

An abstract

The research project entitled “Reformation of Policy and Laws that Violated Land Rights Study” was aimed to analyze appeals on violation of human rights on land and forest, to analyze policies and laws related to the violation, and to develop proposal for policy and laws reformation. One hundred appeal cases of forest land, public land, land reform plots, private land and state land were analyzed. Critical analysis also included 75 copies of policies and laws, 48 cabinet decisions. Focus group discussion and expert consultations were employed.

This research revealed that violent conflicts evidences over people’s land rights include threatening, arresting, limiting land use and development activities, take over land, and unfair treatments. Major causes of land rights violation were unclear demarcation of state land, poor standard of government official performance, top-down and delayed decision making processes, overrule of community rights, lacking of people’s participation in most of the land management activities. Conflict resolution mechanism of the government was almost absent or inefficient. Suggestions were made for the government to cancel all violent actions against people victims of land rights violation and build up restorative justice processes to handle land rights conflict cases. Strong people’s participation is highly recommended for all land management activities, particularly in land demarcation and land use stipulation. Some policy recommendations were to revisit all land policies and laws, amend contents of laws that lead to the violation of land rights, and if possible combine them into a Land and Natural Resource Code.