

# 2023 INDONESIA LAND CONFLICT MONITORING REPORT

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**Land conflicts in Indonesia have nearly doubled under President Joko Widodo as his administration pursued an investor-first economic agenda that has sidelined local communities and the environment. In the nine years of Widodo's administration, 2,939 pending disputes affecting 1.75 million households have been reported.**

The breakneck speed of development projects and investments during Widodo's time in office matched the escalation of agrarian conflicts in various parts of Indonesia. Widodo presided over an agrarian crisis, marked by: (1) ever-increasing agrarian conflicts that were not resolved in favor of the poor; (2) rampant and seemingly unhindered land expropriation facilitated by investment-friendly policies; and, (3) greater inequality of land ownership, such that land used for agriculture, mining, plantations, as well as forest land and coastal areas, became concentrated in the hands of political elites.

The highest number of agrarian conflicts has been clustered around particular sectors, namely: plantations, infrastructure development, and accelerated national strategic projects. The latter represented an emerging sector of

conflict. In four years, from 2020 to 2023, the KPA recorded 115 related incidents in different regions in the country.

The problem could be traced not to development and investment themselves, but to the approach taken by the government which ignores people's rights.

Local land rights systems are recognized by Indonesia's Constitution and by the Basic Agrarian Law (UUPA) of 1960. However, because the government has not registered lands in the name of their owners, people are not able to prove or formalize their land ownership. They are thus often viewed as illegal cultivators.

A number of factors have been cited to explain the escalation of agrarian conflicts in the last decade:

**First**, development and investment which are very pro-market and pro-capital do not respect citizens' rights to land, thus making it easy for the government to abrogate citizens' rights in favor of the interests of investors and big businesses.

**Second**, the increasing inequality of land rights, which pits community members against each other, and against the government and business interests.

**Third**, overlapping claims and the accumulation of agrarian conflicts that are never solved and aggravated by new conflicts resulting from land grabbing and eviction to make way for development and investment projects.

**Fourth**, the use of violence, criminalization, and manipulation of compensation schemes in the process of allocating land for development and investments.

**Fifth**, overlapping policies and regulations, such that regulations that meant to protect peasants and agricultural areas can be overturned by policies that accommodate investments and development projects; and,

**Sixth**, a positivistic legal perspective in the matter of agrarian resources management makes it easy for the government to readily dismiss people, especially peasants, small fishermen, customary communities, rural communities, and urban poor, who have no means of proving their land property right before the law, despite decades of living therein.

According to data collected by KPA, some 1.75 million people had been victims of agrarian conflicts in the period 2015 to 2023. In particular, these people had been evicted or were about to be evicted, and thus had to find jobs other than agriculture.

The BPS reported that from 2013 to 2023, the number of landless peasants, or farmers who

owned less than half a hectare of land has skyrocketed. In 2023, 17.24 million peasant families were classified as landless. This is an increase of 18.54 percent, or 2.62 million more landless peasants, compared to 2013, when 14.25 million landless peasants were reported.

The same BPS census cites a worrying decline in the number of farmers in Indonesia in the last decade. In 2013, there were 31 million farmers in the country; by 2023, farmers numbered 29.34 million, or five percent fewer farmers in Indonesia. Furthermore, of the figure for 2023, 19.49 million were aging farmers and peasants.

KPA's data for 2015 to 2023 also showed that the 10 provinces where landlessness was particularly rife were the same places where agrarian conflicts were most numerous. These provinces were Aceh, North Sumatra, Riau, Jambi, South Sumatra, Lampung, East Java, West Java, East Java, and South Sulawesi.

## Land Conflict Monitoring Report on Indonesia

### Methodology and data sources

The Consortium for Agrarian Reform or Konsorsium Pembaruan Agraria (KPA), gathered data on agrarian reform conflicts that took place within the period 1 January to 31 December 2023. Cases that had started in 2022 but had recurred in 2023 were also included in the study.

Mainstream media, including print, radio and online news portals, comprised 91 percent of the data sources.

The other sources, which supplied about nine percent of all data, included: (1) direct reports from the community that was involved in the agrarian conflict; (2) reports from members and networks of KPA; (3) results of KPA monitoring during the year; (4) the conflict database on agrarian quick response and emergency; and, (5) results of field investigation and studies conducted for specific cases that require more depth.

All of the data were reassessed, investigated, and validated prior to consolidation and analysis. KPA also used comparative information to assure data quality and accuracy.

**Table 1. Sources of information for the cases**

Source	Number of cases	Percent of cases (%)
Mainstream media (print, online, radio)	220	91
CSO/NGO	17	7
Community, community-based organization	4	2
<b>Total</b>	<b>241</b>	<b>100</b>

It must be noted that the data presented here are not fully representative of agrarian conflict cases that occurred in 2023. This is due to the fact that KPA has limited capacity to investigate conflict hotspots throughout the country. Furthermore, KPA cannot fully verify conflicting data from various sources, especially mass media.

## Key Findings

A total of 241 land and resource conflicts were covered by this study. This figure is 12 percent higher than that in 2022.

The 2023 cases involved 638,188 hectares, distributed across 346 villages, and affected 135,606 households (Table 2).

Seventeen percent of these cases have been ongoing for 20 years and longer. Only 12 percent of the cases were fairly new, lasting less than two years (Table 3).

**Table 2. Total number of cases, area, and households affected by land and resource conflicts, 2023**

Ongoing cases	Number
Total number of cases	241
Total number of hectares affected	638,188
Total number of households affected	135,608

Table 4 shows that areas under smallholder agriculture and farming comprised 48 percent of the total contested areas, followed closely by customary land, at 42 percent.

These data are supported by the sectors most affected by land conflicts, namely, farmers, in 72 percent of cases; and IPs in 11 percent of cases (Table 5).

### Adversarial claimants

Table 6 indicates that private companies were identified as the adversarial claimants in the

highest number of cases (66 percent); followed by government agencies and State enterprises (22 percent), local government (10 percent), and the military/police/armed forces (two percent).

### Stakeholders and drivers of land conflict

In 63 percent of the cases, private business enterprises were reported to have caused the conflict. These private businesses were involved

in mining/quarrying, logging and tree plantations; agribusiness and related plantations; property/housing/real estate development; and tourism (Table 7).

Government projects and programs set off 18 percent of the cases, specifically with the building of public infrastructure, public utilities, military facilities, social housing, Special Economic Zones (SEZs), and land reclamation projects, among others.

**Table 3. Duration of conflicts, in number of years**

Duration	Number of cases	Percent of cases (%)
Less than 2 years	29	12
2 to less than 5 years	11	5
5 to less than 10 years	20	8
10 to less than 15 years	12	5
15 to less than 20 years	27	11
20 years or more	42	17
Unknown	100	42
<b>Total</b>	<b>241</b>	<b>100</b>

### Responses of affected communities

In almost all (99 percent) of the cases, the affected communities sought formal/informal modes of conflict resolution. Local or direct negotiations were the most preferred (91 percent or 219 out of 240 cases), followed by resolution by means of a government administrative mechanism (eight percent), and through the national human rights institution (one percent).

**Table 4. Type of land and resource affected by conflicts based on number and percent of cases and contested area (in hectares)**

Type of land/resource	Number of cases	Percent of cases (%)	Contested area (in hectares)	Percent of contested area (%)
Smallholder agriculture/farming	197	82	307,659	48
Housing and settlements	25	10	58,653	9
Indigenous people/customary land	11	5	270,737	42
Water/fisheries resources	5	2	447	0.1
People's plantation	2	1	682	0.8
Community forest/Social forestry	1	0	10	0.1
<b>Total</b>	<b>241</b>	<b>100</b>	<b>638,188</b>	<b>100</b>

However, Table 8 does not refer to successful community response, rather, it provides only attempts at resolving the land conflicts.

At the same time, Table 9 indicates that no corrective action, whether by the government, the adversarial party, or any third party, was reported to have been taken.

### Human rights violations

In 2023, at least 608 individuals suffered human rights violations (HRVs) in 86 reported incidents (Table 10). The highest number of incidents of HRVs (69 percent or 59 out of 86) involved detainment/legal or illegal detention and affected 84 percent of the victims (507 out of 608). Torture was the next most prevalent form of HRVs (22 percent or 19 out of 86), and was experienced by 15 percent of all victims (91 out of 608), 80 individuals of whom were male, and 11 were female. Six men were shot, and three men were murdered (Table 11).

**Table 5. Primary sector or community affected by conflicts based on number and percent of cases**

Primary sector/ community	Number of cases	Percent of cases (%)
Farmers	174	72
Informal settlers/Slum dwellers	38	16
Indigenous people (IP)	26	11
Fisherfolk	2	1
Others	1	0
<b>Total</b>	<b>241</b>	<b>100</b>

**Table 6. Adversarial claimants in land conflict cases based on number and percent of cases**

Adversarial claimants	Number of cases	Percent of cases (%)
Private companies	160	66
Government agencies and State enterprises	53	22
Local Government	23	10
Military, police, armed forces	5	2
<b>Total</b>	<b>241</b>	<b>100</b>

The KPA noted a significant increase in the number of cases of beating in 2023, compared to 2022. The level of brutality of the beatings has also escalated.

The cases of shooting, numbering three in 2023, still represents a 100 percent increase from 2022.

Table 12 indicates that in the 86 reported incidents, 85 percent of the reported perpetrators were armed agents of the State while the remaining 15 percent were from private companies.

In 2023, sixty-one percent of incidents of HRVs affecting communities (95 out of 155) were committed against farmers. Informal settlers and slum dwellers were involved in 25 percent of the HRVs, followed by IPs (12 percent) (Table 13).

Table 13 shows that in terms of affected households, 68 percent (54,159 out of 80,119) were farming households, followed by IP households (23 percent), and households of informal settlers (nine percent).

Eviction, displacement and work termination comprised the highest number of HRVs, at 80 percent of all incidents (124 out of 155) and 82

percent of all affected households (65,512 out of 80,119). Destruction of crops, homes and property was reported in close to nine percent of HRVs and by almost eight percent of all affected households (Table 14).

Table 15 indicates that armed agents of the State, including the police, the army, and the military were by far the most frequently reported

**Table 7. Drivers of land and resource conflict based on number and percent of cases and contested area (in hectares)**

Drivers of conflict	Number of cases	Percent of cases (%)	Contested area (in hectares)	Percent of contested area (%)
<b>Private-led business enterprises</b>	<b>152</b>	<b>63</b>	<b>346,262</b>	<b>54</b>
Mining, quarrying	34		127,525	
Logging and tree plantation	10		70,883	
Agribusiness, plantations	82		100,203	
Property/housing/ real estate development	23		47,095	
Tourism, ecotourism	2		472	
Others	1		84	
<b>Government projects/programs</b>	<b>44</b>	<b>18</b>	<b>260,503</b>	<b>41</b>
Public infrastructure (including roads, bridges, airports, ports)	19		241,722	
Public utilities (dams, power lines, power/energy, irrigation, etc.)	7		1,337	
Social housing, urban development	7		8,328	
Military facilities	5		328	
Land reclamation	2		169	
Special economic zones	1		197	
Others	3		8,422	
<b>Government-led business/State enterprises</b>	<b>38</b>	<b>16</b>	<b>24,818</b>	<b>4</b>
<b>Conservation/Protected Areas and "No Go" Zones</b>	<b>7</b>	<b>3</b>	<b>6,605</b>	<b>1</b>
<b>Total</b>	<b>241</b>	<b>100</b>	<b>638,188</b>	<b>100</b>

**Table 8. Responses to land conflicts by communities**

Responses of Communities to Land Conflicts	Number	Percent of Responses (%)
Seek conflict resolution	240	99
<ul style="list-style-type: none"> <li>Through local or direct negotiations</li> </ul>	219	
<ul style="list-style-type: none"> <li>Through government administrative mechanism</li> </ul>	20	
<ul style="list-style-type: none"> <li>Through judicial courts, NHRIC, legal adjudication</li> </ul>	1	
Peaceful demonstrations/non-violent acts	1	1
<b>Total</b>	<b>241</b>	<b>100</b>

perpetrators of HRVs, at 74 percent of all incidents. Private companies and private armed groups were implicated in 22 percent of incidents.

## Recommendations

### Opportunities for meaningful agrarian reform under the incoming administration

During Indonesian President Joko Widodo's tenure, there has been a significant increase in land conflicts, as his administration has prioritized investments and job creation over protecting local communities and their rights.

As Prabowo Subianto, the president-elect, begins building his administration, the government must find a pathway to resolve the increasing land conflicts. The following steps must be taken to promote meaningful land reform: (1) Undertake land registration to collect data on the

**Table 9. Corrective actions to address the land conflict**

Were there any corrective actions taken to address the conflict?	Number
No/Not yet	241
<b>Total</b>	<b>241</b>

tenurial structure in the country, including the extent of land inequality; (2) Resolve conflicts immediately; (3) Redistribute land to rationalize the use and ownership of land and other agrarian resources; (4) Strengthen land rights, namely, by providing legal guarantees for the ownership of land and other agrarian resources; and, (5) Provide support services for agrarian reform beneficiaries, including access to capital, technology, infrastructure and knowledge.

Indonesia requires a firm legal basis for nationwide implementation of agrarian reform, in line with the Constitution. The president-elect must immediately design and enact a new agrarian reform law that aims to eliminate inequality and to institutionalize the implementation of agrarian reform. The new president must take the reins of agrarian reform implementation. He cannot delegate it to a minister. This new law must also evaluate, correct, and harmonize all regulations concerning agrarian reform and natural resources.

### New mechanism for implementing agrarian reform

In 2019, during the celebration of Peasants Day in Indonesia, President Widodo vowed to take direct charge of the agrarian reform program. The Agrarian Task Force, or *Gugus Tugas Reforma Agraria* (GTRA), is a government body that was intended to accelerate conflict resolution and land redistribution in the

**Table 10. HRVs based on number of incidents and victims**

Incidents of HRVs	Number of incidents	Number of victims
Against individuals	86	608
Against communities	155	80,119 HHs
<b>Total</b>	<b>241</b>	

framework of agrarian reform. However, the KPA noted that throughout Widodo's administration, the GTRA has focused on land certification rather than on advancing the mandate of the Basic Law and of the presidential regulation 86/2018 to address agrarian and land inequality, resolve agrarian conflicts, and promote economic empowerment.

The GTRAs at the provincial and district levels did not seriously implement the mandate of the agrarian reform program. Not enough people's organizations (POs) and agrarian reform

activists have been able to participate in the provincial and district GTRAs. In fact, some GTRAs were exclusive and elitist, composed of people who had no track record in agrarian reform or worse, had a history of obstructing agrarian reform.

In place of the GTRA, the KPA is advocating for another body to implement agrarian reform – the *Badan Otorita Reforma Agraria* (BORA). If properly funded, and led by the incoming administration of Prabowo Subiyanto, the BORA should be able to take the lead in preparing for and implementing agrarian reform in a systemic way.

#### **Institutional reform in the domain of agrarian and natural resources**

For the BORA to function effectively, the government must harmonize the work of ministries in charge of forest and non-forest resources. The government must promote

**Table 11. Types of HRVs committed against individuals, by number of incidents, number of victims, and gender**

Type of HRVs	Number of incidents	Number of individual victims	Gender		
			Male	Female	Unidentified
Detainment/legal arrest or illegal detention; and "criminalization"	59	507	473	24	10
Torture	19	91	80	11	0
Physical injury/assault	4	6	6	0	0
Killing/Murder	3	3	3	0	0
Physical threat and other forms of intimidation	1	1	1	0	0
<b>Total</b>	<b>86</b>	<b>608</b>	<b>563</b>	<b>35</b>	<b>10</b>



synergy in the functions and programs of ministries currently in charge of village administration, agriculture, environment, and forestry, sea and fisheries, cooperatives, and State-owned business enterprises. At the same

time, the government must ensure that regional governments act collaboratively in support of agrarian reform. Lastly, the police and the military must support the implementation of agrarian reform, by helping the government to

## Fighting erupts over oil

Indonesia produces millions of tons of palm oil each year, much of it destined for supermarket shelves in Europe and the U.S., where it goes into everything from frozen pizza to laundry detergent.

When the industry began to take off in Indonesia in the 1980s, communities were supposed to benefit by getting a share of large-scale plantations, a portion known as “plasma.” Initially the government encouraged and incentivised this through policies, and it became routine for companies to promise villagers a share of their plantation, sometimes as much as 80 percent. From 2007, it became a legal requirement for companies to share a fifth of any new plantation with communities.

Independent analysis of government data suggests that companies have failed to provide hundreds of thousands of hectares of legally required plasma to Indonesian communities, costing them hundreds of millions of dollars each year in lost profits. In Central Kalimantan province alone, it has been estimated that villagers are collectively losing more than US\$90 million each year.

Over the past decade, at least 155 palm oil companies have been accused of failing to provide plasma, according to a database compiled of local media articles, academic papers, NGO reports, and other publicly available sources. These include subsidiaries of almost every major palm oil conglomerate operating in the Southeast Asian country.

As a result, dozens if not hundreds of rural communities have turned to protest or other forms of direct action, marching in the streets, massing outside government offices, blockading roads and occupying plantations. Many villagers involved in such actions have faced violence at the hands of police or been sentenced to prison time.

This exact type of conflict has been playing out in Seruyan Regency, which is located in the Central Kalimantan Province, in Indonesia. The company, PT Hamparan Massawit Bangun Persada (HMBP) — an affiliate of BEST Group, which supplies Wilmar, the world’s largest processor and merchandiser of palm and lauric (palm kernel) oils — entered into Bangkal village, accompanied by security forces and without complying with the requirement of Free, Prior and Informed Consent (FPIC). They brandished what is called a location license or right of cultivation. Subsequently, local community members, including customary people and peasants, lost their land, and became plantations workers. They were consoled by the promise of receiving their plasma share from the company.

Unfortunately, as in other areas in Indonesia where similar schemes were imposed, the community in Seruyan waited far too long, without receiving what was promised to them, specifically HMBP’s commitment to deliver the 20 percent plasma obligation. On 21 September 2023, Bangkal villagers were shot with tear gas, setting off a chain reaction in the neighboring area that resulted in arson on business buildings. The second altercation took place on the evening of 23 September 2023, when two individuals were hurt in a skirmish with the police. On 7 October 2023, law enforcers engaged in a repressive action against the protesters. This ended with a shooting that killed one of the protesters and injury to another.

**Table 12. Reported perpetrators of HRVs against individuals, by number of incidents and percentage**

Perpetrators of HRVs against individuals	Number of incidents	Percent of incidents
Armed agents of the State	73	85
Private companies	13	15
<b>Total</b>	<b>86</b>	<b>100</b>

**Table 13. Communities affected by HRVs based on number of incidents and affected households**

Communities affected by HRVs	Number of incidents	Number of affected households
Farmers	95	54,159
Informal settlers/ slum dwellers	38	7,558
Indigenous people (IP)	19	18,252
Fisherfolk	2	150
Others	1	Data not available
<b>Total</b>	<b>155</b>	<b>80,119</b>

protect the land rights of peasants, customary communities, marginal groups, as well as the fishing grounds of small fisherfolk.

#### Other recommendations to improve agrarian reform implementation

- Develop a national, systematic, participative, pro-active, transparent, and accountable land registration system, in

accordance to the mandates of Indonesia's Constitution and the UUPA;

- Evaluate and correct the one-sided claims of the State to forest areas, by resurveying forest boundaries that recognize village areas, hamlets, and customary areas, people's plantations, rice fields, land fishery areas, and food storage facilities maintained by communities;
- Evaluate, and where necessary cancel licences for natural resources exploitation and land use which have caused agrarian conflicts, inequality, eviction, poverty, and ecological degradation;

**Table 14. Type of HRVs committed against communities based on number of incidents and affected households**

Type of HRVs against communities	Number of incidents	Number of affected households
Eviction, displacement, work termination	124	65,512
Destruction of crops, homes, property	13	6,209
Forcible entry/ encroachment, entry without free, prior and informed consent (FPIC)	8	746
Labelling, branding, "red-tagging"	7	2,782
Physical threat and other forms of intimidation	2	840
Destruction of habitats, pollution	1	4,030
<b>Total</b>	<b>155</b>	<b>80,119</b>

**Table 15. Reported perpetrators of HRVs against communities based on number and percent of incidents**

Perpetrators of HRVs against communities	Number of incidents	Percent of incidents (%)
Armed agents of the State (police, army, or military)	116	74
Private companies, private armed groups	34	22
Government agencies	1	1
Powerful individuals, authorities	1	1
Unidentified assailants	1	1
Others	2	1
<b>Total</b>	<b>155</b>	<b>100</b>

- Develop a publicly accessible information system on land rights, such as HGU, HGB, use rights, and ownership rights; location licenses and business licenses, such as HTI, conservation area, IUP; and, management rights (HPL);
- Delineate, affirm, and protect the traditional fishing grounds of customary communities;
- Undertake a national land mapping exercise in tandem with the communities in order to identify and correct overlaps between business concessions and community land;
- Reorient the agrarian reform program such that it priorities not the distribution of land certificates but rather the attainment of equality, gender justice, and the regeneration of peasants, among others;
- Amend or abolish laws that enable the government, law enforcement agencies, and business interests to criminalize local people, infringe on their freedom of expression and right to organize. Examples of such laws are the Law of Conservation, Law of P3H, Plantation Law, Law of Minerals and Mining, Law of Sustainable Agricultural Cultivation, Law of ITE, KUHP, and Omnibus Law;
- Stop the police and the military from acting as agents of business interests in repressing people who are fighting for and defending their land rights. The Law on ASN, which allows the police and military personnel to be employed by public and business institutions, must be revoked. Land grabbing to facilitate the development of military facilities must stop;
- Accelerate the completion of the bill on indigenous people; this bill was proposed by CSOs to protect, recognize, and restore the rights of customary communities to their ancestral domains;
- Advocate for the enactment of a climate justice bill that ensures that participation of all sectors of society, but especially those who have been marginalized because of agrarian conflicts;
- Correct the conservation law to ensure that peasants, customary communities, fishermen, and women will not be discriminated and evicted in the process of implementing the law; a human rights-based approach to managing land and agrarian resources must be adopted to ensure that policies on the regulation of the use of agrarian and natural resources do not violate human rights;

- Strengthen the structure and authority of State institutions and committees like the National Committee of Human Rights, Ombudsman RI, Judicial Commission, National Police Commission, Public Information Commission, Indonesian General Attorney Commission, Witness and Victims Protection Institution, so that they may be insulated from the control of the political elite and investment interests, but rather, support the implementation of genuine agrarian reform;
- Restore the Constitutional Court to its original mandate of defending the Constitution, and put an end to ethical infringements, corruption, conflicts of interest, government and parliament intervention, and all practices which destroy the integrity of this Court; and,
- Restoring the independence of the Anti-corruption Commission, or *Komisi Pemberantasan Korupsi* (KPK), by freeing it from the undue influence of government agents. ■

**Acknowledgment:**

KPA appreciates the support provided by its partner-communities and CSOs for providing the data and in participating in the workshops to analyze the data gathered.

**Citation:**

Wijaya, B. (2024). 2023 Indonesia Land Conflict Monitoring Report. Konsorsium Pembaruan Agraria (KPA). In ANGOC and LWA. Contested lands – incidence, drivers, and impacts of conflict: A monitoring report of land conflicts in six Asian countries, 2023 (pp. 94-105). In *Defense of Land Rights: Third Edition*. ANGOC and LWA.

**Disclaimer:**

This report was made possible with the financial support of the Global Land Tool Network (GLTN) and the United Nations Human Settlements Programme (UN-Habitat). The views expressed in this document do not necessarily reflect those of GLTN and UN-Habitat.