



# Client Alert

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## NEW REGULATION ON ABANDONED AREAS AND ABANDONED LAND

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## NEW REGULATION ON ABANDONED AREAS AND ABANDONED LAND

### RELATED PEOPLE



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The Government of the Republic of Indonesia (“Government”) has issued the Government Regulation No. 48 of 2025 regarding the Regulation of Abandoned Areas and Abandoned Land (“GR 48/2025”), which revokes and replaces the Government Regulation No. 20 of 2021 regarding the Regulation of Abandoned Areas and Abandoned Land.

Although the regulation of abandoned land is not a new concept under Indonesia's land law framework, GR 48/2025 expands the scope of the existing regime by introducing the concept of abandoned areas (*kawasan telantar*) as an object of regulation. This development reflects the Government's efforts to promote the productive use of land and land-based areas and to discourage the holding of land that is not followed by actual development, utilization, or business activities.

The following are several key provisions under GR 48/2025:

#### 1. Introduction of Abandoned Areas as an Object of Regulation

One of the most significant aspects of GR 48/2025 is the introduction of provisions concerning abandoned areas. GR 48/2025 defines an abandoned area as a non-forest areas that have not been encumbered with land rights and for which a license, concession, and/or business license has been issued, whether such license, concession, and/or business license remains valid or has expired, and which are intentionally not cultivated, not used, and/or not utilized.

GR 48/2025 provides that abandoned areas subject to regulatory action include:

- a. mining areas;
- b. plantation areas;
- c. industrial areas;
- d. tourism areas;
- e. large-scale or integrated housing and residential areas; and

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- f. other areas whose development, use, and/or utilization is based on a license, concession, or business license relating to the use of land and space.

With the enactment of GR 48/2025, the scope of regulation is no longer limited to land that has been granted land rights. Areas controlled under a license, concession, or business license may also become subject to regulatory action if they are not developed, used, or utilized in accordance with their intended purpose.

## **2. Reaffirmation of the Regulation of Abandoned Land**

In addition to regulating abandoned areas, GR 48/2025 maintains the existing framework governing abandoned land. Abandoned land includes land subject to land rights, management rights, and land acquired based on a basis of land control that is intentionally left undeveloped, unused, unutilized, and/or unattended.

Accordingly, holders of land rights are expected not only to hold such rights from an administrative perspective, but also to demonstrate actual utilization of the land in accordance with the purpose for which the rights were granted.

This framework reflects the principle that ownership or control of land is not assessed solely on the basis of legal entitlement. Land right holders are also expected to develop, use, and utilize the land consistently with the purpose of the relevant land rights and applicable laws and regulations.

## **3. Regulation of Abandoned Areas and Abandoned Land**

GR 48/2025 authorizes the Government to conduct an inventory, identification, research, and evaluation of land and areas suspected of being abandoned. Through this process, the Government may assess whether the relevant land or area is being utilized in accordance with the purposes underlying the applicable land rights, licenses, concessions, or business licenses.

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Following the evaluation process, any land or area determined to meet the criteria for abandoned land or an abandoned area may be designated by the Government as an object of regulation in accordance with the procedures set out in GR 48/2025.

The designation of land or an area as abandoned carries substantial legal implications. Where land is designated as abandoned land, the relevant land rights or form of land control may be revoked, causing the land to revert to direct state control. In addition, land or areas that have been designated as abandoned may subsequently be allocated and utilized by the state for national development, strategic government programs, food security initiatives, and other public interests.

### **Implications for Business Actors**

GR 48/2025 reflects the Government's continued emphasis on ensuring that land and licensed areas are utilized productively and in accordance with their intended purposes. With the regulatory framework now expressly covering abandoned areas in addition to abandoned land, business actors should closely monitor land assets, concessions, and operational areas that are not actively developed, used, or utilized.

Businesses holding land rights, concessions, or business licenses should carefully evaluate whether the relevant land or areas are being utilized as intended. Failure to actively develop, use, or utilize such land or areas may increase the risk of them being identified as abandoned and becoming subject to regulatory measures under GR 48/2025.

This Client Alert is provided for general informational purposes only and does not constitute legal advice. Please contact us should you require further information regarding GR 48/2025.

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For further information regarding the above Client Alert and future updates, please contact our counselors at:

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