In Mangkit, Village, Belang District, Southeast Minahasa Regency, the Minister of Agrarian Affairs issued 1,050 Certificates of Redistribution of former plantation lands over 515 land parcels covering 444 hectares. The support of civil society organisations, the central and local governments, and the signing of the Agrarian Reform Presidential Decree No. 86/2018 contributed to the redistribution and certification of former concession lands in favour of the Mangkit community, ending a prolonged land rights struggle spanning 30 years.

National Land Coalition Indonesia (NLC Indonesia), referred to as the Joint Committee for National Conference of Agrarian Reform (KNPA), is a civil society platform working to improve land-related policies and practices at the local and national levels. It strengthens local and global advocacy efforts, including women’s land rights. NLC Indonesia significantly enabled the Mangkit community to coordinate their advocacy work for just agrarian reform. Their activities included participatory land mapping, advocacy for agrarian policy reform and women’s land rights, and the redistribution of an abandoned coconut plantation formerly held under a land use concession (Hak Guna Usaha – HGU) by PT Asiatik. The success of the agrarian reform in the Mangkit village was significant in overcoming land ownership inequality, resolving agrarian conflict and strengthening community land rights.
OVERCOMING THE CHALLENGE

In 2014, the National Conference on Agrarian Reform (KNPA) was organised with the support of ILC to discuss national land-related legislation, participatory research, and financing, among other topics. The 35 civil society and grassroots organisations successfully formulated the Joint Committee for National Conference of Agrarian Reform (KNPA/NLC Indonesia). They also produced two key documents: The White Book of Agrarian Reform, which provides an implementation guideline for agrarian reform, and a resolution of 18 joint demands and recommendations to the newly elected government.

NLC Indonesia and KPA, consisting of 156 member organisations, worked to coordinate their efforts to redistribute former concession lands to improve the livelihoods of the landless peasants and Indigenous peoples. In addressing the challenges faced by Indigenous and peasant communities, NLC Indonesia adopted bottom-up land governance approaches to incorporate the voices of land users into the land agenda. They used the two documents to influence the government and civil-society engagements and develop roadmaps, action plans and recommendations for effective agrarian reform, highlighting their key priorities.

MOVING TOWARDS PEOPLE-CENTRED LAND GOVERNANCE

The Mangkit community negotiated with PT Asiatik to relinquish their rights to the plantation land, and the government redistributed and certified it in the community’s favour. Based on the community’s participatory mapping exercise under the collective governance of SMPU and with the support of NLC Indonesia, the Ministry of Agrarian Affairs redistributed 444 hectares of commercial land to 515 Mangkit households. The 2018 land redistribution and titling ended the Mangkit community’s land tenure insecurity and conflict with the coconut plantation.

Additionally, resulting from concerted efforts by NLC Indonesia and the land community, President Joko Widodo signed Presidential Decree 86/2018 during the Global Land Forum 2018. The Presidential Decree sought to accelerate the country’s land reform process, contributing to changes in land governance.

The terms of the Agrarian Reform sought to:
- reduce inequality in land tenure and ownership and promote land equity and justice,
- address agrarian disputes and conflicts,
- promote agricultural prosperity through land tenure, land ownership, use and utilisation arrangements,
- create income-generating activities to reduce poverty,
- improve community access to economic resources,
- increase food security and sovereignty, and
- improve and maintain the quality of the environment.

BACKGROUND

NLC Indonesia and the Southeast Minahasa Peasant Union (Serikat Petani Minahasa Tenggara - SMPU) - the local peasants union mobilising the Mangkit community, sought to reduce land equity by resolving land conflicts and securing the land rights of the local community. Residents of the Mangkit Village lived on a plantation for over 30 years without any land title.

PT Asiatik, a coconut plantation company, had a land use concession (Hak Guna Usaha or HGU in Indonesian) but abandoned the coconut plantation in 1982, though still reluctant to relinquish its land rights under the concession to enable the Mangkit community to access land titles.

THE CHALLENGE

Since 2014, the Indonesian government’s land reform efforts have focussed on the formalisation of land rights, such as issuing land certificates and titles to communities occupying undisputed lands and beneficiaries of government land redistribution programmes.

However, this approach often excluded indigenous and local farmers occupying disputed lands such as forestlands, concession lands, and former concession lands. When PT Asiatik abandoned its land in the Mangkit village, the local community occupied and cultivated the land without land title, experiencing longstanding conflicts with the plantation owners owing to their lack of land tenure security.

MOVING TOWARDS
PEOPLE-CENTRED LAND GOVERNANCE

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Developing a Roadmap and White Book on Agrarian Reform

NLC Indonesia’s inclusive White Book policy document provides a roadmap, guidelines, and recommendations for CSOs and the government to implement agrarian reform that prioritises community and forestland rights. Specifically, the White Book provided eighteen actionable recommendations or joint demands from civil society to the new government to consider in making effective, strategic and people-centred agrarian reform. In developing the White Book, NLC Indonesia contributed to bottom-up agrarian reform and enabled civil society organisations to build in setting the land agenda. The roadmaps also enabled NLC Indonesia and other CSOs to form part of the praesidium working group that lobbied and advocated for the inclusion of indigenous and forestland rights in the land agenda.

NLC Indonesia presented preliminary recommendations of the White Book to the new government as strategic input for the roadmap. The Roadmap on Agrarian Reform covers topics such as:

- the regularisation of forest territories,
- securing of land rights of communities occupying and cultivating concession and former concession lands, thereby addressing land inequality and agrarian conflicts; and
- compiling roadmaps, activities, and timeframes for the regularisation of Indigenous territories.

Because of the inputs of NLC Indonesia, the government incorporated critical recommendations of the White Book. It converted the National Land Agency to the Ministry of Agrarian Affairs and Spatial Planning to strengthen its role in the national land agenda.

Bottom-Up Agrarian Reform

KPA, NLC Indonesia and partner organisations used KPA’s Priority Location of Agrarian Reform programme (Lokasi Prioritas Reforma Agraria - LPRA) to assist SMPU in securing their members’ land rights. KPA’s LPRA programme entailed a series of measures that sought to prevent the misdirection of land and encourage participatory and just redistribution by countering the Indonesian government’s top-down agrarian reform approach. NLC Indonesia and its CSO partners identified 655,343 hectares of land in 446 locations across 20 provinces in Indonesia as priority areas for agrarian reform.

The Mangkit community land, as occupied and cultivated by SMPU, was identified and proposed to the government as a priority area for agrarian reform by KPA under its LPRA programme in 2017. KPA, NLC Indonesia and their CSO partners identified 11 Land for Agrarian Reform Objects (TORA) according to the terms outlined in the Presidential Decree 86 of 2018, which included:

- prioritising land redistribution to Peasant Unions, Indigenous communities and fisherfolk organisations,
- identifying former concession lands to be subjects of agrarian reform in favour of communities,
- the conversion of 20% of concession lands to Hak Guna Bangunan (HGB - right to build and to own buildings on the land) to meet spatial planning designation,
- the release of forest areas for management by the local communities, including joint boundary designation,
- the identification and designation of formerly abandoned state land, and
- the designation of disputed lands and lands that strengthen people’s land rights.

Participatory Mapping of Indigenous and Community Lands

NLC Indonesia worked with SMPU and the Mangkit community to collect land data by mapping community and forestlands overlapping with concession and former concession lands. NLC Indonesia, the community and the SMPU negotiated with PT Asiatik to relinquish their land rights in favour of the Mangkit community. It also submitted a request for land certificates to the National Land Agency (NLA).

In 2016, the village conducted a community-wide participatory mapping exercise in which they mapped lands used by the community, including women, wives, widows, and unmarried women. Subsequently, in 2018, the NLA also conducted a mapping exercise to confirm the community land maps produced by NLC Indonesia and its partners. The data compiled by NLC Indonesia and its partners was vital for understanding the state of land rights in Mangkit village, identifying conflict zones and providing an interactive spatial database for policy advocacy.

Women’s Land Rights

Mangkit women actively participated in community meetings, community leadership groups, and women-only meetings to discuss their land rights. They also partook in the community participatory mapping exercise and contributed financially to the cause. Families received two-hectare land parcels as part of the mapping process under the collective governance of SMPU, with women - widows, wives, and unmarried women - receiving one plot registered in their names. Additionally, women and men applied for land certificates jointly and the NLA offices, ensuring that one plot belonged to the woman. Married women received an acre of land in their names, while widows received additional certificates to their spouses’ land parcels.

Land Certification and Better Local Livelihoods

For certification of land rights, the NLA required joint titling and registration in the names of both spouses, setting out targets for women and vulnerable people living under the poverty line to receive land rights certificates. The NLC collected sex-disaggregated data to track women’s land rights progress during the land registration exercise.

Additionally, the community created a community-based credit union to support the land reform beneficiaries by providing capital to small-holder farmers for their farming activities. As a result, the Mangkit community used 90% of its farming land, planting cloves, nutmeg, chillies, and many more. The NLC also provided the community with extension services and organisational training to boost economic productivity.
LESSONS LEARNED

NEWLY RESETTLED FARMERS NEED CSO AND GOVERNMENT SUPPORT

Although the Mangkit community received their land certificates from the NLA, they still required government assistance for services such as roads to transport goods to the market, schools, and hospitals. Some farmers need financial support to access inputs such as seeds, herbicides, tools and implements.

KPA’s Desa Maju Reforma Agraria (Advanced Agrarian Reform Village – DAMARA) model was instrumental in training farmers on tenure rights, collective land governance, commercial crop production, joint marketing strategies for small-scale farmers, and offering farm support facilities such as fertilisers, seed storage units, nurseries, and value addition.

CIVIL SOCIETY-GOVERNMENT PARTNERSHIP FOR EFFECTIVE AGRARIAN REFORM

Strong partnerships between civil society organisations and the government enhance the government’s understanding of local needs, including finding the best solutions to emerging problems, such as inequality, commercial pressures, and agrarian conflicts.

INCLUSIVE AND BOTTOM-UP AGRARIAN REFORM

A significant success of the 2014 National Conference on Agrarian Reform is that the 37 organisations in attendance formed a broad-based coalition or platform of civil society organisations, NLC Indonesia. NLC Indonesia used a grassroots approach by developing committees from the Regent to the village levels to ensure an inclusive, participatory, and equitable agrarian reform by encouraging the participation of all relevant stakeholders.

PARTICIPATORY LAND MAPPING

Participatory mapping empowers the communities, civil society organisations and researchers to participate directly in the mapping process in collaboration with relevant government ministries and agencies. It gave a basis for bottom-up agrarian reform, which notably resolved a land conflict, strengthened livelihoods, and secured indigenous and community land rights.

KEY FACTORS OF SUCCESS FOR REPLICABILITY AND ADAPTABILITY PURPOSES

MORE INFO

- Transforming Indonesian Presidential Decree, no 86 on Agrarian Reform into Practice
- Uniting for Land Rights in Indonesia - How Our Members are Contributing to Change
- Farmers’ Union in Indonesia Earned Their Recognition of Land Rights After Decades of Struggle
- Feeding families with Indonesia's agrarian reform
- Advanced Agrarian Reform Village Model (Desa Maju Reforma Agraria - DAMARA)
  https://www.mongabay.co.id/2021/10/24/desa-maju-reforma-agraria-bisa-jadi-model-resolusi-konflik/
UNITED FOR LAND RIGHTS

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