



Strengthening Land Allocation Policies for Empowering Local Farmers in Palm Oil Plantations

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Abstract. This study investigates the implementation of the obligation to allocate 20% of plantation land to farmers from a jurisdictional perspective by using a case study of PT. Wanasari Nusantara in Kuantan Singingi Regency, Riau Province. The obligation, stipulated under the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 26 of 2007, aims to empower local communities and foster regional economic development. Employing an empirical legal research methodology, this study analyzes legal frameworks and qualitative data gathered through stakeholder interviews. The findings indicate that the company has not fully complied with its obligations, largely due to inadequate oversight and a lack of transparency in the management and expansion of Land Use Rights (*Hak Guna Usaha* or HGU). From the perspective of spatial planning law, land allocation policies are vital to ensure equitable access to land resources. However, these policies require stronger regulatory frameworks and enforcement mechanisms to achieve their objectives. The study concludes by recommending a comprehensive revision of supervision mechanisms and an enhanced governmental role to ensure effective implementation of land allocation policies. This approach is essential for achieving distributive justice and promoting sustainable social and economic development.

Keywords: Land Allocation, Spatial Planning, Plantation Law, Small Farmers, Land Use Rights.

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Abstrak. Penelitian ini mengkaji implementasi kewajiban alokasi 20% lahan perkebunan kepada petani oleh PT Wanasari Nusantara di Kabupaten Kuantan Singingi, Provinsi Riau, dari perspektif yuridis. Kewajiban tersebut diatur dalam Peraturan Menteri Agraria dan Tata Ruang/Badan Pertanahan Nasional (ATR/BPN) Nomor 26 Tahun 2007, yang bertujuan untuk memberdayakan masyarakat lokal dan mendorong pembangunan ekonomi daerah. Dengan menggunakan metodologi penelitian hukum empiris, penelitian ini menganalisis kerangka hukum serta data kualitatif yang dikumpulkan melalui wawancara dengan para pemangku kepentingan. Temuan menunjukkan bahwa perusahaan belum sepenuhnya memenuhi kewajibannya, yang sebagian besar disebabkan oleh kurangnya pengawasan dan transparansi dalam pengelolaan serta perluasan Hak Guna Usaha (HGU). Dari perspektif hukum tata ruang, kebijakan alokasi lahan sangat penting untuk memastikan akses yang adil terhadap sumber daya lahan. Namun, kebijakan ini memerlukan kerangka regulasi dan mekanisme penegakan hukum yang lebih kuat untuk mencapainya. Penelitian ini menyimpulkan dengan merekomendasikan revisi menyeluruh terhadap mekanisme pengawasan serta peningkatan peran pemerintah untuk memastikan implementasi kebijakan alokasi lahan secara efektif. Pendekatan ini penting untuk mencapai keadilan distributif dan mendukung pembangunan sosial dan ekonomi yang berkelanjutan.

Kata kunci: Alokasi Lahan, Tata Ruang, Hukum Perkebunan, Petani Kecil, Hak Guna Usaha

1. Introduction

Land is one of the most fundamental resources and plays a vital role in economic, social, cultural, and environmental interests. Two well-established concepts constrain the use of natural resources: scarcity and natural substitution.¹ In Indonesia, land plays a central role in society, especially in customs, society, which is often seen as part of identity, heritage, ancestors, and livelihood.² Land is not only a natural resource, but it also has an important meaning for the cultural system and customs of the community. Land is an integral part of human relationships, the environment, and the values passed down from generation to generation.³ However, from the perspective of legal development and the behavior of entrepreneurs and governments, the existence of law is often questioned.⁴

In this context, land management and land rights in Indonesia have become critical and sensitive issues. One of the most important aspects of land management is the Right to Cultivate (*Hak Guna Usaha* or HGU), which grants companies the right to use state land for specific purposes, such as plantations. The Right to Cultivate is stipulated in Law Number 5 of 1960 concerning Basic Agrarian Principles, which allows companies to obtain permits to use land for up to 95 years, provided that the land is managed effectively and remains valuable to the community. To ensure that the benefits of land management are also felt locally by the community, the Indonesian government issued Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 26 of 2007. This regulation requires plantation companies to allocate 20% of their land to local farmers. The policy aims to improve the welfare of communities around the plantation, empower them to become active agricultural producers, and support local economic development. This scheme, known as the plasma plantation, serves as a means of redistributing land and enhancing the welfare of local farmers. However, the implementation of this policy often faces various obstacles, including a lack of government supervision and company transparency.⁵

¹ Andres Ruiz Serrano et al., "Rationality and the Exploitation of Natural Resources: A Psychobiological Conceptual Model for Sustainability," *Environment, Development and Sustainability*, (2024): 12.

² Cindy Cintya Lauren, "Analysis of Local Community Adaptation to Social Change and Cultural Trends in Indonesia Reviewed from the Perspective of Customary Law," *Jurnal Hukum Dan HAM Wara Sains* 2, no. 09 (2023): 874.

³ James D. Ford et al., "The Resilience of Indigenous Peoples to Environmental Change," *One Earth* 2, no. 6 (2020): 532.

⁴ Adriaan Bedner and Yance Arizona, "Customs in Indonesian Land Law: A Promise for the Future or a Dead End?," *Asia Pacific Journal of Anthropology* 20, no. 5 (2019): 416.

⁵ Jeffrey Sayer et al., "Governance Challenges to Landscape Restoration in Indonesia," *Land Use Policy* 104 (2021): 104857.

In some cases, plantation companies have not fully complied with the obligation to allocate 20% of land to local farmers. This is due to weak law enforcement and a lack of commitment from companies and local governments to ensure that farmers' rights are respected and fulfilled.⁶

One crucial example of this problem is the case of PT. Wanasari Nusantara (WN). This large plantation company manages 20,211 hectares of land in Kuantan Singingi Regency, Riau Province. The company has held an HGU for the land for more than 30 years, and in accordance with the Regulation of the Minister of ATR/BPN No. 26 of 2007, the company is required to allocate 20% of the total land area to local farmers. However, according to the Secretary of the Riau Plantation Service, Supriadi, many plantations in Riau, including WN, have not fulfilled their obligations.⁷ The obligation to encourage plantation development must be fulfilled within a maximum of three years from the granting of the Right to Cultivate. This obligation is mandatory and must be reported to both the central and regional governments by the relevant agencies.⁸ However, in the case of WN, the implementation of the policy still needs to be reviewed. The problem lies in the fact that, in general, the granting of permits since the New Order (1966-1998) era has been within the *Adat Ulayat*, or indigenous customary rights area, with the status of Forest Utilization Rights (*Hak Penguasaan Hutan* or HPH).⁹ This continued even with the extension of the Cultivation Rights, which conflicted with the needs of the land transmigration community and the development of government areas. Starting in 2021, the company has further isolated the land with “Elephant Trenches,” which has increasingly become an environmental issue.¹⁰

Land allocation policies should be viewed as part of an effort to redistribute land access fairly to the community.¹¹ In this context, the spatial planning law ensures that land management is carried out with consideration of justice, welfare,

⁶ Nurul Barizah, *International Law on the Rights of Farmers and Plant Breeders; Efforts to Realize National Food Security Based on the Principle of Justice* (Surabaya: Revka Prima Media, 2018), 123.

⁷ Personal interview with Supriadi, January 25, 2024.

⁸ Hortus, “Palm Oil Entrepreneurs Must Allocate 20% of Land Outside HGU for Smallholder Farmers,” *BPD PKS*, 2018, <https://www.bpd.or.id/Pengusaha-Sawit-Wajib-Alokasikan-20-Lahan-di-Luar-HGU-untuk-Petani-Rakyat>.

⁹ Personal interview with Datuak Nyato Indra, January 6, 2024.

¹⁰ Dr. Elviriadi, an environmental expert, said the company does not protect or manage the environment. See, Elviriadi, “Pakar Lingkungan Hidup Dr. Elviriadi Tinjau Konflik Lahan di Singingi Hilir,” *Kuansing Kita*, December 14, 2021, <https://www.kuansingKita.com/2021/12/14/pakar-lingkungan-hidup-dr-elviriadi-tinjau-konflik-lahan-di-singingi-hilir/>.

¹¹ S. De Royer, M. Van Noordwijk, and Jm Roshetko, “Does community-based forest management in Indonesia devolve social justice or social costs?,” *International Forestry Review* 20, no. 2 (2018): 167. See also, McCarthy, John F., Ahmad Dhiaulhaq, Suraya Afiff, and Kathryn Robinson, “Land reform rationalities and their governance effects in Indonesia: Provoking land politics or addressing adverse formalisation?,” *Geoforum* 132 (2022): 92.

and sustainability. Nonetheless, weak supervision by the government at both the central and regional levels has resulted in the policy not being fully constructive or effective.¹² Local governments, which should oversee the implementation of the policy, often lack the capacity or political will to ensure that plantation companies comply with their obligations. Additionally, overlapping regulations between agrarian and spatial planning policies often lead to confusion in the implementation of the law. For example, regulations governing HGU are sometimes not aligned with spatial planning policies, resulting in a lack of coordination between central and regional governments in addressing land redistribution issues.¹³ As a result, local communities often do not have the access they need to meet their social and economic needs. The failure of companies to fully fulfill their land allocation obligations to local farmers has significant economic and social implications. In local communities, land is a primary source of livelihood. The failure to provide access to land has hindered efforts to improve economic welfare and living conditions.¹⁴ Furthermore, this situation negatively impacts the relationship between companies and local communities, who should benefit from partnerships in plasma plantation schemes.¹⁵

Law Number 2 of 2012 (Law concerning Land Acquisition for Public Interest) provides a new legal framework aimed at creating a fairer and more transparent land acquisition process. However, its implementation still faces obstacles.¹⁶ According to a study, land redistribution policies in West Sumatra also show a similar pattern. Indigenous communities and farmers often do not fully benefit from land allocation policies because of weak supervision and corrupt implementation practices.¹⁷ This situation highlights that without strong supervision and consistent law enforcement, land redistribution policies will remain a formality with little real impact on communities. In this context, this study

¹² Muhammad Alif K. Sahide and Lukas Giessen, "The fragmented land use administration in Indonesia—Analysing bureaucratic responsibilities influencing tropical rainforest transformation systems," *Land use policy* 43 (2015): 99.

¹³ Fatma Ayu Jati Putri and Jasurbek Rustamovich Ehsonov, "The Impact of Land Reform Policies on the Sustainable Management of Natural Resources in Local Communities," *Journal of Human Rights, Culture and Legal System* 4, no. 2 (2024): 517.

¹⁴ Tania Murray Li, "Securing Oil Palm Smallholder Livelihoods without More Deforestation in Indonesia," *Nature Sustainability* 7, no. 4 (2024): 387.

¹⁵ Pujo Semedi and Laurens Bakker, "Between land grabbing and farmers' benefits: land transfers in West Kalimantan, Indonesia," *The Asia Pacific Journal of Anthropology* 15, no. 4 (2014): 379.

¹⁶ Rebecca Meckelburg and Agung Wardana, "The Political Economy of Land Acquisition for Development in the Public Interest: The Case of Indonesia," *Land Use Policy* 137 (2024): 107017.

¹⁷ Mujio et al., "Analysis of Potential Spatial Conflicts at Coastal and Marine Zones : Integration of the Spatial Planning of Land and Coastal Water," *Sodality: Journal of Rural Sociology* 4, no. 2 (2016): 139.

is relevant because it examines the practical challenges and legal shortcomings in the implementation of the 20% land allocation obligation, particularly WN's compliance with this policy. By evaluating the legal framework, government supervision and corporate compliance in Kuantan Singing Regency, Riau Province, this study provides valuable insights into the gap between legal mandates and actual outcomes. This study highlights the role of spatial planning laws in ensuring equitable land distribution and its broader implications for local socioeconomic development. The findings of this study can contribute to the refinement of land allocation policies, strengthening law enforcement mechanisms, and ultimately improving the welfare of local communities.

2. Research Methods

This study uses a juridical-empirical approach, namely, combining legal document analysis with field studies in Kuantan Singing Regency, Riau Province. This approach was chosen because it is in accordance with the objectives of the study, and the implementation of the 20% land allocation obligation by PT. Wanasari Nusantara (WN) was analyzed from the perspective of applicable law and field practice. By combining these two methods, this study provides a more comprehensive picture of the implementation of agrarian policies and their impacts on local communities. Data were collected from two sources: primary data and secondary data. Secondary data consists of relevant laws and regulations, including Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 26 of 2007 concerning land allocation obligations, as well as other laws governing Right to Cultivate (*Hak Guna Usaha* or HGU). Primary data were obtained through interviews and observations. In addition, legal and agrarian journals were used to strengthen the analysis of the legal framework and issues related to the policy.

Primary data were obtained through semi-structured interviews with various stakeholders, including local government officials, WN staff, and the community, especially farmers who are expected to benefit from land allocation. This interview provides valuable information on the implementation of land allocation policies and the challenges faced in the process. In addition, the researchers conducted direct observations in the field in the WN environment to understand the real conditions of land management and the interactions between companies and local communities. Data were collected and analyzed using descriptive-qualitative methods, where the results of interviews and observations were compared with applicable laws and regulations. To ensure the accuracy of data obtained, this study uses triangulation, namely, comparing results of interviews, legal documents, and field observations.

Triangulation verifies the consistency of data from various sources and reduces the potential for bias in data collection and analysis. This method also ensures that the conclusions drawn from the study are based on valid, reliable, and scientifically accountable information. The entire research process provides a thorough understanding of how the 20% land allocation policy can be implemented. With a juridical-empirical approach, this study not only evaluates company compliance with regulations but also explores the real impact of the policy on the welfare of the community and region. This research is expected to contribute to improving agrarian policies in Indonesia, especially land redistribution, so that they are fairer and more effective for the community.

3. Results and Discussion

3.1. The Relationship Between Land Use Rights and Public Customary Rights

Land Use Rights (*Hak Guna Usaha* or HGU) are a form of land rights that authorize companies or individuals to use state-owned land for specific purposes, such as plantation and agricultural activities. This system is based on Law Number 5 of 1960 concerning Agrarian Principles, which allows companies to obtain land use rights for a maximum period of 95 years. This right can be extended through several periods, provided that the company or individual fulfills the obligations stipulated by law, including allocating part of its land to local farmers or the community. In the context of plantations, HGUs are often used by large companies to manage land on a large scale. However, to ensure that the land is not only profitable but also beneficial to the community, the Indonesian government has issued a policy requiring companies to allocate 20% of their land to farmers. The policy, which is stated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 26 of 2007, aims to ensure the implementation of land redistribution to the community around the plantation. Through this policy, it is expected that companies will not only gain economic benefits but also provide positive social impacts, especially in poverty alleviation. HGU plays an important role in Indonesia's plantation sector. However, the implementation of land allocation obligations often encounters various obstacles, especially those related to company compliance and weak government supervision. In many cases, companies do not fully implement these obligations, which has a negative impact on the community and surrounding communities that should benefit from the plasma plantation program.¹⁸

¹⁸ Fitri Yutika, Eko Ruddy Cahyadi, and Heti Mulyati, "Behavior of Independent and Plasma Palm Oil Farmers Toward Sustainable Palm Oil Production Practices in Kampar Regency, Riau," *Indonesian Agribusiness Journal* 7, no. 2 (2019): 102.

Another important concept in the regulation of HGU and public rights is spatial planning. The law on spatial planning in Indonesia regulates the allocation and use of land in a sustainable manner that benefits the economy, society, and the environment. One of the main functions of spatial planning law is to ensure that land use does not cause conflicts between the interests of the state, society, and companies.¹⁹ Law Number 26 of 2007 on spatial planning regulates land use policies in Indonesia, including how land should be managed to maximize benefits for all stakeholders, including local communities. However, in practice, the spatial planning law in Indonesia often faces obstacles in its implementation. One of the main problems is the overlapping regulations between the central and local governments, which often causes ambiguity in the implementation of spatial planning policies, especially regarding the allocation of land for development. Local communities are just.²⁰ In addition, the weak capacity of local governments to oversee the implementation of spatial planning policies hinders the effectiveness of the law. Many regions do not have sufficient authority to monitor land use by large companies, resulting in the failure to implement policies intended to benefit the community.²¹

A study redefined the concept of “public interest” during Jokowi's (2014-2024) administration, which broadened development goals. The government often faces challenges in maintaining a balance between public interest and the need for infrastructure development, such as roads, airports, and facilities. Challenges in land acquisition often arise due to conflicts between landowners and the government, especially when compensation is considered unfair by citizens. However, the existence of laws, such as Law No. 2 of 2012, concerning Land Acquisition for Public Interest, provides a new legal framework that aims to create a fairer and more transparent process in land acquisition, although its implementation still faces practical obstacles.²²

Spatial planning law is also closely related to customary land rights.²³ In many cases, indigenous communities in Indonesia have land rights recognized under customary law, meaning that they have communal land ownership. However, these rights often clash with the interests of companies that obtain HGU. According to

¹⁹ Mujio et al., “Analysis of Potential Spatial Conflicts at Coastal and Marine Zones,” 140.

²⁰ Bongane C Ntiwane and Johnny PVV Coetzee, “What Could Improve or Hinder the Implementation of Spatial Planning toward Environmental Justice?,” *Development Southern Africa* 38, no. 3 (2021): 404.

²¹ Gian-Claudia Sciara, “Implementing Regional Smart Growth without Regional Authority: The Limits of Information for Nudging Local Land Use,” *Cities* 103 (2020): 102661

²² Meckelburg and Wardana, “The Political Economy of Land Acquisition,” 107017.

²³ Zefrizal Nurdin, “Legal Protection of Customary Rights under Legal Pluralism and Its Impact on the Minangkabau Society: An Empirical Study in the District of Limapuluh Kota, West Sumatra,” *Cogent Social Sciences* 8, no. 1 (2022): 2045722.

Bedner and Arizona,²⁴ conflicts between companies and communities over land rights in Indonesia have become a common problem. The researchers pointed out that many companies fail to respect customary rights, and the government is not proactive in protecting these rights. Spatial planning law is also closely related to customary land rights. In many cases, indigenous communities in Indonesia have customary land rights, meaning that they have communal land ownership rights recognized under law but often clash with the interests of companies that obtain HGU. Conflicts between companies and communities over land rights in Indonesia have become a common problem.²⁵ They pointed out that many companies do not pay attention to community customs, and governments are not proactive in protecting rights.²⁶ In addition, the study also emphasized the importance of recognizing customary rights in the spatial context and land use. Although there are regulations governing customary land rights, their implementation is often weak because the regulations are not well coordinated with other land use policies, such as those related to HGU. As a result, many indigenous peoples do not have proper access to the land they have managed for centuries. They were subjugated by Western colonial culture.²⁷ Spatial planning laws play a crucial role in promoting equitable and sustainable land use, benefiting both companies and the broader community.²⁸ However, in many cases, the rights of the public are often neglected when the land they manage is transferred to companies for use as plantations under the HGU system. Therefore, it is necessary to revise existing spatial planning and HGU regulations to better consider the interests of the public. Although the policy of allocating 20% of land to farmers balances the interests of companies and the community, implementation often encounters various obstacles. One of the main challenges is weak government supervision. Many plantation companies fail to fulfill their obligations to allocate land to farmers and local communities, and local governments often do not have the capacity to take action against such violations.²⁹

In addition, many plantation companies use various methods to avoid their obligations. For example, some companies provide unproductive or inaccessible land to farmers, which ultimately does not provide much benefit to them. This practice intensifies inequality in rural economies and increases social tensions

²⁴ Bedner and Arizona, "Customs in Indonesian Land Law," 417.

²⁵ Badan Pemeriksa Keuangan, *Akuntabilitas Untuk Semua (Accountability for All)*, (Jakarta: BPK. 2020), 2.

²⁶ Bedner and Arizona, "Customs in Indonesian Land Law," 419.

²⁷ Diane Laure Arjaliès and Subhabrata Bobby Banerjee, "Let's Go to the Land Instead: Indigenous Perspectives on Biodiversity and the Possibilities of Regenerative Capital," *Journal of Management Studies*, 12, no. 2 (2024): 131.

²⁸ Nabbilah Amir, "Legal Aspects of Spatial Planning Regulations on Land Conversion in the Framework of National Development," *Jurnal Justiciablen* 1, no. 1 (2018): 120.

²⁹ Badan Pemeriksa Keuangan, *Akuntabilitas Untuk Semua*; 2020, 5.

between communities and companies.³⁰ Land redistribution through a 20% land allocation policy for farmers is essential for improving the economic welfare of local communities. If implemented effectively, this policy can significantly reduce poverty in rural areas. Research shows that farmers who gain access to plantation land tend to experience significant increases in income, especially because they can use the land to develop their businesses independently.³¹ However, the impact will only be positive if the policy is implemented fairly and transparently. Without strict supervision, land redistribution will only be formal, with no real impact on the community. Therefore, it is necessary to build synergies between the central government, local governments, and the community so that the policy can be truly felt by the local community. The concept and legal framework of spatial planning in Indonesia are important instruments for regulating land use for plantation purposes. However, the implementation of the 20% land allocation policy for farmers faces many challenges, including a lack of government supervision and conflicts of interest between companies and local communities. Therefore, it is necessary to improve HGU and spatial planning regulations so that the interests of the community can be given more attention and the capacity of local government supervision can be increased.

3.2. Challenges and Solutions in Implementing Land Allocation for Farmers

The policy of allocating 20% of land to farmers is part of the government's efforts to create justice in the agricultural sector and reduce land ownership inequality in Indonesia. This land redistribution is important not only to create greater access to land but also to support the development of local community-based economies. In this context, the plasma plantation scheme is expected to solve the problem of poverty in rural areas by providing opportunities for farmers to own and manage land independently.³²

According to Abram et al.³³ conflict patterns related to palm oil in Indonesia are often triggered by land disputes, illegal operations, lack of consultation, and broken company promises. These factors result in negative community perceptions

³⁰ Tania Murray Li, "Securing Oil Palm Smallholder Livelihoods without More Deforestation in Indonesia," *Nature Sustainability* 7, no. 4 (2024): 387.

³¹ Putu Dika Arimbawa and AA Bagus Putu Widanta, "Income, Toward, Rice, Farmer Productivity, With Variables, As Intervening, Mengwi, District," *Journal of Development Economics, Udayana University* 6, no. 8 (2015): 1601.

³² Shalomita Trifosa, Nisa Maulida Hasanah, and Ida Nurlinda, "A Review of Palm Oil Plasma Land Conflicts from the Perspective of Agrarian Reform: Analysis of Decision Number 3661 K/PDT/2019," *BHUMI: Jurnal Agraria dan Pertanahan* 10, no. 1 (2024): 61.

³³ Nicola K Abram et al., "Oil Palm–Community Conflict Mapping in Indonesia: A Case for Better Community Liaison in Planning for Development Initiatives," *Applied Geography* 78 (2017): 33.

of oil palm development and its environmental impact. In the case of PT. Wanasari Nusantara (WN), the community felt that the treatment was unfair because access to the promised land was limited, and the company was accused of prioritizing profits over community welfare. The community's dissatisfaction led them to submit a request to the local government to prevent the extension of the company's Right to Cultivate (*Hak Guna Usaha* or HGU).³⁴

Furthermore, in the meeting of the Riau Regional People's Representative Council (*Devan Perwakilan Rakyat Daerah* or DPRD) Special Committee with the company and the community, it was revealed that the company had criminalized the local farming community, and some of them had even been imprisoned.³⁵ The obligation to allocate 20% of plantation land is related to agrarian issues and spatial planning law. Law Number 39 of 2014 concerning Plantations requires every plantation company to facilitate the development of community gardens around the area, with a minimum area of 20% of the total plantation area, as stated in Article 58: "Plantation companies that have a Plantation Business Permit (*Izin Usaha Perkebunan* or IUP) or a Plantation Business Permit for Cultivation are required to facilitate the development of community gardens around the area, at least 20% (twenty percent) of the total plantation area managed by the company." Basically, there are numerous regulations related to plantation and land issues.

The findings of this study focus on analyzing the extent to which companies comply with the obligation to allocate land as stipulated in Law Number 39 of 2014 concerning Plantations, Agrarian Affairs and Spatial Planning/National Land Agency Ministerial Regulation No. 26 of 2007, and the Agrarian Law. This process also identifies gaps in policy implementation and the obstacles faced by the government in supervising plantation companies. In normative frameworks, oil palm development for public interest can be implemented through financing schemes, results-based mechanisms, or alternative funding methods, as regulated by applicable laws and regulations. Law Number 39 of 2014 concerning Plantations regulates the obligation of plantation companies to build plantations for the surrounding community, known as the core-plasma scheme. In this scheme, the company, as the core, cooperates with farmers, often referred to as plasma, in managing oil palm plantations. At the same time, Presidential Regulation Number 61 of 2015 concerning the Collection and Use of Palm Oil Plantation Funds regulates the formation of funds used for the development of palm oil plantations,

³⁴ Zul, "Singingi Community Rejects Extension of PT Wanasari Nusantara's HGU" (Pekanbaru, 2023), <https://www.liputanonline.com/read-7061-2023-09-05-masyarakat-singingi-tolak-perpanjangan-hgu-pt-wanasari-nusantara.html>.

³⁵ Humas DPRD Riau, "The Riau Provincial DPRD Land and Company Conflict Special Committee Holds a Meeting with PT. WSN – Riau Provincial DPRD," Riau DPRD, 2022, <https://dprd.riau.go.id/2022/01/24/pansus-konflik-lahan-dan-perusahaan-dprd-provinsi-riau-melakukan-rapat-dengan-pt-wsn/>.

including for public interest, such as plantation rejuvenation and increasing productivity. Financing for micro, small, and medium enterprises, including the palm oil plantation sector, is supported. People's Business Credit is thus empowered and regulated through various regulations, such as the Regulation of the coordinating minister for Economic Affairs.

From failing to meet land allocation obligations to conflicts with the community, WN faces significant challenges in fulfilling its responsibility to allocate 20% of its land to farmers. In fact, during the observation, the researcher noted that the company, WN, created an “Elephant Trench” to obstruct the public from accessing the plantation area. Additionally, the company once requested assistance from security personnel to chase away the community to prevent them from harvesting palm oil.³⁶ Although the amount of land allocated to small farmers is quite large, community leaders and residents believe that the process has not fully maximized the region's economic potential. The land allocation, which should have improved community welfare, has not been fully effective, especially due to the limited land available and minimal support for adequate infrastructure and technology.³⁷

From a spatial planning law perspective, the implications of land allocation highlight the need for stronger enforcement mechanisms to ensure that plantation companies comply with their legal obligations. Regulations such as the Minister of Agrarian Affairs and Spatial Planning and National Land Agency Regulation No. 26 of 2007 require plantations to allocate 20% of land for local public use. However, the implementation of this regulation is often weak. The lack of effective oversight by the central and regional governments has resulted in many plantation companies failing to fully fulfill their obligations. This situation is exacerbated by the lack of sanctions for companies that do not fulfill their responsibilities. In addition, law enforcement related to spatial planning violations or land use deemed illegal by authorities often intensifies tensions between communities and the government. Ultimately, weak law enforcement driven by spatial planning regulations can lead to increased socio-ecological conflicts.³⁸

³⁶ Personal interview with Head of Kebunlado Village, Yulisman, and members of the Kuantan Singingi Regency DPRD, Samsuarman, January 4, 2024. The staff of WN, who the researcher visited at their residence, preferred not to disclose their name.

³⁷ Leo Fatra Nugraha et al., “Alternative Community-Based Village Development Strategies in Indonesia: Using Multicriteria Decision Analysis,” *Agriculture (Switzerland)* 12, no. 11 (2022).

³⁸ Yusran Yusran et al., “The Empirical Visibility of Land Use Conflicts: From Latent to Manifest Conflict through Law Enforcement in a National Park in Indonesia,” *Land Use Policy* 62 (2017): 302–15.

A study found that the role of local governments in overseeing land management practices is essential to protect community rights.³⁹ However, there are gaps in the regulatory framework that hamper the effective enforcement of policy allocation.⁴⁰ One of the main problems is the lack of coordination between the central and regional levels to ensure compliance with government regulations, particularly supervision. Regional governments often lack the capacity or resources to effectively carry out their oversight functions. In addition, existing regulations often do not provide adequate mechanisms to address violations of land allocation obligations by companies.⁴¹ Ministerial Regulation No. 26 of 2007 does not specify adequate sanctions for companies that fail to allocate land, which leaves many companies feeling unmotivated to comply. It has been noted that, in many cases, such violations are never investigated by authorities, leaving companies without significant consequences.⁴²

Therefore, it is important to emphasize the need to strengthen monitoring and enforcement mechanisms in land allocation policies. The government, at both the central and regional levels, must work together to ensure that plantation companies not only fulfill their legal obligations but also make real contributions to local economic development and community welfare. The existing regulations should be revised with stricter sanctions and greater transparency for companies that fail to fulfill their obligations. It is hoped that these improvements will provide more significant benefits to farmers and local communities.⁴³

3.3. Strengthening Land Allocation Policies for Farmers through Supervision and Law Enforcement

Studies have shown that 20% of land allocation for farmer households can significantly contribute to regional economic development.⁴⁴ However, its

³⁹ Latif Haji, Naser Valizadeh, and Dariush Hayati, *The Role of Local Communities in Sustainable Land and Forest Management BT - Spatial Modeling in Forest Resources Management: Rural Livelihood and Sustainable Development* (Cham: Springer International Publishing, 2021), 47.

⁴⁰ Robert Home, "New Directions in Land Reform: An Editorial Overview," *Land* 11, no. 2 (2022): 7.

⁴¹ Keshav K. Acharya and John Scott, "A Study of the Capabilities and Limitations of Local Governments in Providing Community Services in Nepal," *Public Administration and Policy* 25, no. 1 (2022): 64.

⁴² Bedner and Arizona, "Customs in Indonesian Land Law," 421.

⁴³ Home, "New Directions in Land Reform: An Editorial Overview," 5.

⁴⁴ Mahirah Kamaludin et al., "Agricultural land resource allocation to develop food crop commodities: lesson from Indonesia" *Heliyon* 7, no. 7 (2021):21. See also, Resosudarmo et al., "Indonesia's land reform: Implications for local livelihoods and climate change," *Forest policy and economics* 108 (2019): 101903; Obidzinski, Krystof, Ahmad Dermawan, and Adi Hadianito, "Oil palm plantation investments in Indonesia's forest frontiers: limited economic multipliers and uncertain benefits for local communities," *Environment, Development and Sustainability* 16 (2014): 1177; Fumi

implementation faces many challenges because of weak supervision and inconsistent enforcement of regulations. According to the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency No. 26 of 2007, companies and plantations are required to allocate part of their land to smallholder farmers to improve the welfare of local communities. However, several companies, including PT. Wanasari Nusantara (WN), have not fulfilled their obligations. Issues mainly caused by weak supervision and minimal sanctions cause many companies to not feel any pressure to fulfill their obligations. The lack of government supervision, especially at the regional level, is one of the main factors that hamper policy implementation. Local governments often lack the authority and resources to effectively monitor and enforce laws against plantation companies that violate regulations.⁴⁵ In addition, previous research has found that many plantation companies attempt to avoid land allocation obligations in various ways, such as allocating unproductive land or land far from public access, which does not provide economic benefits to smallholders.⁴⁶ This situation highlights the need for stricter legislation to ensure that plantations fully comply with their obligations. In spatial planning law, the legal framework should play a critical role in regulating land use and ensuring it agrees with sustainable development. Spatial planning law in Indonesia, as stipulated in Law No. 26 of 2007 on Spatial Planning, aims to provide a legal framework to ensure optimal land use for economic, social, and environmental purposes. However, the study found that the existing legal framework still lacks adequate tools to enforce compliance, especially in areas where the economic interests of companies are often prioritized over the rights of communities. One of the main weaknesses of the current spatial planning system is the lack of adequate enforcement mechanisms to address violations of land allocation obligations by plantation companies. It has been noted that, in many cases, the government does not have sufficient authority or resources to take action against companies that violate the rules. This study supports the finding that the inability of local governments to perform effective oversight has allowed many plantation companies to ignore their land allocation obligations without facing significant consequences.⁴⁷

In addition, overlapping regulations between agrarian and spatial planning policies often create ambiguity when applying the rules. This problem is further exacerbated by the lack of coordination between the central and regional

Harahap, Semida Silveira, and Dilip Khatriwada, Land allocation to meet sectoral goals in Indonesia—An analysis of policy coherence,” *Land use policy* 61 (2017): 451.

⁴⁵ Personal interview with Supervisor Secretary Head of Riau Province Plantation Service Communication, January 25, 2024.

⁴⁶ Deden Djaenudin et al., “Modeling of Land Allocation Behavior in Indonesia,” *Procedia Environmental Sciences* 33 (2016): 78.

⁴⁷ Bedner and Arizona, “Customs in Indonesian Land Law,”. 412.

governments when handling land allocation issues. Companies often take advantage of these ambiguous regulations to avoid fulfilling their obligations. This situation strengthens the argument that there is a need for revision and harmonization of agrarian and spatial planning regulations to ensure that the rights of local communities are not neglected in the land management process.⁴⁸ The economic impact of inadequate land allocation is also significant. In many cases, land allocated by plantation companies does not provide the community with optimal economic benefits. For example, land allocated to farmers is often unproductive or difficult to access; thus, communities cannot use it effectively. Income tends to increase significantly when farmers are given access to fertile land and supported by adequate infrastructure.⁴⁹ This has had a positive impact on the local economy. However, land allocation policies are not implemented in a way that supports sustainable economic development.

Therefore, a stronger monitoring and sanctioning mechanism is needed for companies that do not fulfill their land allocation obligations. This study recommends that the central and regional governments strengthen the supervision of plantation companies and ensure that violators of regulations are given clear and firm sanctions. In addition, a revision of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 26 of 2007 is needed to strengthen sanctions for companies that do not comply with the rules and provide incentives for companies that actively support the development of local public land through adequate land allocation. On the other hand, companies must also view land allocation to farmers as part of their social responsibility and not just a legal obligation. By providing farmers with access to productive land, companies can help create social stability around plantation areas and contribute to more inclusive and sustainable economic development. There is a relationship between impact social and the risk company. The relationship between companies and local communities can be strengthened through land management collaboration, which can generate benefits for both parties.⁵⁰

This highlights the interplay between spatial planning laws and customary rights, which have become critical in land allocation. Indigenous communities in Indonesia often have customary rights to land they have managed for generations. However, these rights are often ignored when land is allocated to companies

⁴⁸ Ahmad Dhiaulhaq and John F McCarthy, "Indigenous Rights and Agrarian Justice Framings in Forest Land Conflicts in Indonesia," *The Asia Pacific Journal of Anthropology* 21, no. 1 (2020): 34.

⁴⁹ Takashi Yamano and Yoko Kijima, *Market Access, Soil Fertility, and Income in East Africa BT- Emerging Development of Agriculture in East Africa: Markets, Soil, and Innovations*, ed. Takashi Yamano, Keijiro Otsuka, and Frank Place (Dordrecht: Springer Netherlands, 2011), 187.

⁵⁰ Changping Peng, Guoqing Shi, and Ruilian Zhang, "Social Stability Risk Assessment: Status, Trends and Prospects —a Case of Land Acquisition and Resettlement in the Hydropower Sector," *Impact Assessment and Project Appraisal* 39, no. 5 (2021): 379.

through the Right to Cultivate (*Hak Guna Usaha* or HGU) system. Indigenous rights are often marginalized in the land management process by plantation companies, and existing regulations are “not strong enough” to protect such rights.⁵¹ This is also reflected in the findings of this study, in which local communities feel they do not have proper access to land that should be allocated to them. In the long term, protecting customary rights and smallholder access to land must be a priority in Indonesia’s agrarian and spatial planning policies. Policy revisions are needed to strengthen protections, including imposing stricter sanctions on companies that violate these rights. In addition, the government must increase its capacity to monitor policy implementation on the ground and ensure that plantation companies respect indigenous rights in the land management process. Rights public customs are now recognized by international law, and conservation strategies declare that groups can own and manage protected land.⁵² This study also highlights the importance of strengthening the coordination between the central and regional governments in terms of land allocation policies. Lack of coordination often leads to overlapping regulations and confusion in the field, which are ultimately exploited by companies to avoid fulfilling their obligations. Better coordination between the central and regional governments will ensure that policies issued at the central level can be implemented effectively at the regional level and that supervision is carried out consistently across regions. In addition, harmonization of agrarian and spatial planning policies is needed to prevent conflicts in their implementation. Local farmers feel the impact of companies’ non-compliance with land allocation obligations, which impacts regional economic development. A study showed that if land allocation policies are implemented effectively, farmers with access to productive land can utilize technology and increase business efficiency in agriculture, such as in the development of key commodities like corn, soybeans, green beans, peanuts, and rice. Thus, optimal utilization of land resources not only boosts production and farmer income but also contributes to improvements in living standards by strengthening food security at both the local and national levels.⁵³ However, in many cases, the utilization of land has resulted in injustice, as farmers often lack sufficient or suitable land for productive agricultural use. In the United States, policies intended to alleviate rural poverty have not had the desired impact.⁵⁴

⁵¹ Bedner and Arizona, “Customs in Indonesian Land Law,” 414.

⁵² Marcus Colchester, “Conservation Policy and Indigenous Peoples,” *Environmental Science & Policy* 7, no. 3 (2004): 145.

⁵³ Nasikh et al., “Agricultural Land Resource Allocation to Develop Food Crop Commodities: Lessons from Indonesia,” *Heliyon* 7, no. 7 (2021): e07520.

⁵⁴ Richa Kumar, *Inequality and the Agrarian World BT-Global Handbook of Inequality*, ed. S. Jodhka and B. Rehbein (Cham: Springer Nature Switzerland, 2024), 1547.

Therefore, reforms in land allocation processes are needed to ensure that land given to farmers can be used productively with adequate infrastructure and technology. In addition, this study emphasizes the importance of protecting the rights of indigenous peoples and farmers in Indonesia's agrarian and spatial planning policies. Indigenous peoples often have customary rights to land they have managed for generations. However, these rights are often neglected when land is allocated to companies through the HGU system. This type of injustice intensifies social and economic inequalities in rural areas and creates tensions between companies and local communities.⁵⁵ The government must be more proactive in protecting the rights of indigenous people and ensuring that they have fair access to land that serves as a source of livelihood. Stronger regulation and supervision are needed to ensure that indigenous people's rights are respected in the land management process carried out by companies.

In conclusion, the obligation to allocate 20% of land to farmers supports local economic development and create prosperity for the community. However, to achieve this goal, strengthening regulations, strict supervision, and consistent law enforcement are necessary.⁵⁶ Without these measures, land allocation policies risk becoming merely formalities that provide no real benefits to local communities. This study suggests that central and local governments, together with plantation companies, must work together to ensure that these policies are implemented fairly and transparently so that local communities can gain greater economic benefits from land management in their areas.

4. Conclusion

This study shows that the obligation to allocate 20% of land for farmers, as stipulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency No. 26 of 2007, has the potential to contribute to regional economic development and poverty alleviation in the surrounding areas. However, its implementation in the field, as in the case of PT. Wanasari Nusantara (WN), is still far from optimal. Various challenges hinder the implementation of this policy, including weak supervision, overlapping regulations, and the minimal capacity of local governments to enforce the rules. This shows that although the land redistribution policy has good intentions, if it is not enforced consistently and strictly supervised, it risks becoming a mere formality that does not provide real benefits to the community. One of the main problems in policy implementation is

⁵⁵ Andrea Cattaneo et al., "Economic and Social Development along the Urban–Rural Continuum: New Opportunities to Inform Policy," *World Development* 157 (2022): 105941,

⁵⁶ Gayle Christiansen, Amy Stitely, and Lorlene Hoyt, *Strengthening Local Economies and Civic Life: The Untapped Power of Small Businesses* (Cambridge: MIT Colab, 2010), 132.

weak government supervision, especially at the regional level. Local governments often do not have sufficient authorities and resources to effectively supervise plantation company land allocation obligations. As a result, many companies do not fully fulfill their obligations. They sometimes allocate land that is unproductive or difficult for farmers to access, meaning that even though they can technically fulfill their legal obligations, the economic benefits to the community are not maximized. This situation underscores the need to strengthen supervisory capacity at the regional level, both in terms of human resources and infrastructure, to ensure effective implementation of the policy.

In addition to the supervision issue, the existing regulations do not provide sufficient sanctions for companies that do not fulfill their land allocation obligations. The results of the study show that plantation companies do not feel that there is a strong incentive to comply with the rules because the sanctions for violations that are given often do not have a significant impact. Agrarian Affairs and Spatial Planning/National Land Agency/BPN Number 26 of 2007 to include stricter sanctions and clearer regulations for companies that do not fulfill their obligations. In addition to sanctions, the government must also consider providing incentives for companies that voluntarily fulfill these obligations, such as tax relief or relief under the Right to Cultivate (*Hak Guna Usaha* or HGU) permit extension process. This approach can encourage companies to become more committed to fulfilling their land allocation obligations to farmers.

The findings of this study highlight that a 20% land allocation policy for farmers can support inclusive and sustainable economic development in Indonesia. However, to achieve the goals outlined, it is important to strengthen regulations, ensure stricter supervision, and enforce laws consistently. Both central and local governments must work together to ensure that plantation companies comply with their obligations and that local communities, including smallholders and indigenous peoples, can gain more benefits from land redistribution policies. With the right steps, these policies can be effective tools for reducing economic and social disparities in rural areas and promoting equitable prosperity for all.

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