma-agraria-belum-mengakomodir-kepentingan-perempuan/) Water rights cannot be held by individuals.	Data is partially available from studies conducted by CSOs and research institutions.	
1b. Perceived tenure security— number of women and men who perceive their rights to land are protected against dispossession or eviction.	Government makes use of land certification concept as the mechanism for securing land rights against any expropriation. There is no regulation which severely forbids any practice of expropriating people's land.	No available data from CSOs nor other sources.	KPA sees land certification as not the only means to secure people's land against any threat of expropriation. The certification has to be accompanied with the strength and solidity of people organizations in the field.
1c. Effective legal and institutional framework put in place at national and local level for securing tenure rights.	In addition to the Agrarian Basic Law No. 5/1960 and the MPR's Regulation No. IX/2001 on Agrarian Reform and Natural Resources Management, there is equally the No. 19/2013 Law on the Protection and Empowerment of Peasants. However, KPA finds the latter not ideal for protecting and providing land rights to peasants due to the following: • the law does not address agrarian problems (land ownership and tenure) • the law only establishes right to rent as the mechanism for providing land to the peasants • law does not include land redistribution	For securing land rights of people especially peasants, it is necessary to settle a consensus or regulation of peasant organisations, such a consensus forbids any act which cause the loss of land rights.	
	agenda	Legend: yes	no partially available

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
ld. Recognition of customary rights, individual and communal.	Land rights recognition and issuance are solely to individuals. But there are government efforts to materialize communal rights recognition. Considering the current achievement of the government (as of September 2018), an area of 25,110.34 hectares have been established as customary forest in 33 areas. But these recognised forest areas are very thin if compared with the government target in the Mid-term National Development Planning (i.e. 5,008,000 hectares of customary forest area).	Data is partially available from studies conducted by CSOs and research institutions.	
1e. Violations of land and water rights Indicators of LWA Casualties number (per 100,000 lives) Arrested people number (per 100,000 lives) The number of harassed persons (per 100,000 lives); Percentage of expropriated land; The number of families evicted/expropriated from their agricultural land (per 100,000 lives) The number of homeless families due to eviction.	The following offices receives reports and complaints in the land sector: Indonesian Ombudsman (2,571 in 2016–2018), the National Commission of Human Rights (3,000 land conflict cases in 2017), and the Presidential Staff Office (508 agrarian conflicts in 2018). Most of those conflicts were in the plantation sector.	In 2017, the KPA had recorded at least 659 agrarian conflict cases in different districts and provinces totaling to 520,492.31 hectares. Those conflicts involved at least 652,783 families. Among all other sectors, plantation was still ranked first, with 208 agrarian conflicts in 2017, or 31.5% of the total conflict documented.	
f. Budget of national government allocated to tenure rights	Special budget from the National Income and Expenditure Budget and loans from the World Bank have been allocated for the process of issuing land right certification documents by the Ministry of Land and Spatial Planning.	No available data from CSOs nor other sources.	

The PCLG Dashboard Indicators and the Availability of Land Information in Eight Asian Countries

66 Asia LandWatch

yes no partially available





COMMITMENT 2: STRONG SMALL-SCALE FARMING SYSTEMS

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
 2a. Equitable land distribution and redistribution by size, productivity, and number of households. LWA indicators land ownership distribution based on land size; Gini coefficient /bottom to top ratio (for analysis); Number and percentage of landless people among the population of a village; Percentage of agricultural labor forces with legal documents. 	Following are the achievements of Agrarian Reform implementation under the administration of President Joko Widodo (October 2014 to September 2018), data from the Ministry of Agrarian and Spatial Planning indicate the following: • out of targeted 0.6 million hectares, 12.6% (75,600 hectares) of transmigration land has been legalized; • out of 3.9 million hectares land assets targeted, only 47% (1,832,970 hectares) has been certified; • redistributed only 59% of the targeted 0.4 million hectares of land from abandoned and expired land use right • 24.3% of the targeted 4.1 million hectares of forest areas has been redistributed.	No available data from CSOs nor other sources.
2b. Policies and programs in support for landless and small farmers enacted and implemented, funds for capacity building, rural infrastructure, climate change adaptation and mitigation; (disaggregated by gender).	Government has enacted a Presidential Regulation No. 45/2016 and No. 79/2017 on Government Works Planning in 2018. The most recent development is that the government has issued a Presidential Regulation No. 86/2018 on Land Reform.	No available data from CSOs nor other sources.
2c. Policies, rules and guidelines in support for sustainable land ownership and management of small-scale farms.	The Presidential Regulation No. 86/2018 on Agrarian Reform contains articles which oblige the government to develop people economic management. In Article 15 the government are tasked to provide: Improvement of institutional capacity; Business coaching; Skill improvement; Use of appropriate technology; Business diversification; Access facility to capital; Access to marketing; Data base and commodity information improvement; and Supporting infrastructure.	No available data from CSOs nor other sources.
	Leg	end:



COMMITMENT 3: DIVERSE TENURE SYSTEMS

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
3a. Recognition of a continuum of individual and communal rights: the law recognizes a range of rights held by individuals (incl. secondary rights of tenants, sharecroppers, women, etc.)	At least there are three basic regulations on land rights: the No. 5/1960 Basic Agrarian law; the government Regulation No. 24/1997 on land registration; the Regulation of the PMA/Chief of the Land Agency No. 3/1997 on the implementary procedures for the government Regulation No. 24/1997 on land registration. With regard to rent rights, agricultural rent had been abolished through the Constitutional Court's Regulation No. 87/PUU-XI/2013. The Article 59 of the No. 59/2013 Law on Protection and Empowerment of Peasants. (KPA with other CSO networks have lobbied for its abolition).	No available data from CSOs nor other sources.	
3b. Respect for and enforcement of a continuum of people's rights.	Similar to 3a	No available data from CSOs nor other sources.	
3c. Number and area of community claims made, with registration and verification by government agency.	Similar to 2a	To date, KPA with its community members though its LPRA initiative, have been consolidating 444 locations comprising 654,392 hectares involving 144,808 farming families. Those locations are identified by 103 people's organizations from 20 provinces and 98 districts, and their registration files had been submitted officially to the government at several occasions. With regard to customary communities, AMAN (Aliansi Masyarakat Adat Nusantara) has mapped 9.3 million hectares of customary areas all over the country.	

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
3d. Policy and legislation developed and implemented that better enables and supports pastoralists, IPs, forest people, fisherfolk, and productive rangeland systems.	While there land laws, they do not recognize, respect and protect the land rights of individuals, peasants, customary communities, fishermen, women, and agricultural laborers.	The KPA has crafted and proposed a land law which promotes agrarian justice, people's prosperity, and sovereignty of Indonesians over their own territory. The bill is also essential for materializing the mandate and basic agrarian law No. 5/1960 (UUPA): humanity, nationalism, socialism, prosperity and justice.	Large scale pastoral issue is not relevant to the Indonesian context.
3e. Customary rights of forest users—communities, groups of rural families and individuals—are legally recognized.	The details are the same as 1d.	Data is partially available from occasional studies of CSOs.	

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COMMITMENT 4: EQUAL LAND RIGHTS FOR WOMEN

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
4a. Distribution of agricultural and natural resource holders by sex	There are no data or information that the public can access from government on the distribution of land or other agrarian resources based on gender differentiation.	KPA developed the approach of LPRA (Agrarian Reform Priority Locations) which identified lands to be distributed to men and women.
4b. Proportion of total agricultural population with ownership or secure rights over agricultural land, forest, pasture and housing by sex; share of women among owners or rights-bearers of agricultural land, by type of tenure	The 2013 Agricultural Census of the Central Statistic Bureau indicates that there were 31.70 million peasants, dominantly male (24.36 million) vis-à-vis the female population (7.34 million).	No available data from CSOs nor other sources.
4c. Gender-responsiveness of land and resource governance laws, policies or mechanisms	Article 9 Number (2) of the 1960 UUPA, stipulates that every citizen, either male or female, has equal opportunity in gaining a land right and in benefiting from the right for his or herself and their families.	Data is partially available from studies of CSOs and academic institutions. Legend: yes no partially available

	70	Asia LandWatch	The PCLG Dashboard Indicators and the Availability of Land	Information in Eight Asian Countries
	PROPOSED PCLG IN	DICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
4d. Availabili	ty of an inheritanc	e or family law	 Land patrimonial law can be seen in: Article 852a of the Common Law Code Article 42 of the Government Regulation No. 24/1997 on Land Registration. 	No available data from CSOs nor other sources.
4e. Number	of women with te	nure rights to land	Similar to the point 1a	Within its network, KPA has identified a number of female citizens who are appropriate to be land owners within the LPRA.



PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
5a. Recognition of indigenous peoples' autonomous right to lands, territories and resources and sacred ceremony sites in local and national legislation, policies, and programs.	 Customary communities rights are generally regulated in: Article 18B Number (2) of the National Constitution; Article 3 of the 1960 UUPA; and, Article 67 Number (1) of the No. 41 1999 Law on Forestry.	Data is partially available from occasional studies of CSOs.
5b. Effective implementation of tenure security of indigenous lands (in practice).5c. Perception of tenure security and resource governance of indigenous lands.	Only recognition of customary forests such as in the point 1d. It is not perceivable that the government gives security and guarantee for the management of agrarian resources held by customary communities.	Alliance of Indigenous Peoples of the Archipelago (AMAN) with their community securing their indigenous territory with adat laws Same as the 5b

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COMMITMENT 6: LOCALLY-MANAGED ECOSYSTEMS

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
6a. Comprehensive and sustainable land, forest, and water use planning are formulated and implemented in a participatory manner.	There has not been no data nor information from the government, despite the fact that it has its regulation No. 16/2004 on Land Use Management.	 KPA implements the program of Desa Maju Reforma Agraria (DAMARA or developed village with land reform), which aims to: promote an agrarian transformation in rural areas, address agrarian structure inbalance at village level develop and enhance rural potentials in agrarian sector transform villages into centers of production and economic growth with justice, sutainability and independence 	
6b. Policies and resources are available for community in preparing a comprehensive and sustainable land, forest and water use plan.	Local communities advance their aspiration through Agrarian Reform Priority Location proposals with the Presidential Decree No. 86/2018 on Agrarian Reform as their legal basis for participating in determining local spatial planning.	No available data from CSOs nor other sources.	
6c. Urban development planning should be in line with indicator 6a.	Data not available from government.	No available data from CSOs nor other sources.	

Legend:







partially available

72	Asia LandWatch	The PCLG Dashboard Indicators and the Availability of Land Information in Eight Asian Co.	untrie
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PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
6d. Land use tenure systems— allows the inclusion of mobile communities and pastoral land use.	Data not available from government.	No available data from CSOs nor other sources.	Indicator 6d may not be relevant to Indonesian case.
6e. Number of pasturelands and other natural resources effectively managed and governed by communities recognized by the government.	Data not available from government.	No available data from CSOs nor other sources.	Indicator 6e may not be relevant to Indonesian case.

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COMMITMENT 7: INCLUSIVE DECISION-MAKING

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
7a. Number of vulnerable women, men and youth represented in decision-making mechanisms related to rural land use.	In legal terms, participation of women and youths in reorganizing land structure and use is possible because of: No. 6/2014 Law on Rural Areas The Presidential Decree No. 86/2018 on Agrarian Reform	In every decision-making processes, women and youth participation are observed within KPA network.	
7b. Number of policies and programs formulated as a result of the recommendation of vulnerable representatives.	Data not available from government.	No available data from CSOs nor other sources.	In the realm of government policy or authority, it is difficult to find the links between policy and program development with sectoral reprepsentative participation. In most cases, the people can only recommend.



COMMITMENT 8: TRANSPARENT AND ACCESSIBLE INFORMATION

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
8a. Public access to policies, regulations and mechanisms that provide timely, reliable and accessible data on land and land-related issues.	For people who have internet connection, accessing policy and regulations of land is of a great ease. However, majority of the rural poor do not have access to internet. The land data that are available and accessible are limited to general policy, development or allocation of land. Data on location/areas for land acquisition and program implementation are not accessible. Land information is generally found in the Central Bureau of Statistics. These data are generated from the agricultural census, conducted every 10 years.	A number of CSOs provide regulation and legal data which are easily accessible and free.
8b. Regional and national information on public deals.	Openness of information for public in Indonesia is provided through the No. 14/2008 law on Openness of Information for Public.	No available data from CSOs nor other sources.
8c. Process of enabling land use— transparent information on law making, implementation, and monitoring.	Either central or local governments of Indonesia tend to be not transparent in deciding the allocations of land uses. Such inclination leads to high occurence of land conflicts in Indonesia.	Civil Society Organisations have produced a number of reviews on the implementation of those policies, among them there is the KPA's Year End Notes.



COMMITMENT 9: EFFECTIVE ACTIONS AGAINST LAND GRABBING

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
9a. Effective land policy, legal and	Despite the presence of a regulation	No available data from CSOs	It is worth noting that
institutional framework for private	which necessitate people's participation	nor other sources.	the delayed process of
and public investments in place	in settling the allocation of an area such		land acquisition for
and implemented to prevent land	as for infrastructure development (i.e.		infrastructure
grabs, including the existence of	Article 16 of the No. 2/2012 Law on		development is caused by
procedural safeguards.	Land Acquisition for Public Facilities), in		the lack of transparency.
	most cases public consultations have		
	never been done.	Legend:	
		✓ yes 🗵	no partially available

74 ASIA LANDWATCH The PCLG Dashboard Indicators and the Availability of Land Information in Eight Asian Countries			
PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?	Comments on the indicator, if any
9b. Number of communities challenging land rights violation attempts—ranging from official complaints to actual legal challenges—and their description LWA indicator • number of received cases (per 100,000 people)	Similar as point 1e.	Similar as point 1e	
9c. Availability of dispute resolution mechanisms: number of women and men, indigenous and local communities that have access to effective dispute-resolution mechanisms	The only available mechanism for such conflicts is the court. However, data is not gender-disaggregated.	KPA conducts an annual reporting of land conflicts.	
9d. Land dispute resolution effectiveness: number of individuals/households/ communities that reported a land conflict or dispute in the past three years that have had the conflict or dispute resolved	There are no regular information provided by the government on the status of land conflict cases which had been resolved in the last few years.	Same as 9c	
9e. Number of families restituted of their lands, by gender and by type of land.	No available data from government.	No available data from CSOs nor other sources.	
9f. Fair compensation and land restitution for affected families.	No available data from government.	No available data from CSOs nor other sources.	
9g. In cases of land grabs, number of corrective actions taken against violators—whether companies, governments, etc.	No available data from government.	In conflict locations which are recorded by the KPA, 90% of people used the legal cases were filed.	
 tWA indicators the number of cases reported and recorded (per 100,000 people) the number of cases which are already trialed/decided in the court (per 100,000 people). 			



COMMITMENT 10: PROTECTION FOR LAND RIGHTS DEFENDERS

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
10a. Legal basis for the protection of land rights defenders.	The government does not have any legal provisions for protecting activists from the threats of criminalisation, violence and assassination.	No available data from CSOs nor other sources.
10b. Protective measures taken.	No available data from government.	The National Committee of Agrarian Reform (KNPA) has a conflict handling system financed with emergency fund.
10c. Number of land rights defenders that have been threatened, arrested, killed, missing and jailed, specify number of violent acts against women.	Such as the point 1e	Same as the point 1e
10d. Availability of effective mechanisms to protect, respect, and fulfil the rights of land rights defenders.	No available data from government.	Data is partially available from land conflict monitoring report of KPA.
 LWA Indicators: the number of activists murdered (per 100,000 people); the number of arrested activists (per 100,000 people); the number of harassed activists (per 100,000 people) 		
10e. Availability of effective mechanisms—with sufficient budget—for the rehabilitation of land rights defenders and families that	Such mechanism can be accessed by powerless people with the presence of pro bono lawyers who are paid by the State with the fees provided in the government Regulation	Similar as point 10b
have been jailed or harassed.	No. 42/2013 on Requirements and Procedures of Legal Assistance Provision and Legal Aid Funds Channeling.	Legend: yes no partially available

OTHER LAND DATA WHICH ARE RELEVANT TO THE AIM OF PEOPLE CENTERED LAND GOVERNANCE

PROPOSED PCLG INDICATORS	Is official data available on the status of implementation of the law?	Are there any other data available from other sources (CSOs, media, academic or research institutions)?
11. Data of land tenure of large scale enterprises	 There are general data on land tenure of large scale enterprises, but they are very limited in a number of ministries such as: As of 2017, the areas covered by oil palm comprise 12,307,677 hectares. As of 2017, the areas of productive forests in Indonesia (HPT, HP, HPK, HTI) are 68.7 million hectares with licences of 499 entreprises. As of 2019, lands which are needed for infrastructure development are 133,657 hectares. All over the country, there are 232 industrial areas covering 78,976 hectares (as of 2017). 	 A number of CSOs have data on large-scale land tenure, such as: According to Sawit Watch, the areas of oil palm in Indonesia today have reached a tenure of 16.18 millions hectares. As of 2016, Mining Advocacy Networks have recorded 11,142 issued mining licenses comprising areas of 93.36 million hectares.
12. Peasants and Agricultural Condition Data	 12.87% of peasant families are less than 35 year old. Those who are within the range 35–40 year old are 14.21 million families (54.37%) Those who are above 54 year old are of a great number, i.e. 8.56 million families (32.76%) Within a decade, 5.09 million peasant families moved out of the agricultural sector and it can be ascertained that they became landless, laborers or urban poor. Agricultural land conversion in Indonesia is high. Every year 100,000 to 110,000 hectates of agricultural areas are converted into other uses. In addition to the high rate of land conversion, those families left agriculture because they cannot maintain their business or agricultural income and is simply inadequate for meeting their necessities. Average income of a Peasant family in Indonesia is IDR 12,413,920 or less than IDR 1,034,500 per month. Indonesian population in 2010 were 237,641,326 people, those who lived in urban areas were 118,320,256 (49.79%) and those in rural areas were 119,321,256 (50.21%). There are 25.863 villages which are within forest areas or 36.7% of all villages in Indonesia. 	Data is occasionally available from research studies of CSOs and academic institutions.