

Navigating Land Conflicts: Indigenous Rights in the Shadow of Ibu Kota Nusantara

Holy Regina Hartanto^{✉ 1}, Ariesta Bramantyo Syatya Putra², Rabbayani Daniswara³, dan Nailah Fiorenza Fitriyah⁴

^{1,2,3,4}Institut Teknologi Sepuluh Nopember, Surabaya, Indonesia

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✉ 5015221087@student.its.ac.id

Abstract: The development of the new capital city, Ibu Kota Nusantara (IKN), presents an example of how land use changes and concessions for land spark conflicts between agencies that obtained concessions and indigenous communities who claimed the land as theirs. Due to the land acquisition process, local communities have voiced concerns over the lack of transparency, consultation, and formal recognition of their land rights. The existing control mechanisms are still deemed weak. Thus, this research aimed to analyze the existing control mechanisms and formulate recommendations to improve them. To achieve this, policy review and case study approaches were used. The analysis showed that there's limited legal recognition and protection, prioritization of national strategic projects, and inadequate compensation procedures in our existing framework. The case study result showed that legal victories and court judgments can affirm indigenous land rights, even though their practical implementation often faces delays and resistance. State prioritizations on developments are also a growing trend among many states. Those results identified three main problems: the absence of legal recognition for indigenous people and their ancestral lands, insufficient regulation of land acquisition planning concerning national strategic projects, and the calculation and form of compensation. Incentives, zoning regulations, permitting system, and enforcement monitoring system in land acquisition procedures were recommended. These systems are hoped to be able to improve the control mechanisms of development in indigenous lands.

Keywords: Land Conflict; Indigenous Rights; Ibu Kota Nusantara; Land Acquisition System; Development Control;

1. Introduction

Globally, the expansion of strategic projects and large-scale plantations has driven massive land acquisitions and dramatic land-use changes (Dhiaulhaq and McCarthy, 2019). These processes have sparked conflicts between concession-holding companies and indigenous communities asserting ancestral claims (Berenschot, 2020). In Canada, pipeline and dam developments have disregarded indigenous lands, drawing international condemnation, though the government continues to support their construction (Hunsberger and Awâsis, 2019; Ntalakosta, 2021; Tkachenko, 2025). Similarly, Aboriginal communities in Western Australia face extensive mining operations (Dobinson et al, 2023), while Global South countries experience parallel struggles. In Kenya, repeated forced evictions target indigenous communities for political and economic gains and in Malaysia, the construction of mega-dams has displaced communities under the name of economic development (Aiken and Leigh, 2015; Ho et al, 2024). Each of those cases shows the same pattern, a fight for indigenous rights behind the shadows of development.

The global pattern of sidelining indigenous land rights in the name of economic expansion is mirrored in Indonesia. Since the 1960 Basic Agrarian Law opened tracts for plantation, mining, and infrastructure concessions, customary territories have repeatedly been overlapped—or outright ignored—by state licensing (Hairan et al, 2018; Kurniawan et al, 2024). The 1998 monetary crisis intensified reliance on mining and crop exports, fueling palm oil expansion (Kurniawan et al, 2024). Corporate influence and decentralized investment regulation further endangered indigenous lands (de Vos, 2018; Dyatmikawati, 2018). Dayak communities in West Kalimantan have resisted palm-oil estates encroaching on their *tembawang* agroforestry systems, while highland clans in Papua have challenged mining firms backed by regional permits. Across these cases, Indonesia's uneven application of free, prior, and informed consent (FPIC) has left indigenous groups vulnerable to displacement.

The development of the new capital city, *Ibu Kota Nusantara* (IKN), in East Kalimantan presents a contemporary example to indigenous land rights, as ancestral territories fall within the designated project area. Supported by Law No. 3 of 2022, which provides legal certainty for investors (Novitasari et al., 2023), the project requires extensive land acquisition (Tinambunan, 2024). Early contestation has arisen, with local communities citing opaque mapping, inadequate consultation, and the absence of formal recognition of land claims (Syaban & Appiah-Opoku, 2024; Nugroho, 2022). Civil society and academic observers further warn of social dislocation and ecological degradation if safeguards are not applied (Novitasari et al., 2023; Putri et al., 2024; Dewi et al., 2025). These dynamics highlight risks of human rights violations, as forced dispossession may lead to poverty, environmental harm, and heightened vulnerability. The existing control mechanisms and regulations acknowledging indigenous communities' rights are still considered ineffective in addressing the problem. Therefore, this research aims to analyze the existing control mechanisms and formulate recommendations to improve them. This leads to the research question: "How can existing control mechanisms for indigenous land rights be enhanced to minimize the number of land conflicts affecting indigenous territories?"

1.1 Literature Review

1.1.1 Indigenous Community

The International Labor Organization (ILO), a United Nations specialized agency, was among the first to popularize the concept of indigenous people, referring to native populations (Tambubolon, 2010; Semwaza, 2022). In Indonesia, this notion is contextualized by the *Aliansi Masyarakat Adat Nusantara* (AMAN), which describes indigenous people as groups of people sharing ancestral lineage, occupying specific territories, and maintaining unique ideological, economic, political, cultural, and social systems (Tamma & Duile, 2020). Recognition is embedded in the 1945 Constitution, Article 18B(2), which provides a legal basis but functions more as acknowledgement than protection. Subsequent regulations attempt to clarify mechanisms. ATR/BPN Regulation No. 14 of 2024 requires indigenous land registration for recognition, ensuring administrative certainty but risking exclusion if communities fail to register. The Ministry of Forestry Regulation No. 23 of 2021 permits indigenous forests to be used for daily needs but does not fully safeguard traditional management. Consequently, large portions of indigenous territories remain unmapped and unregistered, limiting legal

recognition. Globally, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) sets standards on FPIC, self-determination, and protection against forced displacement. Although Indonesia has expressed support, these principles have not been fully incorporated into binding national legislation. This situation prevents Indonesia from reaping the benefits, including stronger safeguards for indigenous land status, conflict prevention, and better legitimacy of development projects.

According to the IFAD's Country Technical Notes on Indigenous People's Issues: Republic of Indonesia (2012), indigenous people in Indonesia are characterized by strong ties to ancestral land and water, which underpin their livelihood, culture, and spiritual life. While some groups remain traditional and others modernized (IFAD, 2012), many maintain political autonomy (Fahmi et al., 2023). Defining features include self-identification, recognition by others, heritage preservation, distinct languages, traditions, institutions, and economic systems rooted in traditional production. Their relationship with land extends beyond material value to spiritual, communal, and cosmological dimensions.

Nevertheless, the position of indigenous peoples in Indonesia remains insecure. Tampubolon (2010) highlighted that, despite being the largest element in Indonesia's nation-state structure, indigenous people have been among the groups most adversely affected by state policies since Indonesia's independence. In the economic sphere, numerous laws and regulations have unilaterally determined the allocation and management of natural resources within indigenous territories, often disregarding community rights. Politically, accommodation has largely been granted only to a limited circle of elites and their business cronies, reinforcing state interests while producing legal injustices against indigenous communities.

1.1.2 National Strategic Projects

The Government of Indonesia initiated the National Strategic Project (*Proyek Strategis Nasional* - PSN) in 2016, comprising diverse infrastructure programs supported by regulations and funding schemes (Aji, 2021). These projects, prioritized by the state, are typically large in scope, involve significant investments across multiple sectors, and require complex stakeholder coordination. They are long-term, aligned with national programs and budgets, and designated strategic when deemed vital to accelerate growth and equitable development (Ministry of Finance of the Republic of Indonesia, 2020).

National strategic projects can drive national progress, but often come with substantial social and environmental trade-offs. Their overall impact depends on governance quality, legal protections, and the balance between development and rights. However, the designation of certain locations for these PSNs often overrules the consent of local communities who will be affected by the project (Herwati, 2023). Land acquisition regulations such as PP No. 19/2021 and PP No. 39/2023 provide procedures for consultation, feasibility studies, and compensation. Nevertheless, these safeguards can be bypassed or accelerated when projects are designated as PSN. Furthermore, Presidential Regulation No. 75/2024 introduces a consignment mechanism that allows the government to impose compensation even without community agreement. Spatial planning also reflects this tension. The East Kalimantan Spatial Plan 2023–2042 formally includes indigenous forest areas, but notably excludes the IKN site, effectively limiting the role of indigenous communities in the new capital region. Likewise, the Basic Agrarian Law (UUPA No. 5/1960) and its implementing regulation, PP No. 23/2021, tend to prioritize national development goals by allowing forest confirmation processes to be skipped for PSN.

1.1.3 Intersection of Indigenous Communities and Strategic Projects

Indigenous communities occupy a fundamentally disadvantaged position when confronted with the authority of PSN. Although legal frameworks may grant them special status, these protections rarely translate into real power in negotiation against state-backed development priorities. Instead, PSN often reinforces existing asymmetries, leaving indigenous peoples vulnerable to displacement, dispossession, and marginalization (UN, 2007; ILO, 1989). Conflicts arising from PSN are multi-dimensional. Land and territorial disputes occur as customary territories remain unmapped or unregistered, rendering them legally fragile and susceptible to acquisition. Socio-political conflicts stem from limited opportunities for FPIC, since the "strategic" designation often enables governments to bypass consultation (UN Handbook, 2013). Cultural conflicts emerge when displacement undermines spiritual practices and customary institutions, while environmental conflicts result

from ecological degradation caused by extractive or infrastructural projects, disproportionately affecting indigenous livelihoods and food security (ILO, 2017; IFAD, 2012).

The impacts of these conflicts are profound. Tenure insecurity exposes communities to forced resettlement and inadequate compensation; lack of participation reinforces political marginalization; and sustained dispossession erodes cultural identity and self-determination (UN, 2013; Globalized Conflicts Report, 2019). From a theoretical standpoint, these impacts reflect a form of structural violence in which institutional arrangements systematically privilege state-led development while subordinating indigenous rights (Galtung, 1969).

Despite these imbalances, literature identifies pathways for more equitable incorporation of indigenous communities into PSN. Chief among these is the establishment of meaningful compensation and benefit-sharing mechanisms when projects intersect with customary lands. While such measures cannot fully offset the loss of ancestral territories, they can mitigate marginalization, reduce conflict escalation, and reposition indigenous peoples as stakeholders rather than obstacles (UNDRIP, 2007; UN Handbook, 2013).

2. Methods

The research draws on two primary sources of data. First, legal and policy documents were collected through secondary sources, including international frameworks (e.g., UNDRIP, ILO Convention No. 169), national laws (e.g., UUPA 1960, Law No. 3/2022 on IKN), sectoral regulations (e.g., spatial planning, land acquisition), and local government decrees relevant to National Strategic Projects. Second, empirical data on land conflicts were gathered from academic publications, NGO reports, media coverage, and institutional databases documenting indigenous land disputes in Indonesia and abroad. The policy review was conducted using descriptive content analysis, focusing on how each regulation addresses indigenous land rights, land acquisition procedures, spatial planning, and compensation mechanisms. This analysis emphasized legal clarity, institutional roles, and procedural safeguards, especially those applicable to PSNs like IKN. This process was done to understand its contextual implications for indigenous rights, land acquisition processes, and related stakeholders. On the other hand, the case studies explored similar cases of indigenous land acquisition conflicts with a significant impact on the indigenous communities around the world. The cases were examined using a comparative matrix to identify each case's core conflict, causal factors, related stakeholders, impact on indigenous communities, and resolution methods. Recommendations were developed by triangulating insights from the policy review and case studies. Ideal conditions were drawn from international standards and successful resolution models, then contrasted with the regulatory and institutional gaps identified in the IKN context. The resulting proposals aim to strengthen development control mechanisms, enhance participatory planning, and ensure the protection of indigenous land rights in future strategic projects.

3. Result and Discussion

3.1 Policy Review

To understand the gap between existing policies and their ideal state, each regulation is assessed in terms of its implications for indigenous communities and the land acquisition process, as well as the potential benefits and risks it presents. The following table provides a synthesis of the findings:

Table 1. Synthesis of Policy Review

Source	Contextual Implication to Indigenous Community and/or Acquisition Process	Benefits and/or Risks
United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)	A global standard recognized by Indonesia that affirms indigenous peoples' rights to their ancestral lands, FPIC, and self-determination. It sets the normative basis for Indonesia to protect indigenous rights in land acquisition and development.	Potential benefits include stronger tenure safeguards, conflict prevention, and greater project legitimacy, while risks involve ongoing land disputes, state reputational damage, and community marginalization.
The 1945 Constitution	The government recognizes indigenous communities and their customary rights, as long as they still exist	This article sets a legal basis, but it is more of an acknowledgement statement and less of a guarantee.

Source	Contextual Implication to Indigenous Community and/or Acquisition Process	Benefits and/or Risks
	and are not contradictory to the principles of the state.	
Law No. 2/2012	Compensation and acquisition procedures intended to balance public interest with individual rights, yet its reliance on formal registration and administrative mechanisms often leaves indigenous communities at risk of exclusion.	Its rigid requirements risk marginalizing indigenous groups, potentially leading to dispossession, inadequate safeguards, and heightened conflict during land acquisition processes.
ATR/BPN Regulation No. 14/2024	Indigenous land must be registered officially before being recognized.	This ensures administrative certainty, but without proper understanding from the indigenous communities and urgency to register from the government, the indigenous will be at risk of not receiving any special status.
Ministry of Forestry Regulation No. 23/2021	Indigenous forests are to be located in community areas and used first and foremost for daily living.	This shows their discretion to utilize the forest as their homes, but in practice, it only recognizes use for daily needs and does not fully protect other traditional ways of managing the forest.
PP No. 19/2021 and PP No. 39/2023	Provides mechanisms for consultation, feasibility studies, and compensation.	If the project is designated as a PSN, these mechanisms can be skipped
Presidential Regulation No. 75/2024	Addresses the development of the new capital city, allowing the government to use consignment in the event of no agreement	That is, the community may be forced to accept the payment even if it does not reflect their land's true economic or cultural value.
Basic Agrarian Law (UUPA No. 5/1960)	The fundamental land law in Indonesia establishes state control over land but recognizes customary rights (<i>hak ulayat</i>) under certain conditions. Its implementation often leads to conflict as state land rights sometimes override customary claims.	If the project is designated as a PSN, these rights can be skipped
PP No. 23/2021	Allows the skipping of forest confirmation processes if the land is used for a strategic project.	This accelerates development but weakens customary tenure security and increases the risk of dispossession.
East Kalimantan Spatial Plan 2023–2042	Includes indigenous forest areas in its map contents, but these indigenous forests are not within the IKN area.	This requirement reduces the formal function of indigenous peoples in the IKN area.

3.2 Land Conflict Dynamics in Ibu Kota Nusantara

Empirical data from the field reveal that the acceleration of National Strategic Projects in East Kalimantan has triggered specific land disputes involving several indigenous groups, mainly due to overlapping land claims, lack of formal recognition, and limited participation in decision-making (Aura & Abidin, 2025). Despite constitutional guarantees, the absence of local regulations leaves tribes like Balik, Paser, and Kutai vulnerable to land dispossession. Land acquisition processes often ignore the principle of FPIC, reinforcing structural inequality and marginalization. with significant overlaps identified between the IKN master plan and ancestral territories. According to AMAN (2025), there are at least 51 indigenous communities identified across Penajam Paser Utara and Kutai Kartanegara Regencies. Among these, the spatial conflict is most acute for specific groups whose ancestral lands fall directly under the development footprint. Data indicates that 8 indigenous communities are located directly within the IKN National Strategic Area.

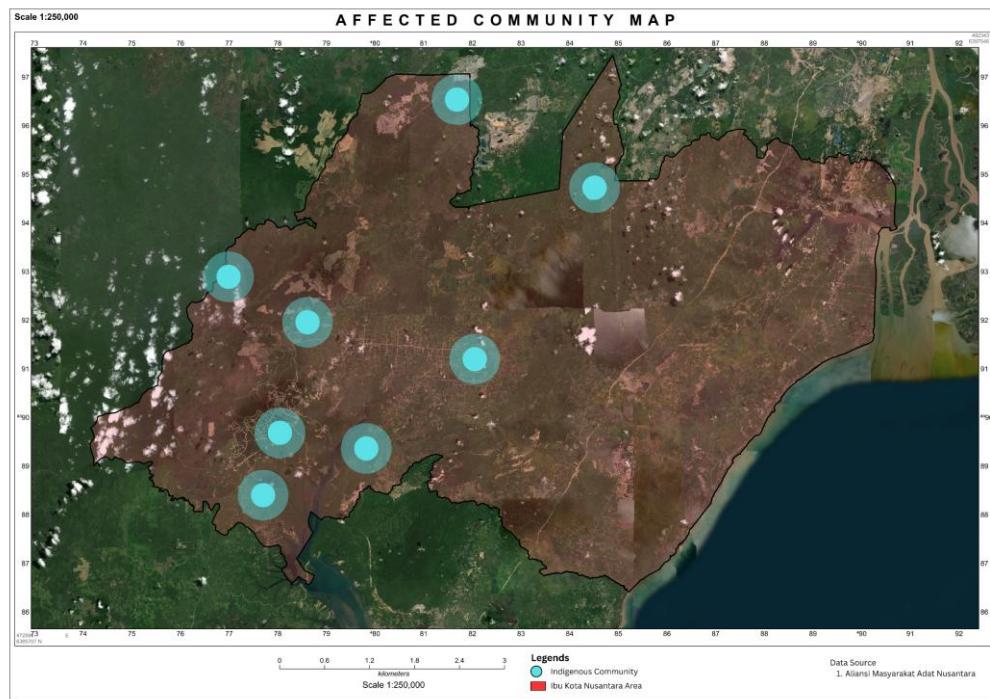


Figure 1. Distribution of Indigenous Communities within the IKN National Strategic Area
Source: Author's elaboration based on AMAN Data (2023)

The 8 communities located within the strategic area are particularly vulnerable because their territories overlap with the core area, including the Kenyah Lepoq Jalan, Tonyooi, Basap, Balik Sepaku, Semoi, Pemaluan, Mentawir, and Maridan communities.

3.2.1 Case Study and Best Practices

To ensure the protection of Indigenous peoples' rights, there must be a robust legal framework that allows them to defend their land, culture, and way of life. Such mechanisms are essential for addressing historical injustices, preventing dispossession, and promoting long-term justice. The following case studies illustrate how different countries have responded to indigenous land conflicts through legal and institutional resolutions:

Table 2. Case Study

Case Study	Issue	Lessons Learned
Ogiek Case, Kenya (Claridge, 2018; African Court on Human and Peoples' Rights, 2020; International Land Coalition, n.d.)	Forced evictions from the Mau Forest were driven by state land allocation, conservation policies, and refusal to recognize the Ogiek as Indigenous. Political and economic interests were prioritized over community rights by the Kenyan Government.	The Ogiek pursued a litigation strategy through the African Commission and African Court, resulting in formal recognition of their Indigenous status and land rights. The Court required the Kenyan government to consult the community before any development or conservation activities, provide development funds, and report on its progress. However, the case shows that legal victories must be supported by strong monitoring and enforcement mechanisms to ensure that state agencies actually implement the mandated protections.
Girjas Case, Sweden (The Supreme Court of Sweden, 2020; Allard & Bränström, 2021)	Dispute over the right to manage hunting and fishing in Sami territory. The Swedish state asserted authority to issue licenses, challenging the traditional rights of the Girjas Reindeer Herding Community.	The Girjas Reindeer Herding Community brought the dispute to the Swedish Supreme Court, which ruled that their customary rights override national legislation in this area, affirming their authority to manage hunting and fishing without state consent. The case demonstrates that judicial recognition can secure Indigenous resource rights, but it also points to the need for

Case Study	Issue	Lessons Learned
		broader policy reforms to extend similar protections to other Sami communities and reduce the social tensions that emerged after the ruling.
Murum Dam, Malaysia (Suhakam, 2009; Sarawak Energy, n.d.)	Construction of the Murum Dam under the SCORE program displaced Penan and Kenyah Indigenous communities. The project proceeded without proper FPIC and with an incomplete environmental and social impact assessment (ESIA), prioritizing state energy goals.	The resolution centered on resettlement programs that provided new housing, land, infrastructure, and monetary allowances, though without a formal legal remedy. This highlights the importance of securing FPIC and conducting complete environmental and social impact assessments before project approval, as well as establishing enforceable legal frameworks for compensation and post-project accountability to prevent long-term socio-cultural and economic losses.

Analysis of the three case studies reveals recurring patterns in the framework of indigenous community rights. First, indigenous groups hold the right to develop and manage their land, reflecting autonomy in resource use and cultural practices (Ogiek; Girjas). Second, they possess the right to FPIC, and to be adequately informed regarding any planned development projects within their territories, ensuring transparency and participatory decision-making (Ogiek; Murum Dam). Third, judicial recognition is critical, affirming legal standing and providing avenues for redress (Ogiek; Girjas). Finally, the right to receive proper compensation underscores the principle of equity, safeguarding indigenous communities against potential losses or displacement resulting from external interventions (Murum Dam). Together, these variables highlight the multidimensional nature of indigenous rights and the necessity of integrating them into broader governance and development frameworks.

3.2.2 Formulation of Case Resolution

Based on the existing policies, existing conditions, and best practices case studies, a triangulation was done by comparing the findings from the existing conditions of IKN conflict, the existing policy framework, and the common patterns of best practices to synthesize evidence-based recommendations.

Table 3. Comparison of Findings

IKN Land Conflict's Situation	Existing Policy Framework	Synthesis of Best Practices
Most indigenous land in IKN has not been legally acknowledged as indigenous land, leaving them vulnerable to land disputes	Indigenous' rights to their land are acknowledged by the UNDRIP and the 1945 Constitution. However, ATR/BPN Regulation No. 14/2024 states that the existence of indigenous land must be registered officially before being recognized	Granting legal recognition to indigenous land is the prerequisite for the legal enforcement of indigenous rights. The rights to manage their land and their activities should reflect their autonomy (based on the Ogiek and Girjas Cases)
Indigenous communities are told to leave their land, or they will be forcefully driven away	According to Law No. 2 of 2012 on Land Procurement for Development in the Public Interest, land initially owned by communities (including indigenous people) may be acquired through a land procurement mechanism consisting of planning,	The rights to be adequately informed and be consulted on before the development can be put as a prerequisite (based on the Ogiek and Murum Dam Cases)
National Strategic Projects are high priority, allowing them to skip through the processes, making them not as thorough as they're supposed to be	National Strategic Projects are governed by PP No. 23 of 2021, which establishes mechanisms to accelerate the implementation of strategic initiatives. In particular, the development of IKN is regulated under Presidential Regulation No. 75 of 2024, providing the government with expanded authority to further expedite its planning and construction.	Formal legal recognition alone is insufficient unless accompanied by robust monitoring and enforcement mechanisms to ensure that government agencies genuinely implement consultation, compensation, and protection measures for affected communities. (based on the Ogiek Case)
Compensations are not given properly, and it does	The legal framework for compensation is regulated in Law No. 2 of 2012, where the provision of fair	The requirement to conduct environmental and social impact assessments before

IKN Land Conflict's Situation	Existing Policy Framework	Synthesis of Best Practices
not reflect the real land and cultural value. The compensation is not given right after they move away, leaving the community even more vulnerable than it already is	compensation is carried out through deliberation with the entitled parties to determine the form and amount of compensation. Such compensation may take the form of monetary payment, replacement land, relocation, share ownership, or other mutually agreed arrangements, and must adhere to the principles of fairness and equity.	project approval supports the framework of compensation provisions and post-project accountability (based on the Murum Dam Case)

Three primary concerns emerge from the identified gaps. The first is the absence of legal recognition for indigenous peoples and their ancestral lands. Legal recognition is a prerequisite for enforcing indigenous rights (United Nations Department of Economic and Social Affairs, 2021) and must be supported by a regulatory framework that includes permitting systems to prevent land-use conversion and prohibit specific activities in designated areas (McDonald & Figueiredo, 2022). Such measures are crucial for preserving burial sites, culturally significant objects, settlement areas, and economically productive lands. Moreover, this framework must be integrated and synchronized with spatial planning documents to provide indigenous communities with a clear and legally defensible basis for protecting their territories and livelihoods (Hammar et al., 2021).

The second concern is the insufficient regulation of land acquisition planning, particularly for PSNs. Although these projects may operate under relaxed procedures, they must still conduct feasibility studies, collect initial site data, and hold public consultations (Coordinating Ministry for Economic Affairs, 2023). Importantly, acquisition plans must be grounded in legally documented and formalized indigenous land rights, ensuring that recognized rights guide and constrain proposed land-use changes (World Bank, 2018).

The third problem involves compensation. Valuation must account for the land's economic value, cultural significance, and the projected impact on community livelihoods (Permadi et al., 2025). An initial impact analysis is essential to accurately gauge the harm suffered by the community (Gregory et al., 2020). Additionally, it is crucial to select the most suitable type of compensation. For intangible impacts, compensation can be provided as replacement land, new settlement sites, support for community services, or other mutually agreed-upon forms determined through stakeholder collaboration (PLN, 2024).

To address the challenges identified in the development of IKN, several control instruments can be proposed to strengthen governance and safeguard indigenous land rights. First, in terms of legal recognition, it is essential to provide incentives for local governments and non-governmental organizations that actively assist indigenous communities in securing formal recognition of their customary territories. This should be supported by a clear zoning and permitting system that explicitly delineates which areas are eligible for development and which must be protected due to their cultural or ecological significance. Second, to overcome the insufficient regulation of land acquisition planning, a monitoring and enforcement mechanism is needed to ensure that acquisition procedures are conducted transparently and in accordance with legal standards. Lastly, regarding compensation, it is crucial to establish a system that guarantees fair and timely compensation is delivered to affected communities before any development begins. This includes not only financial restitution but also consideration of cultural and livelihood impacts, ensuring that compensation reflects the true value of the land to indigenous peoples.

Currently, the national legal framework of the recognition of indigenous people mostly relies on the official registration system (where the people should come and register their land rights). Therefore, we propose that the government should conduct a census of all indigenous communities, regardless of their current legal standing, and then actively help them gain legal acknowledgment. This process could be managed from the top-down, with national or provincial governments directing local governments, or from the bottom-up, with local governments or NGOs proposing communities for national recognition. Crucially, the acknowledgment document must be revised to explicitly list areas that are prohibited from being converted.

For PSNs, the proposed procedure is being driven by its position as the top priority of the Indonesian government (due to its potential to increase growth and support even distribution of development). This highlights the importance of the PSNs to be started quickly, but at the same time, it allows the PSNs to overrule the consent of local communities in the land acquisition process. Thus, the proposed procedure begins with a combined Feasibility Study and Land Acquisition Planning phase. This initial stage includes a critical Indigenous Land Identification step: if the land is recognized as indigenous territory, any disagreement triggers a negotiation that can lead to a master plan adjustment or consignment, after which the project plan is revisited. Conversely, if the land is not recognized, the process moves to a Public Consultation. If the project is not approved, it also proceeds to negotiation; if it is approved, it moves directly to Compensation Negotiation. The compensation offered is determined by the nature of the impact, with monetary compensation for tangible losses and alternative forms—such as replacement land or community services—for intangible impacts. Once a compensation agreement is reached, the final steps are the disbursement of compensation and the preparation for development.

3.3 Conclusion

The development of *Ibu Kota Nusantara* in East Kalimantan poses significant challenges to indigenous land rights in Indonesia, despite existing constitutional recognition. This research aims to analyze existing control mechanisms and formulate recommendations to improve them. To achieve this, a policy review was conducted using descriptive content analysis, followed by case studies examined. Recommendations were then developed by triangulating insights from both results. The study identified three main problems: the absence of legal recognition for indigenous people and their ancestral lands, insufficient regulation of land acquisition planning concerning national strategic projects, and the calculation and form of compensation. Therefore, to mitigate these issues, it is recommended to add incentives for local governments or non-government organizations that support indigenous communities in legal fights, sufficient zoning regulations and permitting systems (especially around indigenous land), and monitoring and enforcement system improvement in land acquisition procedures. It is hoped that this updated procedure will effectively support the indigenous communities in safeguarding their rights within the existing legal framework, ensuring that their voices are heard and their rights are protected as Indonesia navigates the complexities of development.

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