



PUBLIC USE FOR PRIVATE INTEREST: THE PARADIGM SHIFT ON LAND ACQUISITION FOR NATIONAL STRATEGIC PROJECTS IN INDONESIA

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Abstract. Despite their aim to accelerate national development, Indonesia's National Strategic Projects (NSPs) have created a complex landscape of conflict, particularly in land acquisition. The enactment of the Job Creation Law catalyzed the statutorization of NSPs, significantly amending Law Number 2 of 2012 on Land Acquisition for Public Use. This normative research, employing statutory and conceptual approaches, analyses how this new NSP regulation affects the land acquisition paradigm. Major findings reveal a significant paradigm shift, not just in procedure, but in legal-conceptual understanding of public interest itself. The broad definitions and urgent implementation mandates for NSPs now facilitate accelerated land acquisition processes that effectively subordinate community rights in favor of private investment. This shift has profound implications, including an increased susceptibility to expropriation claims, diminished public participation, and a clear re-prioritization of economic growth over social equity. The research concludes that while NSPs are crucial for development, their current framework reinterprets public use to serve private interest, mitigate disproportionate private benefit, and prevent the erosion of communal welfare and legal certainty.

Keywords: Land acquisition, public use, private interest, national strategic projects

1. Introduction

Born from the urgent need to accelerate development and overcome complex investment barriers, Law Number 6 of 2023 concerning the Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law (Job Creation Law) emerged as a legal breakthrough, radically changing the government's approach to implementing National Strategic Projects (NSPs). This regulation was formulated in response to the slow realization of priority projects, which were frequently hampered by overlapping regulations and bureaucratic red tape, particularly in the land acquisition process (1). The most fundamental change it introduced is the legal equation of NSPs with 'public interest'—a strategic move that provides strong legitimacy for prioritizing infrastructure development over other sectoral interests.

NSPs are positioned as a state policy dedicated to serving the interests of all society by labelling them as development for the public interest. These projects are deemed beneficial because their stated objective is to yield positive impacts, such as enhancing welfare, creating employment, and promoting regional economic equity. Consequently, every citizen is expected to grant passive consent, under the assumption that they will ultimately share in the benefits of the economic growth generated by the NSPs (2).

The Job Creation Law, along with its implementing regulations, such as Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development for the Public Interest (PP 19/2021) and its amendments, has drastically changed this paradigm. Instead of scrutinizing the substance of the activity, the Job Creation Law shifts



the justification to one based merely on designation or label. By regulating the ease of NSP implementation, including in the land acquisition aspect, the status as an NSP has itself become a sufficient justification (3). A 'legal shortcut' has occurred: if a project has been designated by the President as an NSP, then it is automatically considered development for the public interest. The NSP status itself now determines the existence of public interest.

The implication of this legal construction is the erosion and reduction of the meaning of "public interest." A concept rooted in the constitutional mandate of Article 33 of the 1945 Constitution—to achieve the greatest prosperity for the people, which encompasses dimensions of social justice, ecological sustainability, and respect for cultural rights (4)—is now at risk of being reduced merely to strategic economic-political interests determined by the executive (5). NSPs, whose criteria are dominated by considerations of economic growth, fiscal impact, and labor absorption, do not automatically represent the public interest in a holistic manner.

Based on the entire description above, this research seeks to examine how "public interest" is constructed in land acquisition for National Strategic Projects post-Job Creation Law. Furthermore, this research will also examine the implications of this interpretation of "public interest" in land acquisition for National Strategic Projects post-Job Creation Law.

2. Methods

This research employs a qualitative approach within a normative juridical framework, focusing on statutory and conceptual approaches (6). The research specification is descriptive-analytical (7), aiming to describe applicable laws and regulations in relation to legal theories and the practical application of positive law concerning the formulated research problems. This study was conducted using library research to collect data related to the researched issue (8). Secondary data were categorized into primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include laws, regulations, and all official documents containing legal provisions. Secondary legal materials include textbooks, journal articles, and recent symposium proceedings relevant to the research topic (9). Tertiary legal materials in this study include sources that provide guidance or explanations for primary and secondary legal materials, such as the *Kamus Besar Bahasa Indonesia* and other related articles.

3. Results And Discussion

3.1. The Regulation of Public Interest in Land Acquisition for National Strategic Projects Post-Job Creation Law

3.1.1. The Regulation of Public Interest in Land Acquisition Post-Job Creation Law

The Job Creation Law amends Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest (Law 2/2012) through the addition of provisions or amendments to 11 (eleven) articles. **First**, Article 8 address the resolution of land status for land acquisition within forest areas, implemented through mechanisms of 'change of designation' or 'release of forest area' (10). It stipulates that for land objects designated for acquisition—which are located within forest areas, village treasury lands, *waqf* (religious endowment) lands, and/or land assets of the central government, regional governments, State-Owned Enterprises (SOEs), or Regional-Owned Enterprises (ROEs)—their status must already be changed at the time of the location determination. This is intended as a solution to the problem of land release, which was previously a relatively time-consuming process (11).

Second, Article 14 regarding land acquisition planning were amended to specifically include a provision for involving the relevant institution or ministry in the land sector. Furthermore, particularly for the acquisition of land in forest areas, the completion of its release is to be carried out in accordance with laws and regulations in the forestry sector, through a mechanism managed by the relevant agency or a private entity. This regulation provides legal certainty, and



the designation of authority to the land sector institution is expected to result in better and more integrated land administration management.

Third, Article 10 were expanded to include 6 (six) new categories of development for which land can be acquired for the public interest, particularly those initiated and/or controlled by the central government, regional governments, State-Owned Enterprises (SOEs), or Regional-Owned Enterprises (ROEs). This expansion is linked to the government's need to accelerate infrastructure development. Consequently, this provides a legal basis for government strategic projects to implement land acquisition for the public interest more quickly and efficiently (11).

Fourth, Article 19, which added new stipulations regarding public consultation. At the public consultation stage of the development plan, the categories of parties involved were expanded to include managers of state/regional-owned property and users of state/regional-owned property. This refinement aims to ensure that the agreement reached can accommodate the interests of all parties, thereby minimizing conflicts that may occur during the implementation of the development (11). Furthermore, a provision was added stating that if parties do not attend the public consultation after being properly invited 3 (three) times, they are deemed to have agreed to the development plan, as well as a mandate for further regulations regarding the technical implementation of public consultation to be established in a government regulation.

Fifth, Articles 19A, 19B, and 19C were added with the aim of streamlining the process of land acquisition for the public interest on a small scale. This provision regulates that land acquisition for the public interest, with an area not exceeding 5 hectares, can be conducted directly by the agency requiring the land with the party holding the rights. Furthermore, provisions were added stipulating that in cases where the location determination is made by the regent/mayor, several prerequisites are no longer required after this determination is set, such as: conformity with spatial planning activities, technical considerations, [confirmation of being] outside forest and mining areas, [confirmation of being] outside peatland/coastal setback zones, and the environmental impact analysis (AMDAL).

Sixth, the provisions of Article 24 regarding Location Determination. In this case, the extension period for the location determination, which was previously granted for 2 (two) years, has been extended to 3 (three) years. **Seventh**, inventory and identification by licensed surveyors. This provision opens the opportunity to involve licensed surveyors in collecting data on the rights-holding parties and the land acquisition objects during the inventory and identification of land tenure, ownership, use, and utilization.

Eighth, the addition of provisions related to compensation. The deliberation to determine the form of compensation is carried out by the chief executive of the land acquisition committee together with the appraiser and the rights-holding parties. Based on this, it is stipulated that the amount of the compensation value, based on the appraiser's assessment, is final and binding. This simplification of the compensation assessment process—where the appraiser's valuation, which was initially the *basis for deliberation*, now becomes *final and binding*—is feared to have detrimental impacts. This is because the "final and binding" provision eliminates the element of negotiation and deliberation, leaving landowners with no room to submit objections or engage in further negotiation regarding the determined compensation value.

This concern is based on the land acquisition dispute for the construction of the Cisumdawu Toll Road, as seen in Decision No. 108/Pdt.G/2019/PN Blb. At that time, the appraiser's provision was not yet final and binding, yet the petitioners' objection was that the deliberation did not involve dialogue to reach an agreement and instead felt one-sided in determining the compensation amount, which had already been set by the appraiser. The addition of articles regarding compensation also mandates the creation of further regulations—in the form of a government regulation—concerning the provision of compensation under Article 36, such as replacement land, resettlement, share ownership, and other forms agreed upon by the parties.



Furthermore, a provision was added regarding the timeframe for the district court to accept the consignment of compensation, setting a maximum of 14 (fourteen) days.

Lastly, in the elucidation (explanatory notes), the criteria for parties who possess state land in 'good faith' (*itikad baik*) are outlined, which include: possession of land that is recognized by prevailing laws and regulations; the absence of any party objecting to said possession either before or during the (public) announcement process; and said possession is verified by the testimony of 2 (two) credible witnesses.

3.1.2. The Regulation of National Strategic Projects Post-Job Creation Law

The Job Creation Law fundamentally changed the regulations related to NSPs by equating their status with "public interest" as a basis for land acquisition. Prior to the Job Creation Law, the conversion of protected land, such as sustainable food cropland, was only permitted for the "public interest." After the Job Creation Law, the phrase "and/or National Strategic Projects" was explicitly added to several sectoral laws. This change provides a stronger and clearer legal foundation to prioritize the implementation of NSPs, even if it means overriding the land's original function. The insertion of the phrase "and/or National Strategic Projects" into a number of laws is a legal breakthrough designed to facilitate the priority development agenda. Previously, many strategic projects were often hindered by specific rules in various sectors. The Job Creation Law makes "NSP" a legitimate reason, equivalent to "public interest," to carry out land conversion.

The most significant change is seen in the agricultural sector, where the conditions for converting cultivated agricultural land for NSPs have become more flexible. Previously, land conversion for the public interest was required to fulfill four conditions, including the mandate to provide replacement land. However, the Job Creation Law changed one of those crucial conditions from the word "and" to "and/or," meaning the provision of replacement land is no longer an absolute obligation, but rather an option. The inclusion of NSPs as a criterion for land conversion introduces a variable that is juridically ill-defined compared to the more established concept of "public interest." Consequently, decision-making regarding land conversion has become highly dependent on the discretion of the state apparatus. This creates a normative inconsistency: although the stated goal is the protection of food sovereignty, its derivative regulations instead provide incentives for the accelerated conversion of productive land, indicating that the commitment to this protection is not substantive (12). Furthermore, for agricultural land with complete irrigation networks that is converted for an NSP, the obligation is now merely to maintain the function of said irrigation network, rather than a total prohibition on conversion. This flexibility drastically simplifies and accelerates the process of acquiring agricultural land for NSP development.

In the forestry sector, the Job Creation Law amends Article 18 of the Forestry Law, providing significant relaxation to support NSPs. The previous rule strictly mandated that the government maintain a minimum forest area of 30% of the watershed (DAS) and/or island area. This provision served as a rigid ecological fortress to maintain hydrological balance and prevent disasters (13). This provision was deleted and replaced with a new, more flexible norm, where the Central Government will now determine the "sufficiency" of forest area based on the region's physical and geographical conditions. The Job Creation Law mandates that more detailed provisions regarding the forest area to be maintained, especially in regions containing NSPs, will be further regulated by a Government Regulation. The removal of this 30% minimum threshold opens up greater space for the development of strategic projects within forest areas, thereby allowing the permitting and land conversion process for government projects to proceed more easily and quickly. While aiming to accelerate development, this policy carries serious consequences. The removal of the 30% threshold creates greater room for deforestation and increases the risk of ecological disasters such as floods, landslides, and the



loss of biodiversity (14) This change reflects a shift in priorities: from a measurable guarantee of environmental protection to a policy-dependent approach for the sake of economic interests, where the fate of forest sustainability now depends heavily on the technical policies of the government.

The Job Creation Law also introduces a new mechanism in land acquisition for NSPs, one that involves the direct role of Business Entities (Badan Usaha). Article 173 of the Job Creation Law asserts that the Central or Regional Government is responsible for providing land and permits for NSPs. However, this law provides a breakthrough by permitting land acquisition for NSPs to be conducted directly by a Business Entity if the government has not yet been able to execute it. This mechanism is implemented in accordance with the provisions of laws and regulations regarding land acquisition for the public interest. This direct involvement of business entities is designed to accelerate the land acquisition process, which frequently becomes a barrier to the realization of strategic projects. The phrase "Business Entity" in the regulations for land acquisition for the public interest creates significant legal ambiguity and has the potential to harm the public (15). The lack of clarity in defining who qualifies as a "Business Entity" opens a loophole for various entities, including those that are purely profit-oriented, to take over state functions. This blurs the line between genuine public interest and commercial interests, where the projects being implemented may prioritize corporate profitability over the welfare of the broader community. Consequently, the land acquisition process becomes vulnerable to practices of speculation and exploitation by parties that do not possess a public mandate.

3.1.3. The Relationship Between Public Interest and National Strategic Projects in Land Acquisition Post-Job Creation Law

A fundamental transformation in the legal relationship between the concept of "public interest" and NSPs constitutes one of the most significant changes in Indonesian land law post-enactment of the Job Creation Law (2). A 'legal shortcut' has occurred: if a project has been designated by the President as an NSP, then it is automatically considered development for the public interest. The NSP status itself now determines the existence of public interest. Although aimed at efficiency and acceleration, this equation of NSPs with public interest through the Job Creation Law gives rise to a number of critical analyses and serious potential problems.

First, the reduction and erosion of the meaning of public interest. The concept of "public interest," which was originally rooted in a broad philosophy of public welfare—encompassing social, cultural, and environmental aspects (16)—is now at risk of being reduced to merely the interests of economic development and investment. NSPs are, fundamentally, projects selected based on strategic economic criteria and equitable physical development (3). However, not all projects that are economically strategic automatically serve the genuine public interest (17). For example, a development designated as an NSP might contribute significantly to GDP and the trade balance. Yet, from the perspective of the local community, the project could very well eliminate their livelihoods from productive agricultural land, cause destructive environmental impacts, and trigger social conflicts (18). When NSP status automatically legitimizes its land acquisition as being for the "public interest," the space to debate and test whether the project truly brings the greatest benefit to the wider community becomes extremely limited. The public consultation process, which should be a forum for substantive dialogue, is potentially degraded into a mere procedural formality to socialize a decision that is already final.

Second, the increased potential for agrarian conflicts and human rights violations. With procedural acceleration and simplified justification, the protection of community land rights becomes more vulnerable (18). A forced land acquisition process in the name of an NSP can easily ignore the non-economic aspects inherent in the land, such as social, cultural, and historical values for indigenous or local communities (19). The principle of proper and fair



compensation is often interpreted merely as the tax object selling value (NJOP) or material market price, without accounting for non-material losses such as the loss of employment, the severing of social-community bonds, and other psychological impacts (20). The automation of "public interest" status for NSPs places dissenting communities in a legally weaker position. Their refusal can easily be labeled as an act of obstructing a national strategic program, thus paving the way for the use of the consignment mechanism (deposit of compensation in court), which is essentially a form of forced expropriation.

Third, the blurring of the lines between public interest and private interest. Many NSPs are executed through Public-Private Partnership (PPP) schemes (known in Indonesia as KPBU) or are even initiated and dominated by private investors (21). Although these projects aim to provide public infrastructure or facilities, the significant financial profits will ultimately be enjoyed by private corporations. By equating NSPs with public interest, the Job Creation Law has indirectly granted a privilege to private entities to access community land using the state's instruments and authority. This obscures the fundamental principle that state-led land acquisition should only be for development whose results can be enjoyed directly and equitably by the public (5), not to facilitate the accumulation of profit by a select few. This relationship creates a paradox where the state uses the pretext of public interest to serve an agenda that, in practice, may be more heavily steeped in private or corporate interests.

3.2. Implications of the Interpretation of 'Public Interest' in Land Acquisition for National Strategic Projects Post-Job Creation Law

3.2.1. The Scope of 'Public Interest' Activities and National Strategic Projects

Table 1. Legal Norms in the Job Creation Law that Distinguish the Concept of 'Public Interest' from 'National Strategic Projects'

No.	Laws	Provisions	Text	Job Creation Law Amendment
1.	Law Number 22 of 2019 concerning Sustainable Agricultural Cultivation Systems (Law 22/2019)	Article 19 paragraphs (1) and (2)	(1) Every Person is prohibited from converting Land that has been designated as agricultural cultivation Land. (2) In the case of the public interest , agricultural cultivation Land as referred to in paragraph (1) may be converted and shall be carried out in accordance with the provisions of laws and regulations.	(1) Every Person is prohibited from converting Land that has been designated as agricultural cultivation Land. (2) In the case of the public interest and/or national strategic projects , agricultural cultivation Land as referred to in paragraph (1) may be converted and shall be carried out in accordance with the provisions of laws and regulations.
2.	Law Number 41 of 2009 concerning the Protection of Sustainable Food Cropland (Law 41/2009)	Article 44 paragraphs (1) and (2)	(1) Land that has been designated as Sustainable Food Cropland is protected and prohibited from being converted. (2) In the case of the public interest , Sustainable Food Cropland as referred to in paragraph (1) may be converted, and shall be carried out in accordance with the provisions of laws and regulations.	(1) Land that has been designated as Sustainable Food Cropland is protected and prohibited from being converted. (2) In the case of the public interest and/or National Strategic Projects , Sustainable Food Cropland as referred to in paragraph (1) may be converted and shall be carried out in accordance with the provisions of laws and regulations.

Source: processed by the Authors, 2025.

First and foremost, it is necessary to clarify the understanding of "public interest" and NSPs; specifically, whether the two are different, overlapping, or identical concepts. Referring to several of the amended provisions in the Job Creation Law, it can be said that they are 2 (two) different concepts, as can be seen in Table 1.

Based on the norms mapped in Table 1, it can be said that the use of the phrase "... *for the public interest and/or National Strategic Projects* ..." in Law 22/2019 and Law 41/2009 *jo.* Law 6/2023, in principle, conceptually differentiates between the concept of 'public interest' and 'NSPs' (22,23). In other words, the two are dichotomously different concepts, which can be further seen in Figure 1 and are respectively elaborated as follows.

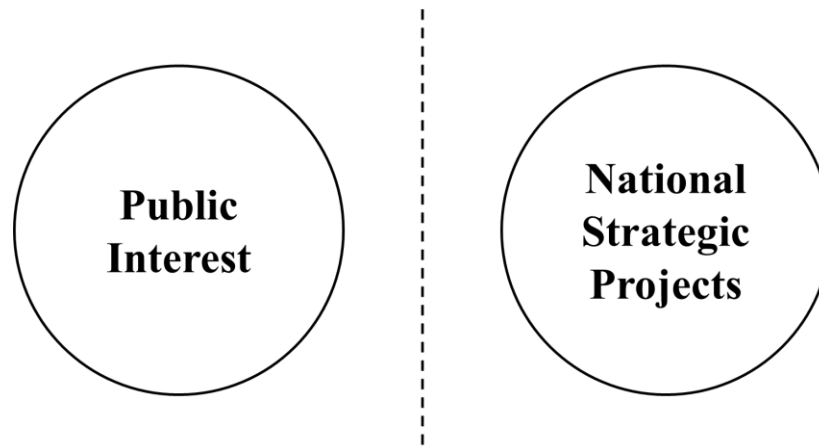


Figure 1. Venn Diagram of the Conceptual Relationship between 'Public Interest' and 'National Strategic Projects' in the Job Creation Law

First, in the context of "public interest," the provisions of Article 10 of Law 2/2012, as amended by the Job Creation Law, detail precisely which development activities qualify as being for the public interest. The enumeration of this list, combined with the absence of any provision that opens up the possibility of adding new types of activities, signifies that this list is limitative and closed (*bersifat tertutup*). In other words, the scope of objects for land acquisition for the public interest is 'locked in' by the provisions of Article 10 of Law 2/2012 *jo.* the Job Creation Law. Moreover, the provisions of Article 2 of PP 19/2021, as the implementing regulation, copy the text of the aforementioned Article 10 *verbatim*.

The logic employed in Article 10 of Law 2/2012 *jo.* the Job Creation Law carries a specific juridical consequence: development activities other than those specified in the said provision cannot become the basis for land acquisition under the construction of the said Law. Furthermore, historically, the types of development activities within Article 10 were expanded after the enactment of the Job Creation Law, specifically with the addition of activities in Article 10, letters (s) through (x) (23). In other words, the nomenclature "Public Interest"—which is defined in Article 1, number 6 of Law 2/2012 *jo.* the Job Creation Law as "...the interest of the nation, state, and society that must be realized by the government and used for the greatest prosperity of the people"—is, in principle, a dynamic concept. It can, in fact, be interpreted by lawmakers (*pembentuk undang-undang*) to determine which development activities qualify as "public interest," as seen in the provisions of Article 10 of the said Law (23). Therefore, it can be concluded that: 1) land acquisition for the public interest is an activity that is limited in the context of the scope of its objects; and 2) the meaning of the phrase "public interest" from Article 1, number 6... is normatively translated into the list of development activities regulated in Article 10 of the said Law.

Second, NSPs in this case use a different logic from the interpretation of "Public Interest" in Law 2/2012 *jo.* the Job Creation Law. Critically, the Job Creation Law neither defines nor



details what types of development activities qualify as NSPs. Instead, Article 1, number 1 of Government Regulation Number 42 of 2021 concerning National Strategic Projects (hereinafter referred to as PP 42/2021) defines NSPs as: “... *projects and/or programs implemented by the Central Government, Regional Governments, and/or Business Entities that are strategic in nature for growth and equitable development in the context of efforts to create jobs and improve public welfare*” (24,25). Based on this definition, NSPs in this case have a form, nature, and purpose as can be seen in Table 2.

Table 2. Elements of National Strategic Projects

No.	Element	Description
1.	Form	project and/or program
2.	Nature	strategic
3.	Purpose	growth and equitable development in the context of efforts to create jobs and improve public welfare.

Source: processed by the Authors, 2025.

These elements, in this case, become the qualification for when a project and/or program can be included as an NSP. Moreover, neither the Job Creation Law nor its implementing regulations stipulate any criterion that a project and/or program designated as an NSP must also be one of the types of development activities regulated in Article 10 of Law 2/2012 *jo.* the Job Creation Law.

In practice, whether or not a project and/or program is included [as an NSP] is subject to the provisions of Article 3 of PP 42/2021. The aforementioned provision regulates that the determination of a project and/or program onto the NSP list is governed by a Presidential Regulation (*Peraturan Presiden*). In the existing context, this is embodied in Presidential Regulation Number 3 of 2016 concerning the Acceleration of National Strategic Project Implementation, as last amended by Presidential Regulation Number 109 of 2020 (hereinafter referred to as the Presidential Regulation on NSPs) (26,27). Furthermore, the Coordinating Minister for Economic Affairs has the authority to determine changes to the NSP list through the issuance of a Ministerial Regulation (*Peraturan Menteri*) after obtaining Presidential approval. This is based on proposals from ministers/heads of institutions/regional heads and business entities (*badan usaha*), as well as the results of an evaluation (28).

If one examines the types of projects and programs included in the NSP list, as regulated in the Regulation of the Coordinating Minister for Economic Affairs Number 2 of 2025 concerning the Seventh Amendment to the Regulation of the Coordinating Minister for Economic Affairs Number 7 of 2021 concerning the Amendment to the List of National Strategic Projects (Permenko on NSPs), most of them are project types that are *also* included in the types of development activities for the "public interest" as regulated in Article 10 of Law 2/2012 *jo.* the Job Creation Law, such as the construction of toll roads, ports, airports, and railway lines (26). However, there are also project types whose status is still vague, particularly regarding whether the project qualifies as one of the types of development activities in Article 10 of Law 2/2012 *jo.* Job Creation Law. A key example is the Rempang Eco-City Development program in the Riau Islands Province.

The Job Creation Law did indeed add area-based (*berbasis kawasan*) development activities to the provisions of Article 10 of Law 2/2012, including (29):

- a. upstream and downstream oil and gas industrial zones;
- b. special economic zones;
- c. industrial zones;
- d. tourism zones;
- e. food security zones; and
- f. technology development zones.



As for the Rempang Eco-City area, as an area-based development program, it is planned to cover 7 (seven) development zones, as can be seen in Table 3.

Table 3. Qualification of the Development Zones in Rempang Eco-City as Types of Development Projects for the Public Interest

No.	Development Zone	Type of Development Project for the Public Interest
1.	Rempang Integrated Industrial Zone	industrial zone <i>vide</i> Article 10 letter (u) of Law 2/2012 <i>jo.</i> the Job Creation Law
2.	Rempang Integrated Agro-Tourism Zone	tourism zone <i>vide</i> Article 10 letter (v) of Law 2/2012 <i>jo.</i> the Job Creation Law
3.	Rempang Integrated Commercial and Residential Zone	public housing and special housing and public markets <i>vide</i> Article 10 letters (o) and (r) of Law 2/2012 <i>jo.</i> the Job Creation Law
4.	Rempang Integrated Tourism Zone	tourism zone <i>vide</i> Article 10 letter (v) of Law 2/2012 <i>jo.</i> the Job Creation Law
5.	Rempang Forest and Solar Farm Zone	power generation and nature reserve <i>vide</i> Article 10 letters (f) and (m) of Law 2/2012 <i>jo.</i> the Job Creation Law
6.	Wildlife and Nature Zone	nature reserve <i>vide</i> Article 10 letter (m) of Law 2/2012 <i>jo.</i> the Job Creation Law
7.	Galang Heritage Zone	cultural heritage <i>vide</i> Article 10 letter (m) of Law 2/2012 <i>jo.</i> the Job Creation Law

Source: processed by the Authors, 2025.

Superficially, each of the development zones within Rempang Eco-City appears to fall under the categories of development projects for the public interest. However, in the context of the 'nature reserve' (*cagar alam*), for example, it becomes questionable whether land acquisition can actually be carried out without a prior legal designation of that area as a nature reserve. This is significant considering that, in the context of the Rempang area, no such designation as a nature reserve has been made *vide* Article 5 of Government Regulation Number 28 of 2011 concerning the Management of Nature Sanctuary Areas and Nature Conservation Areas as amended by Government Regulation Number 108 of 2015 concerning the Amendment to Government Regulation Number 28 of 2011 concerning the Management of Nature Sanctuary Areas and Nature Conservation Areas (PP on KSA and KPA Management). Therefore, if the 'Wildlife and Nature Zone' is not, in fact, intended to be designated as a formal nature reserve, then *mutatis mutandis* (by logical extension), it cannot be classified as a development project for the public interest.

Based on the differences between the two scopes of objects in land acquisition—for "public interest" versus for NSPs—it can be concluded that normatively, NSPs are a different concept from the concept of "public interest." Nevertheless, many of the project and/or program types designated as NSPs also fall under the qualification of development activities for the "public interest," as regulated in the provisions of Article 10 of Law 2/2012 *jo.* the Job Creation Law. This means that, in terms of the scope of objects, the concept of NSPs and the concept of "public interest" have an intersection in practice, even though normatively they are 2 (two) different nomenclatures and concepts. It can also be said that the scope of projects within NSPs is actually broader, as can be seen in Figure 2 (25).

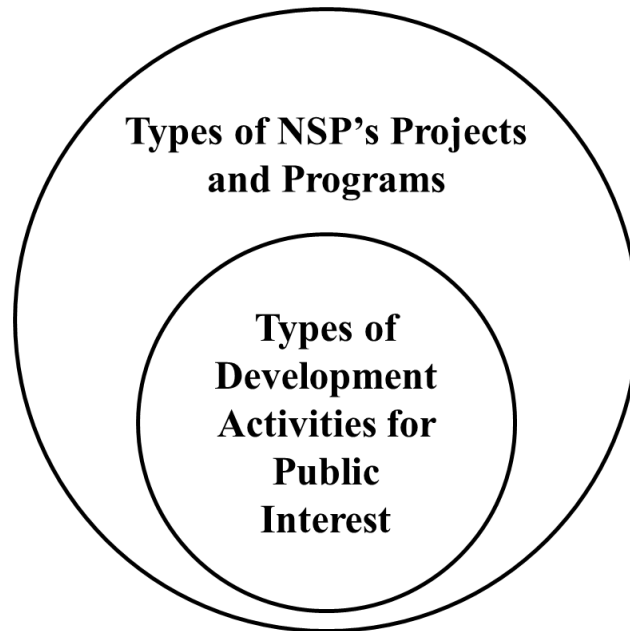


Figure 2. Venn Diagram of the Scope of Objects:
'Public Interest' vs. 'NSP'

The implication of understanding this difference in scope is that in the event the Government intends to implement a development project and/or program that is not included in the types of development activities for the "public interest," the Government now has the option to classify that project and/or program as an NSP. In the context of land acquisition, the very structure and system of PP 19/2021 differentiates the regulations for land acquisition for the "public interest" (as regulated in Chapter II) from the regulations for land acquisition for the "ease of national strategic projects" (as regulated in Chapter III). In other words, it can be interpreted that the NSP is an instrument to exempt projects from the limitations on development activity types for land acquisition for the "public interest," as regulated in Article 10 of Law 2/2012 *jo.* the Job Creation Law.

3.2.2. The Scope of Implementing Entities in Land Acquisition: 'Public Interest' versus 'National Strategic Projects'

Regarding the scope of the implementing subjects, the Job Creation Law did not, in fact, change the provision of Article 1, number 1 of Law 2/2012 which states, "Agency (*Instansi*) is a state institution, ministry, non-ministerial government institution, provincial government, regency/city government, and State-Owned Legal Entity/State-Owned Enterprise that receives a special government assignment." In other words, in the context of the 'Agency requiring land,' there was, in principle, no expansion of subjects within the framework of Law 2/2012. The subjects mentioned in this definition are exhaustive and closed (*bersifat tertutup*), meaning that land acquisition for the public interest cannot be carried out by entities other than those specified in the provisions of Article 1, number 1 of Law 2/2012 *jo.* the Job Creation Law (30). However, PP 19/2021 then expanded the definition of 'Agency' in its Article 1, number 1 to become: "... a state institution, ministry, non-ministerial government institution, provincial government, regency/city government, the Land Bank Agency (*Badan Bank Tanah*) ... or a Business Entity (*Badan Usaha*) that receives authority based on an agreement from [the aforementioned state agencies] ... in the context of providing infrastructure for the Public Interest."

This expansion can, at a minimum, be traced to the regulation of NSPs in the provisions of Article 173 of the Job Creation Law, as follows:



- a. The Central Government or Regional Government, in accordance with their authority based on norms, standards, procedures, and criteria stipulated by the Central Government, is responsible for providing land and Business Licensing for national strategic projects from the Central Government, Regional Governments, state-owned enterprises, or regional-owned enterprises.
- b. In the event that land acquisition cannot yet be carried out by the Central Government or Regional Government ... land acquisition for national strategic projects can be carried out by a Business Entity.
- c. Land acquisition... shall be implemented by considering the principles of state financial capacity and fiscal sustainability.
- d. In the event that land acquisition ... is carried out by a Business Entity, the land acquisition mechanism shall be implemented in accordance with the provisions of laws and regulations concerning land acquisition for the public interest.
- e. Further provisions concerning land acquisition and Business Licensing for national strategic projects shall be regulated in a Government Regulation.

The aforementioned provision mentions 5 (five) entities responsible for land provision for NSPs, namely: 1) the Central Government; 2) Regional Governments; 3) State-Owned Enterprises (SOEs); 4) Regional-Owned Enterprises (ROEs); and 5) Business Entities (*badan usaha*). The existence of Regional-Owned Enterprises and Business Entities as land providers for NSPs constitutes a special provision regulated within the NSP framework. Furthermore, Article 173(4) of the Job Creation Law also explicitly states that when land acquisition is carried out by a Business Entity, it shall be implemented in accordance with the laws and regulations concerning land acquisition for the public interest.

Table 4. The Difference in the Scope of Subjects between Law 2/2012 jo. the Job Creation Law and PP 19/2021 within the NSP Framework

Subject / Entity	Law 2/2012 jo. the Job Creation Law	PP 19/2021
Central Government	Ministry	Ministry
	Non-ministerial government institution	Non-ministerial government institution
Regional Government	Provincial government	Provincial government
	Regency/city government	Regency/city government
State-Owned Enterprise (BUMN)	State-Owned Enterprise that receives a special government assignment	State-Owned Enterprise that receives a special assignment from the Central/Regional Government
Regional-Owned Enterprise (BUMD)	-	Regional-Owned Enterprise that receives a special assignment from the Central/Regional Government
Business Entity	-	A Business Entity that receives authority based on an agreement from a state institution, ministry, non-ministerial government institution, provincial government, regency/city government, state-owned legal entity/state-owned enterprise that receives a special assignment from the Central Government/Regional Government in the context of providing infrastructure
Others	State institution	State institution
	State-Owned Legal Entity (BHMN)	State-Owned Legal Entity (BHMN)
		Land Bank Agency (<i>Badan Bank Tanah</i>)

Source: processed by the Authors, 2025.

The difference in the scope of subjects—comparing the definition in Law 2/2012 *jo.* the Job Creation Law with that in PP 19/2021, particularly within the framework of expanding subjects for NSPs—can be further seen in Table 4.

Based on the table above, it is clear that the expansion in PP 19/2021 includes 3 (three) types of entities, namely (31): 1) regional-owned enterprises; 2) business entities (*badan usaha*); and 3) the Land Bank Agency. However, this expansion normatively does not only apply to NSPs. This is affirmed by the use of the nomenclature "Agency Requiring Land," which is used consistently throughout PP 19/2021, including in Chapter II regarding Land Acquisition for the Public Interest. Furthermore, the use of the phrase "... *for the Public Interest*" in Article 1, number 1 of PP 19/2021 also affirms that this expansion was not carried out (solely) in the framework of NSPs. Moreover, even if the expansion was intended for NSPs, the use of that phrase would, in fact, create a *contradictio in terminis* (contradiction in terms) by conflating the concept of 'public interest' with 'NSP,' which—in the Job Creation Law—are dichotomously distinguished.

Based on this logic, regardless of whether a development project is carried out for the "public interest" or as an NSP, the scope of the implementing subjects for land acquisition is identical within the framework of PP 19/2021. Nevertheless, this expansion is, in fact, in direct conflict with the scope of subjects in the provisions of Article 1, number 1 of Law 2/2012 *jo.* the Job Creation Law, which is narrower than the scope of subjects in PP 19/2021.

3.3.3. Simplification of the Land Acquisition Process for National Strategic Projects Compared to the Process for Public Interest

The primary characteristic of National Strategic Projects (NSPs) is the existence of a simplified process, as has been explicitly regulated in the derivative regulations of the Job Creation Law, specifically PP 19/2021 and PP 42/2021. Because NSPs have their own special, simplified pathway, it is crucial to firmly distinguish them from the conventional land acquisition process for the "public interest." Therefore, to clarify the crucial differences between these two approaches—which are conceptually distinct—a systematic comparative analysis model is required.

Table 5. Comparison of the NSP Process with the Public Interest Process

Process	Land Acquisition for NSP	Land Acquisition for Public Interest
Planning and Preparation	Acceleration and strength of the recommendation document for Conformity of Space Utilization Activities by the Minister. Art. 4 PP 42/2021	No article grants this privilege, all stages follow the [standard] process.
Spatial Plan Conformity	Acceleration and strength of the recommendation document for Conformity of Space Utilization Activities by the Minister. Art. 129 PP 19/2021 <i>jo.</i> Art. 139-141 PP 21/2021 <i>jo.</i> Art. 8 PP 42/2021	Planning documents must conform with the Regional Spatial Plan (RTRW). Art. 4 PP 19/2021
Location Determination	Intervention and acceleration in Location Determination. Art. 44 (3) & (4) PP 19/2021	Standard workflow in Development Location Determination. Art. 44 (1) PP 19/2021
Funding Source	Through APBN/APBD, BUMN funding, or Public-Private Partnerships (PPP/KPBU). There is a special funding scheme through the State Asset Management Agency (LMAN) to pay compensation in advance (bridge fund). Art. 13 PP 42/2021 <i>jo.</i> Presidential Regulation 66/2020 <i>jo.</i> PMK 139/PMK.06/2020	Generally sourced from the APBN/APBD. Art. 121 PP 19/2021

Source: processed by the Authors, 2025.



First, is the planning and preparation stage. Although both types of land acquisition (NSP and public interest) must go through this initial stage, the process for NSPs is designed to be far simpler and faster through the active intervention of the Central Government. As regulated in Article 4 of PP 42/2021, the Minister is given central authority to act as the primary coordinator and problem-solver. This authority covers all crucial aspects, from coordinating the budget, facilitating the resolution of permitting obstacles, to shepherding land acquisition issues, and reporting its progress directly to the President. In essence, the NSP planning stage does not run as a normal bureaucratic-administrative process (32), but rather is managed as a tightly monitored, centralized operation to ensure there are no obstacles. To provide ease in implementing the National Strategic Project as referred to in Article 2, the Minister shall:

- a. coordination of planning and budgeting among ministries, institutions, Regional Governments, Business Entities (Badan Usaha), and/or other parties whose scope of tasks and functions relates to efforts to accelerate the provision of National Strategic Projects;
- b. stipulation of strategies and policies in the context of accelerating National Strategic Projects;
- c. arrangement of National Strategic Project priorities;
- d. facilitation of National Strategic Project preparation;
- e. monitoring and control of the implementation of strategies and policies in the context of accelerating the provision of National Strategic Projects;
- f. facilitation of capacity building for apparatus and institutions related to the provision of National Strategic Projects;
- g. facilitation of problem-solving in Business Licensing and land acquisition for National Strategic Projects;
- h. coordination of the optimization of National Strategic Project utilization;
- i. coordination on the stipulation of strategies, policies, and approval for handling social impacts as proposed by ministers/heads of institutions, governors, and regents/mayors;
- j. evaluation and coaching of the implementation of Consultant Panels and Business Entity Panels formed by ministries/institutions;
- k. coordination of planning, development, and stipulation of alternative financing schemes for National Strategic Projects; and/or
- l. reporting on the progress of National Strategic Project implementation to the President.

Overall, this process illustrates the simplification and acceleration of NSP governance through the direct intervention of the Minister as the center of control and supervision. The NSP simplification process, as stipulated in Article 4, is not merely administrative; it is a multidimensional synergy strategy that encompasses all NSP-related stakeholders. The Minister's role is highly central, from policy regulation and technical shepherding to direct reporting to the President, ensuring that no bureaucratic obstacles hinder these strategic infrastructure projects. In fact, the Government implemented this policy by issuing Coordinating Minister for Economic Affairs Regulation Number 7 of 2023 concerning the Stipulation of NSPs, as well as Presidential Regulation Number 78 of 2023 concerning the Handling of Community Social Impacts in the context of Land Provision for National Development (33). This policy is carried out by the Central Government during the planning stage, specifically by designating the NSP activity and preparing for the impacts it will cause. Conversely, land acquisition for the "public interest" in Indonesia is generally regulated by laws and implementing regulations so that the process is expected to be fair, transparent, and respect the rights of landowners. All stages... are executed according to procedure, without exemption from administrative requirements or reduction of obligations.

Second, is the simplification of the spatial planning process, specifically through the acceleration and power of the Minister's Recommendation for Conformity of Space Utilization

Activities (RKKPR) document. Article 129 paragraph 2 of PP 19/2021 states that, “*In the event a National Strategic Project... is not yet included in the spatial plan (rencana tata ruang), the Conformity of Space Utilization Activities is granted in the form of an RKKPR by the Minister.*” This is then strengthened by Government Regulation Number 21 of 2021 concerning the Implementation of Spatial Planning. In that PP, it is explained that the RKKPR is a document that states the conformity of a planned Space Utilization activity that is based on a national policy that is strategic in nature and is not yet regulated in the RTR (Spatial Plan). This Government Regulation gives full authority to the central government to issue the RKKPR. This renders regional authority in the field of spatial planning meaningless. In addition, the “positive-fictive” norm (deemed approval) for issuing the RKKPR degrades the principle of prudence (*asas kecermatan*) in issuing decisions, thus creating the potential for land conflicts related to land status, regional zoning, indigenous community rights, and so on (34).

This is different in the ‘public interest’ concept, where the planning document is mandated to be in accordance with the Regional Spatial Plan (RTRW), in line with the text of Article 4 of PP 19/2021, which states: “*Every Agency Requiring Land for development for the Public Interest shall create a Land Acquisition plan that is based on:*

- a. *the spatial plan (rencana tata ruang); and*
- b. *development priorities as listed in:*
 1. *the medium-term development plan;*
 2. *the strategic plan; and/or*
 3. *the government/Agency work plan.*”

Third, the simplification of the process in the intervention and acceleration in Location Determination (*Penetapan Lokasi*). As mentioned in Article 44 paragraphs 3 and 4 of PP 19/2021:

- (3) *In the event the Development Location Determination... is not issued by the governor within a period of 14 (fourteen) Days for Land Acquisition for the purpose of a National Strategic Project... the Agency Requiring Land can submit an application for Location Determination to the Minister.*
- (4) *The Development Location Determination... shall be issued by the Minister within a maximum period of 7 (seven) Days from the receipt of the application from the Agency Requiring Land.*

The article above explains the special mechanism the government can apply when implementing NSPs. In paragraph 3, it is explained that the ministry or institution initiating the NSP is authorized to intervene in the Location Determination process by issuing a centralized Location Determination Letter. This is intended to ensure that coordination between the central and regional levels is not obstructed by multi-layered administrative procedures. Paragraph 4 then regulates the stipulation of timelines for each stage. This aims to accelerate the realization of critical infrastructure, guarantee legal certainty, and simplify bureaucracy. In practice, this raises questions about the urgency of an NSP Location Determination that requires such speed at the expense of ignoring other interests.

Findings from the Examination Report by the Indonesian Ombudsman (Ombudsman RI) highlight the maladministration in the designation of Rempang Eco-City as an NSP, which occurred in a remarkably short time, namely the period of May-July 2023 (35). Meanwhile, the Management Right (HPL) for the land that is the object of the NSP—Rempang Island and Galang Island—had not yet been issued in the name of BP Batam, and this remained an obstacle to investment. This demonstrates that the acceleration of the Area's development was not supported by thorough preparation. This includes [a lack of preparation] in terms of regulations, policies, the availability of ‘clear and clean’ land, and community readiness, which consequently led to rejection and conflict. This contrasts with the standard workflow for Development



Location Determination for the 'public interest' mentioned in Article 44 paragraph 1 of PP 19/2021: "*The application for Development Location Determination from the Agency Requiring Land is submitted to the governor based on the official minutes of the development location agreement ...*"

Fourth, is the funding source. Land acquisition funding for the "public interest," which is sourced purely from the APBN (State Budget) or APBD (Regional Budget), is the most fundamental financing scheme. In contrast, NSP funding sources come from various sources, not just a single one. The project can be financed directly by the state budget (APBN/APBD), carried out by a BUMN (State-Owned Enterprise) using its corporate funds, or through Public-Private Partnerships (PPP/KPBU). This is the case with the Rempang Island management and development project. The Eco-City Area Development Project in the Riau Islands—where the *entire* development project is managed by PT Makmur Elok Graha—means that cooperation is occurring between the government and a third party. The government, through BP (Batam Development Authority) Batam and the Batam City Government, is cooperating with PT Makmur Elok Graha as the private partner (36).

However, the main problem that often obstructs NSPs is the lengthy land acquisition process. To overcome this, the government created a special scheme through the State Asset Management Agency (LMAN). Based on existing regulations (such as PP 42/2021 and Perpres 66/2020), LMAN is tasked with paying land compensation to the community upfront using state funds. This scheme is known as a "bridge fund" (*dana talangan*) (37). The objective is to make land available quickly so that development can begin immediately. Subsequently, the project implementer (whether a BUMN or a private entity) is required to reimburse this bridge fund to LMAN (38).

4. Conclusion

The construction of 'public interest' for National Strategic Projects post-Job Creation Law represents a fundamental paradigm shift. The law's central mechanism is the equation of NSPs—an executive, economic-driven category—with "public interest," creating a "legal shortcut" for land acquisition. This shortcut is built through a series of power-based procedural simplifications that systematically bypass traditional legal and democratic safeguards. While the stated goal is 'efficiency,' this new construction—which enables public power for private interests—gives rise to several critical and serious problems.

This new legal equation enables a three-part "legal shortcut" that provides "Public Use" justifications for "Private Interest" projects. First, regarding the *scope of activities*, the NSP framework serves as a legal instrument to bypass the legislative restrictions on development types found in Article 10. Second, regarding the *implementing subjects*, a lower-level Government Regulation (PP 19/2021) has unlawfully expanded the list of actors to include private "Business Entities" (Badan Usaha), in direct conflict with the superior Law (UU 2/2012). Finally, "acceleration" is revealed not as a mere appeal, but as a systemic, power-based design intended to "trim, merge, and eliminate" the traditional, rules-based stages of the acquisition process.

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References

- [1]. Puspawati AAI, Sukmayanti MS, Juniarta IBGA. Tinjauan Hukum Terhadap Pengadaan Tanah Pasca Berlakunya Undang-Undang Cipta Kerja. *J Pemikir dan Peneliti Ilmu-Ilmu Sos Hukum&Pengajarannya*. 2024;XIX(1):99–110.



- [2]. Wardana A, Darmawardana D. Pembangunan sebagai Proses Eksklusi: Kajian Hukum dan Ekonomi-Politik atas Proyek Strategis Nasional. *J Huk Pembang* [Internet]. 2024 Jun 30;54(2). Available from: <https://scholarhub.ui.ac.id/jhp/vol54/iss2/3>
- [3]. Pattra L, Ismail N, Wibowo RA. National Strategic Projects and Compensation Issues in Land Acquisition in Indonesia. *J Huk dan Peradil* [Internet]. 2025 Mar 31;14(1):1–28. Available from: <https://www.jurnalhukumdanperadilan.org/jurnalhukumperadilan/article/view/1126>
- [4]. Angela K, Setyawati A. Analisis Pelaksanaan Pengadaan Tanah di Atas Tanah Ulayat Masyarakat Hukum Adat dalam Rangka Proyek Strategi Nasional (PSN) Demi Kepentingan Umum. *J Huk Lex Gen*. 2022 Mar;3(3):199–216.
- [5]. Kusumawati MP. Tinjauan Yuridis Permasalahan dan Tantangan Pengadaan Tanah dalam Kerangka Proyek Strategis Nasional (PSN). In: *Prosiding Seminar Hukum Aktual Fakultas Hukum Universitas Islam Indonesia* [Internet]. Yogyakarta; 2023. p. 102–10. Available from: <https://journal.uui.ac.id/psha/article/view/30962>
- [6]. A T. *Metodologi Penelitian Hukum: Pendekatan Kualitatif dan Kuantitatif*. Jakarta: PT Raja Grafindo Persada; 2003.
- [7]. Soekanto S. *Pengantar Penelitian Hukum*. Indonesia U, editor. Jakarta; 2007.
- [8]. Sunggono B. *Metode Penelitian Hukum*. Persada RG, editor. Jakarta; 2003.
- [9]. Ibrahim J. *Teori dan Metodologi Penelitian Hukum Normatif*. Surabaya: Bayumedia; 2008.
- [10]. Moegiarso S. *Siaran Pers No. HM.4.6/201/SET.M.Ekon.3/12/2020 Pemerintah Turun ke Daerah Sosialisasikan UU Cipta Kerja: Bahas Sektor Pertanahan, Tata Ruang, PSN, KEK, Informasi Geospasial, Pertanian, Kelautan & Perikanan*. Mataram; 2020.
- [11]. DA AT. *Hukum Online*. 2021 [cited 2025 Nov 1]. 4 Penyempurnaan Substansi UU Pengadaan Tanah melalui UU Cipta Kerja. Available from: <https://www.hukumonline.com/berita/a/4-penyempurnaan-substansi-uu-pengadaan-tanah-melalui-uu-cipta-kerja-lt60dad3643374/>
- [12]. Dewi AM. Dinamika Pengaturan Kriteria Pengalihfungsian LP2B sampai dengan Berlakunya Undang-Undang Cipta Kerja. *Refleks Huk J Ilmu Huk*. 2022 Dec;7(1):83–102.
- [13]. Widiaryanto P. Rasionalitas Kebijakan Konsepsi Hutan dan Penghapusan Batas Minimal Kawasan Hutan 30 Persen. *Gema Publica*. 2020 Oct;5(2):140–55.
- [14]. Nugroho AW. Membaca Arah Perubahan Kehutanan Pasca Terbitnya Undang-Undang Cipta Kerja. *J Huk Lingkung Indones*. 2021 Sep;7(2):275–96.
- [15]. Nugroho AW, Kurniawati IA. Penyelesaian Kasus Wadas di Jawa Tengah oleh Pemerintah melalui Putusan MA No.482 KTUN. *J Mediasi* [Internet]. 2024;3(1). Available from: <https://jurnalilmiah.org/journal/index.php/mediasi/article/view/749>
- [16]. Sharon G, Hutama BA, Hudiyarhma AR, Yustitiantingtyas L. Depiction of Public Interest Theory Based on Welfare Economic Concept in Indonesia Regulation. *Yustisia*. 2022;11(2):136–56.
- [17]. Gallantry T, Hidayat Y, Wasitaatmadja FF. Penerapan Prinsip Keadilan Dalam Pengadaan Tanah Untuk Kepentingan Umum Menurut Hukum Tanah Nasional dan Hukum Islam. *J Magister Ilmu Huk*. 2021;VI(1):62–78.
- [18]. Hartono MD, Reswanto H, Nike D, Farikhati N, Pratama A, Wardanti UP, et al. Dampak Proyek Strategis Nasional terhadap Hak Asasi Manusia [Internet]. Jakarta; 2024.



Available from: [https://www.komnasham.go.id/files/20241204-dampak-proyek-strategis-nasional-\\$7T3AO.pdf](https://www.komnasham.go.id/files/20241204-dampak-proyek-strategis-nasional-$7T3AO.pdf)

- [19]. Miswadi RK. The Rights of Non-Landowner Communities in the National Strategic Project of Bener Dam (Case Study of Wadas Village, Purworejo, Central Java). *Law Soc Rev.* 2025;5(2):1543–73.
- [20]. Shufi Dahlan AA, Sihotang E, Ketut Wiratny N. Legal Protection For The Public Regarding the Amount of Compensation in Land Acquisition Activities for Development in the Public Interest. *J Soc Res.* 2025 Feb;4(3):317–24.
- [21]. Anggraeni DD, Budiyo T. Kajian Yuridis Kerjasama Pemerintah dengan Badan Usaha dalam Pengadaan Tanah untuk Pembangunan Infrastruktur. *Aleth J Ilmu Huk.* 2023;6(2):100–17.
- [22]. Wardana AA, Koeswahyono I, Permadi I, Prasetyo ND. Reconceptualization of Land Acquisition Regulations for Tourism Village Development Based on the Principle of Public Interest. *J IUS Kaji Huk dan Keadilan.* 2025;13(2):406–28.
- [23]. Mariane I, Sumanto L, Probondaru IP, Idris SH binti. Problems of Converting Agricultural Land and the Need to Anticipate Its Control After the Enactment of the Job Creation Law. *Volkgeist J Ilmu Huk dan Konstitusi.* 2024 Jun;VII(1):177–98.
- [24]. Adiyanti NP, Fathurrahman R. Assessing Critical Success Factors for PPP Water Project in Indonesia: Lessons from West Semarang. *Policy Gov Rev [Internet].* 2021 Apr 12;5(2):164. Available from: <https://journal.iapa.or.id/pgr/article/view/372>
- [25]. Wijaya T. Conditioning a Stable Sustainability Fix of ‘Ungreen’ Infrastructure in Indonesia: Transnational Alliances, Compromise, and State’s Strategic Selectivity. *Pacific Rev.* 2022 Sep;35(5):821–52.
- [26]. Hudalah D, Octifanny Y, Talitha T, Firman T, Phelps NA. From Metropolitanization to Megaregionalization: Intentionality in the Urban Restructuring of Java’s North Coast, Indonesia. *J Plan Educ Res.* 2024 Mar;44(1):292–306.
- [27]. Salim W, Dharma Negara S. Infrastructure Development under the Jokowi Administration: Progress, Challenges and Policies. *Southeast Asian Econ.* 2018 Dec;35(3):386–401.
- [28]. Risky S, Al-Fatih S, Esfandiari F, Anoraga S. Repositioning Delegated Authority and Binding Power of Ministerial Regulations in Indonesia. *J Huk Ius Quia Iustum.* 2025 Jul;32(2):287–308.
- [29]. Simangunsong AF. Pengadaan Tanah untuk Pembangunan Ibu Kota Nusantara: Catatan Menurut Teori Keadilan Sosial John Rawls. *J Pertanah.* 2023;13(1):67–84.
- [30]. Santoso U. Penyelesaian Sengketa dalam Pengadaan Tanah untuk Kepentingan Umum. *Perspektif.* 2016 Sep;21(3):188–98.
- [31]. Bukido R, Lahilote HS, Irwansyah I. Pengawasan terhadap Bank Tanah: Urgensi, Kewenangan, dan Mekanisme. *Undang J Huk.* 2021 Jun;4(1):191–211.
- [32]. Aji SB, Khudi AF. Indonesia’s National Strategic Project, Displacement, and the New Poverty. *J Southeast Asian Hum Rights.* 2021 Dec;5(2):136.
- [33]. Prasetyo DE, Yusuf Y. Peran Aktor Kebijakan Dalam Pembangunan pada Proyek Strategis Nasional (PSN) Kawasan Ekonomi Khusus Rempang Eco-City dan Dampaknya. *J Inov Pembang - Kelitbang.* 2024;12(03):1–9.
- [34]. Zakie M. Tarik Ulur Kewenangan Pusat dan Daerah dalam Penataan Ruang Proyek Strategis Nasional. In: *Prosiding Seminar Hukum Aktual Problematika Kemudahan*



- Proyek Strategi Nasional: Konflik Norma dan Tantangan Kesejahteraan [Internet]. 2024. p. 111–6. Available from: <https://journal.uui.ac.id/psha/article/view/30963>
- [35]. Ombudsman. Ombudsman RI. 2024 [cited 2025 Nov 1]. Ombudsman RI Temukan 4 Pelanggaran Proyek Rempang Eco-City. Available from: <https://ombudsman.go.id/artikel/r/pwkmedia--ombudsman-ri-temukan-4-pelanggaran-proyek-rempang-eco-city>
- [36]. Fatmawati L. Peran Investasi terhadap Kebijakan Proyek Strategis Nasional: Rempang Eco City dan Implikasinya terhadap Lingkungan. *Indones Res J Educ.* 2024;4(1945–1952).
- [37]. Nobel A, Larasati NP. Inovasi Pembiayaan Tanah untuk Proyek Jalan Tol yang Termasuk dalam Proyek Strategis Nasional dengan Mempergunakan Mekanisme Dana Talangan. *J HPJI.* 2017;3(2):139–48.
- [38]. Adawiyah R, Taupiqqurrahman T. Problematika Pendanaan Pengadaan Tanah Proyek Strategis Nasional Melalui Konsinyasi Pengadilan Negeri. *Al Qalam J Ilm Keagamaan dan Kemasyarakatan.* 2023;17(6):4037–48.