

Safeguarding Land Rights through Supervising and Controlling Land Rights for Climate Responsive Land Governance in Indonesia

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SUMMARY

Climate change generates significant risks for Indonesia, which is highly vulnerable to climate-related natural disasters such as floods, landslides and drought. One of the issues triggering climate change is the land management incompatibility in field/real practices and its spatial planning. Furthermore, the implementation of Right, Restriction, and Responsibilities (RRR) in determining land rights has to be enforced refers to its spatial planning conformity regarding climate responsiveness. The role of landowners is major to maintain and utilize their lands suitable with its spatial designation.

In order to maintain the RRR conformity of land rights owned by landowners with its spatial planning, supervision and control of land rights are essentially required. Supervising and controlling land rights are carried out to ensure that the landowners fulfill the obligation and comply with prohibition as stated in the decree of granting land rights. The aims of supervising and controlling land rights are to prevent violation by landowners and to optimize tenurial, ownership, land use, and land utilization complied with the assigned spatial planning. If there are violations by landowners, the outcomes of supervising and controlling land rights can be used as a recommendation to regulate tenurial, ownership, land use, and land utilization in accordance with its provisions.

Thus this paper studies the role of supervising and controlling land rights in safeguarding land rights in terms of climate responsive land governance Indonesia context. The study focuses on issues and challenges in implementing RRR in safeguarding land rights, the stages of supervising and controlling land rights, and the preparation of the typology of problems obtained from monitoring and evaluation of supervising and controlling land rights. In addition the solution to the problems raised is formulated as recommendations to regulate tenurial, ownership, land use, and land utilization.

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