INTERNATIONAL JOURNAL of OIL PALM

ISSN: 2599-3496 print
ISSN: 2614-2376 online

Volume 9, Number 1, 2026
Page 8–19
DOI: 10.35876/ijop.v9i1.158

Metamorphosis of Palm Oil Settlement in Forest Areas: Policy Trajectories after Government Regulation Number 45 of 2025

Felix Aglen Ndaru

Jaga Alam Raya Indonesia (JARI) and Policy Center of Association of University of Indonesian Graduates (ILUNI UI), Indonesia

ABSTRACT

Palm oil is a strategic commodity that supports Indonesia's economy. One of the problems in palm oil governance is the overlap between forest areas and palm oil plantations. This problem has caused Indonesian palm oil to receive a negative response in the international market, prompting the government to formulate a resolution policy since 2010. On September 19, 2025, the government released the latest policy through Government Regulation Number 45 of 2025 on Amendments to Government Regulation Number 24 of 2021 on Procedures for Imposing Administrative Sanctions and Procedures for Non-Tax State Revenue from from Administrative Fines in the Forestry Sector. This policy has caused concern because it deemed detrimental to palm oil industry. The study applies a normative juridical method and attempts to analyze the new contents of Government Regulation Number 45 of 2025 to identify policy recency. The study identifies four substantial provisions in Government Regulation Number 45 of 2025, namely the strengthening of Forest Area Control Task Force; revision of the formula for calculating administrative fines; "repossession" of forest areas; and the removal of the legality of continuing operations in Article 110B scheme. There are three crucial issues that have the potential to cause legal uncertainty, namely the lack of clarity on follow-up actions after "repossession" in conservation and protected forests; the weak principle of enforceability of administrative sanction decisions; and the lack of clarity on the agency that manages non-tax state revenue from administrative fines. The study recommends the government to intensify "repossession" in conservation and protected forests and restore the ecosystems; establish a system for delivering administrative sanction decisions that can be immediately accepted by legal subjects; and appoint an agency to manage non-tax state revenue from administrative fines.

Keywords: administrative fines, forest area, palm oil, repossession.

INTRODUCTION

Indonesia is the world's largest palm oil producer, with 16.83 million hectares and 46.82 million tons production in 2022. Indonesia is also the world's largest exporter of crude palm oil (CPO), accounting for more than 55% of total world exports (Ministry of Agriculture 2024). In 2023, the palm oil industry's contribution to the state budget reached IDR 88 trillion, consisting of IDR 50.2

*Corresponding author:
Jaga Alam Raya Indonesia (JARI)
and Policy Center of Association of University of Indonesian Graduates (ILUNI UI), Indonesia
Email: felixaglen@gmail.com

trillion in tax revenue, IDR32.4 trillion in non-tax state revenue, and IDR6.1 trillion in export duties (Saptati 2024).

One of the problems in palm oil governance is the overlap between forest areas and palm oil plantations. There are two typologies of this phenomenon. First, there are palm oil plantations operating in areas that have long been designated as forest areas. Second, palm oil plantations were established before the forest area was designated (Supriyono 2024). National Reconciliation of Palm Oil Data 2019 from the Ministry of Agriculture indicates that there are 3.372.615 hectares of palm oil plantations in forest areas (Violetta 2021). The government also identify 4,2 million hectares illegal mining operations in forest areas (Naibaho 2025).

Palm oil legality is a hot topic in the international market. Non-tariff barriers exist, most of which involve the issuance and enforcement of regulations in export destination countries, which tend to be discriminatory, and some involve negative campaigns. Indonesian government strives for international recognition of Indonesia Sustainable Palm Oil/ISPO (Sulaiman *et al.* 2024).

To formulate the resolution to guarantee legal legitimacy, the government has issued policies, starting with Government Regulation Number 10 of 2010 on Procedures for Changing the Designation and Function of Forest Areas (GR 10/2010), GR Number 60 of 2012 on Amendments to GR 10/2010 (GR 60/2012), GR Number 104 of 2015 on Procedures for Changing the Designation and Function of Forest Areas (GR 104/2015), Law Number 11 of 2020 on Job Creation (Law 11/2020) in conjunction with GG Number 24 of 2021 (GR 24/2021) jo. Law Number 6 of 2023 (Job Creation Law), and all these policies were finally metamorphosed into GR Number 45 of 2025 on Amendments to GR 24/2021 (GR 45/2025). GR 24/2021 is the implementing regulation of Articles 110A and 110B of Law Number 18 of 2013 on the Prevention and Eradication of Forest Destruction (Anti-Forest Destruction Law) jo. Job Creation Law. The policy is expected to resolve all developed activities in forest areas without forestry permits (developed activities), but the Ombudsman’s report shows the implementation of GR 24/2021 has been slow because 93.84 percent of legal subjects have not yet been processed (Ombudsman 2024).

The government then passed GR 45/2025 as a “panacea policy” which expected to correct previous policies. However, this GR immediately caused concern among palm oil industry. This regulation is considered to increase the burden due to heavy fines, potentially crippling the palm oil sector, especially for farmers and medium-sized businesses, and disrupting legal certainty and investment climate (Manurung 2025). It is important to examine GR 45/2025 to identify policy breakthroughs in strengthening palm oil and natural resource governance. This study aims to compare GR 45/2025 with GR 24/2021 to analyze the latest policy offered. Thus, the question in this study is how the policy on settlement of plantation, mining, and other activities in forest area will be implemented after the issuance of GR 45/2025.

MATERIALS AND METHODS

This study is normative-juridical, namely legal research that examines aspects of positive law. The study analyses laws and regulations relevant to the problem under study, namely GR 45/2025 and other relevant regulations. The focus of this study is norm system. The technique used in data analysis is content analysis, a method for understanding the content of text. Content analysis is used to analyse regulations, contracts, court verdict, and policy.

RESULTS AND DISCUSSION

There are three categories of forest areas in Indonesia: conservation forests, protected forests, and production forests. Based on GR Number 23 of 2021 on Forestry Implementation (GR 23/2021), conservation forests have the primary function of preserving plant and animal diversity and their ecosystems; protected forests have the primary function of protecting life support systems to regulate water management, prevent flooding, control erosion, prevent seawater intrusion, and maintain soil fertility; and production forests have the primary function of producing forest products. Production forests were previously divided into three categories: limited production forests, permanent production forests, and convertible production forests. With the issuance of GR 23/2021, production forests are now divided into two categories: permanent production forests and convertible production forests. The settlement of activities in forest areas is a complex issue for which policy solutions continue to be sought. The government has issued various legal/policy products.

Table 1 Sequence of Policies for Developed Activities Settlement in Forest Areas

No.	Policy Products	Explanation
1.	GR 10/2010	The release of forest areas for plantation, and businesses must submit replacement land maximum 12 months.
2.	GR 60/2012	Settlement of palm oil plantations maximum six months: in convertible production forest: given release; in limited production forests or permanent production forests: forest area exchange scheme.
3.	GR 104/2015	The settlement of palm oil plantations maximum one year: in convertible production forest: given release; in limited production forests or permanent production forests: forest area exchange scheme; in conservation/protected forest: permit to continue business.
4.	Job Creation Law jo. GR 24/2021	Article 110A applies to palm oil plantations which have location permit/plantation business permit (including a cultivation registration certificate) and align with the spatial plan issued by the authority at the time the business was first established and/or operated; Article 110B applies to plantations, mining, and other activities, subject to administrative fines.
5.	GR 45/2025 jo. Presidential Regulation Number 5 of 2025 on Forest Area Order (PR 5/2025)	Establishing Forest Area Order Task Force and the “repossession” instrument.

Source: Author's recapitulation.

There Basically, plantation activities are non-forestry activities. Non-forestry development in forest areas is regulated by Article 38 verse (1) of Law Number 41 of 1999 on Forestry (Forestry Law), which reads: “*The use of forest areas for development purposes outside of forestry activities can only be carried out in production forest areas and protected forest areas*.” Regulation of the Minister of Environment and Forestry Number 7 of 2021 on Forestry Planning, Changes in the Designation and Function of Forest Areas, and the Use of Forest Areas (MR 7/2021), which is a derivative of Forestry Law and GR 23/2021, regulates the use of forest areas for plantation activities. Article 274 of MR 7/2021 stipulates that: "*Development interests outside of forestry activities as referred to in Article 273 verse (1) include supporting facilities, namely: ... s. plantations.*"

Regarding palm oil plantation in forest areas, it is necessary to distinguish between normal schemes and developed activities schemes. Palm oil plantations in forest areas under normal schemes can be performed with release approval. Releases can only be granted in convertible production forest.

Activities carried out prior to November 2, 2020 (the enactment date of Law 11/2020) shall be completed in accordance with the principle of *ultimum remedium* as stipulated in Articles 110A and 110B. Article 110A is specifically intended for palm oil plantation and sets a three-year deadline for processing, namely until November 2, 2023, and requires the payment of forest resource provisions and reforestation funds.

Meanwhile, Article 110B applies to plantation, mining, and other activities involving oil and gas, geothermal energy, fish farming, agriculture, settlements, nature tourism, industry, and/or facilities and infrastructure. The following administrative sanctions shall be imposed: temporary suspension of business activities; administrative fines; and/or government coercion. Thus, palm oil plantation that do not have location permits and/or plantation business license and do not align with spatial plans are resolved under the provisions of Article 110B. It should also be emphasized that all activities in forest areas without forestry permits after November 2, 2020, constitute criminal offenses and are subject to criminal sanctions. Job Creation Law and GR 24/2021 also regulate the settlement of community activities. Article 41 verse (1) of GR 24/2021 stipulates that: "In the case of business activities within the Forest Area that do not have a forestry permit as referred to in Article 3 verse (3) are carried out by individuals who have resided in and/or around the Forest Area for at least 5 (five) consecutive years with a maximum area of 5 (five) hectares, shall be exempted from Administrative Sanctions and resolved through Forest Area restructuring." This affirmative policy is continued by GR 45/2025.

Community plantations are not subject to administrative sanctions, but are resolved through forest area management, which may take the form of social forestry; agrarian reform; or changes in the designation and function of forest areas. Based on the provisions of Article 41 verse (1) of GR 24/2021, there are three criteria for individuals to obtain a settlement through forest area restructuring, namely: residing in and/or around the forest area; residing in and/or around the forest area for at least five consecutive years; and controlling a maximum five hectares of forest area.

To implement Job Creation Law and GR 24/2021, the Minister of Environment and Forestry has issued a Decree on Data and Information on Developed Activities in Forest Areas without Forestry Permits, from Phase 1 to Phase 24, with 7.818 legal subjects, including corporations, government agencies, community groups, and individuals. Data from the Ministry of Forestry shows that the implementation of GR 24/2021 in 2025 has resulted in forest resource provisions payments Rp330.039.608.031; reforestation funds USD83.391.951; and administrative fines Rp1.133.842.287.704. The policy for resolving developed activities continues to metamorphose. On January 21, 2025, PR 5/2025 was issued to accelerate the resolution of mining, plantation, and/or other activities within forest areas. PR 5/2025 mandates the formation of the Forest Area Order Task Force, consisting of a Steering Committee chaired by Minister of Defense and an Executive Committee chaired by Deputy Attorney General for Specific Crimes of Attorney General's Office. By August 2025, the Task Force has repossesed 3.325.133 hectares of forest area planted with palm oil. The Task Force has also identified 4.265.376 hectares of illegal mining in forest area (Yaputra 2025). On September 19, 2025, GR 45/2025 was issued, transforming GR 24/2021. In general, GR. 45/2025 offers recent policy input, namely in Table 2.

Table 2 Latest Provisions of GR 45/2025

No.	**Provisions**	**Explanation**
1.	Strengthening the role of Forest Area Order Task Force	The authority of the Task Force includes: inventorying data and information on developed activities, providing recommendations to the Minister for administrative sanctions, receiving reports of administrative fines payment, providing recommendations for the revocation of business licenses, conducting repossession, and handover repossessed areas to state-owned enterprises (SoEs), requesting the authorities to freeze assets, and requesting the immigration ministry to prevent persons from leaving the country.
2.	Revision of administrative fines formula	In GR 24/2021, administrative fines are calculated based on profits. Currently, the fine rates are set by sectoral ministries/institutions. For example, the fine rate for plantation activities is determined by Ministry of Agriculture, which is IDR25 million per hectare.
3.	Repossession of forest area	Repossession is an action taken by the central government to save and regulate control of forest areas.
4.	The removal of continuing business under the provisions of Article 110B	Although the legal subject has paid the administrative fine, the forest areas are repossessed.

Source: GR 45/2025.

The enactment of GR 45/2025 has changed the stages of resolving developed activities. Settlement is no longer dominated by the Minister (Minister of Forestry) but involves the Task Force. In addition, GR 45/2025 expands the involvement of several ministries/ institutions, The Attorney General's Office plays a role in reviewing fines, collecting administrative fines, seizing assets, and auctioning seized goods through the state auction office. Financial and Development Supervisory Agency is responsible for reviewing fine rates. Regulating Body of SoEs is tasked with appointing SoEs to manage plantation, mining, and/or other activities. Sectoral ministries/agencies are responsible for determining fine rates. The study compares the differences for administering Article 110B and Article 110A between GR 24/2021 and GR 45/2025 as follows in Table 3. For legal subject that have paid forest resource provisions and reforestation funds under Article 110A, the Minister grants permit in the form of release if activities in production forests or approval to continue business and/or cooperation if activities in conservation/protected forest areas. Approval to continue business is valid for one cycle (15 years from the planting period). Meanwhile, cooperation is carried out if palm oil plantation overlaps with forestry permits in production forest areas. The cooperation is carried out for one cycle (maximum 25 years from the period). For the Article 110B scheme, there is a notable change in the process. The outcome is no longer the issuance of legality, but rather a repossession.

Table 3 Comparison of GR 24/2021 and GR 45/2025 (Article 110A)

No	Process	GR 24/2021	GR 45/2025
1.	Inventory of data and information on developed activities	Conducted by the Minister.	Conducted by the Minister and/or Task Force.
2.	Determination of data and information on developed activities	Determined by the Minister.	*Ibid*.
3.	Notification of fulfillment of permit requirements	Conducted by the Minister.	*Ibid*.
4.	Submission of application for completing requirements	Legal subject submits application to the Minister.	*Ibid*.
5.	Application verification	The Minister verifies administrative and technical requirements.	*Ibid*.
6.	Issuance of forest resource provisions and reforestation funds payment order	The Minister issued a letter ordering the payment.	*Ibid*.
7.	Payment of forest resource provisions and reforestation funds	Legal subject reports the payment to the Minister.	*Ibid*.
8.	Issuance of forestry permits	Issued by the Minister.	*Ibid*.
9.	Imposition of administrative sanctions if requirements are not fulfilled within three years	Sanctions may include administrative fines and/or revocation of business licenses determined by the Minister. Payments must be deposited into state treasury within 6 months. Proof of payment shall be reported to the Minister. The revocation of business licenses shall be carried out by the license issuer based on the Minister's recommendation within 30 working days.	Sanctions may take the form of administrative fines and/or other action determined by the Minister based on the recommendations of the Task Force. Payment of administrative fines must be deposited into state treasury within 30 days. Proof of payment shall be reported to the Minister and/or the Task Force. The revocation of business licenses shall be carried out by the issuer based on recommendations from the Minister and/or the Task Force within 10 working days.

Source: GR 24/2021.

The study also identified three crucial issues that require further exploration to obtain legal certainty. The first issue is that GR 45/2025 requires all forest areas that have been repossessed to be released. There are unanswered questions: what if the repossessed forest is conservation or protected forest? Shall those forest area still be released? GR 45/2025 does not provide a policy option that repossession should also be followed by ecosystem restoration, as has been done by the Task Force in Tesso Nilo and Gunung Leuser National Park.

Table 4 Comparison of GR 24/2021 and GR 45/2025 (Article 110B)

No	GR 24/2021		GR 45/2025	
	Process	**Explanation**	**Process**	**Explanation**
1.	Inventory of data and information on developed activities	Conducted by the Minister.	Inventory of data and information on activities carried out	Conducted by the Minister and/or Task Force.
2.	Determination of data and information on developed activities	Determined by the Minister.	Determination of data and information on established activities	*Ibid*.
3.	Data and information verification and validation	Conducted by the Minister based on data and information contained in the Ministerial Decree.	Data and information verification and validation	Conducted by the Minister involving the Task Force based on data and information contained in the Ministerial Decree.
4.	Determination of administrative sanctions	Administrative sanctions in the form of temporary suspension of business, administrative fines, and/or government coercion.	Determination of administrative sanctions	Administrative sanctions include temporary suspension of business, administrative fines, government coercion, and/or repossession.
5.	Enforcement of administrative sanctions	Payments can be made in installments for a maximum 12 months in current fiscal year. The Minister supervises the compliance of administrative sanctions.	Enforcement of administrative sanctions	Payment must be made no later than 30 days after the issuance of the order. If payment is not made, government enforcement may be applied.
6.	Issuance of permits	The Minister grants legality in the form of approval for forest area use, facilitation of cooperation, or orders for the return of areas.	Repossession	Repossession is followed up with forest area release and/or designation of status as state property.
7.	-	-	Business continuation	Assignment of SOEs to manage plantations, mining, and/or other activities.
8.	Government coercion	Applied if the legal subject does not pay administrative fine.	Government coercion	*Ibid*.

Source: GR 24/2021.

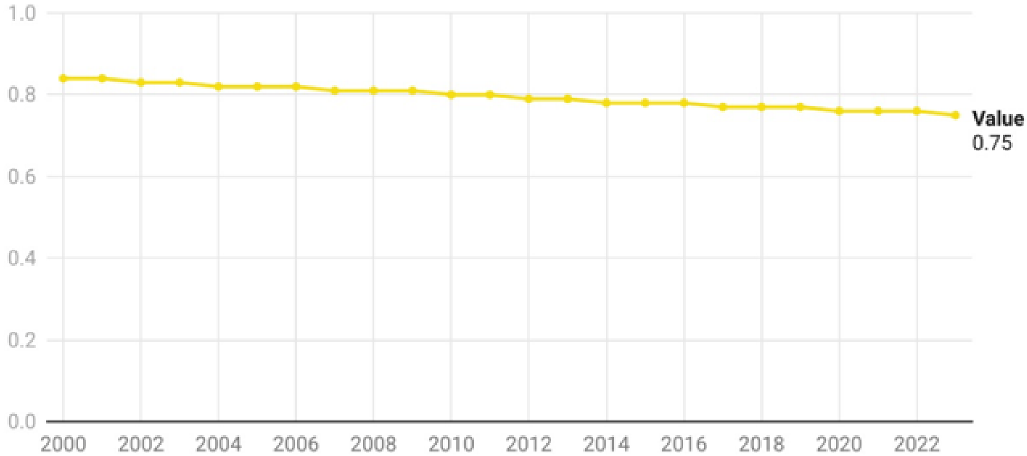
GR 45/2025 should differentiate conservation/protected forests and production forests. Conservation/ protected forests must continue to be preserved, and even be expanded. Conservation/protected forests can juridically be released, but their function must first be changed to convertible production forest. If conservation/ protected forests are also released, it will increase ecological disasters, ecosystem fragmentation, biodiversity loss, and exacerbate climate change. Data shows that conservation and protected forests in Indonesia has been decreasing, as outlined in Table 5.

Table 5 Indonesian Forest Area 2017–2024 (Millions of Hectares)

No	Forest Functions	2017	2019	2020	2023
1.	Conservation	22,1	21,9	21,8	21,8
2.	Protected	29,7	29,6	29,5	29,2
3.	Limited production	26,8	26,8	26,8	26,7
4.	Permanent production	29,2	29,2	29,2	29,1
5.	Convertible production	12,8	12,8	12,7	11,08
	Total	120,6	120,3	120,26	118,1

Source: The State of Indonesia's Forest (SOIFO) 2018, 2020, 2022, and 2024

Indonesia is the country with the second highest level of biodiversity in the world (Shmelev 2025). Indonesia is home to 720 mammal species (more than 13% of mammal species in the world), 1.605 bird species (about 16% of the total species in the world), 385 amphibian species (about 6% of the world's amphibian species), 723 reptile species (8% of the world's reptile species), and 1.248 freshwater fish species (8,9% of the world's freshwater fish species) (Maskun *et al.* 2021). In Southeast Asia and South Asia, Indonesia contributes the most endangered species. There are 2.432 endangered species in Indonesia, ranging from mammals and plants to fungi (Oktavianto 2024). The red list index (RLI) also shows that Indonesia's biodiversity is becoming more vulnerable.



Source: Sustainable Development Report of Indonesia 2023 quoted from Azzahra 2024.

Figure 1 RLI Indonesia 2000 – 2022

RLI describes the threat of biodiversity extinction through changes in threat status and species loss, based on International Union for Conservation of Nature (IUCN) data. RLI ranges from 0 to 1, with 0 indicating extinct status or that all species are extinct, and 1 indicating least concern status or very low risk of extinction. Indonesia has experienced a decline in its index value, indicating an increase in the extinction of biodiversity. The government needs to intensify repossession in conservation and protected forests for ecosystem restoration, even though GR 45/2025 does not regulate this.

The second issue highlights the decision binding principles adopted in GR

45/2025. Article 30 verse (3) and Article 35 verse (5) of GR 45/2025 state that administrative fines must be paid no later than 30 days after the issuance of payment order. This provision may deviate from the principle of decision binding because it uses the period since the decision was issued, rather than the period since the decision was received. This provision had already been applied by GR 24/2021, which stipulated that administrative fines must be paid within 6 months from the date of imposition. In accordance with the principle of administrative governance, government officials are required to deliver decisions to the parties adressed. With the acceptance by the intended party, the decision has binding force. Principles for receiving the decision is regulated in Articles 60 and 61 of Law Number 30 of 2014 on Government Administration (Government Administration Law):

"*Article 60*
(1) A decision shall be binding upon its announcement or upon its receipt by the parties in the Decision.
(2) In the event of a difference in the time of announcement by the recipient, the Decision shall be binding upon its receipt.
(3) *In the event of a discrepancy in the proof of time of receipt between the sender and the recipient, the binding of the Decision shall be based on the proof of receipt held by the recipient of the Decision, unless otherwise proven by the sender*."

"*Article 61*
(1) Every Decision shall be delivered by the Agency and/or Government Official to the parties mentioned in the Decision."

Based on Articles 60 and 61 of Government Administration Law, it can be concluded that administrative decisions, state administrative decisions, or state administrative decisions must be received by the addressee to be binding. To ensure fairness for legal subjects, the government is required to deliver the decision as soon as possible after the issuance. For some legal subjects, 30 days may be too short to pay administrative fines, especially since GR 45/2025 does not allow legal subjects to make installments. An extension of time is needed to pay administrative fines, for example, for companies experiencing liquidity problems. The government can deliver decisions electronically to accelerate the process. This is regulated in Article 62 of Government Administration Law:

"*Article 62*
(1) Decisions may be delivered by registered mail, courier, or electronic means.
(2) The decision referred to in verse (1) must be immediately delivered to the relevant party or maximum 5 (five) working days of its enactment.
(3) Decisions intended for the public or of a mass nature shall be delivered maximum 10 (ten) working days of their enactment.
(4) Decisions announced through print media, electronic media, and/or other media shall take effect maximum 10 (ten) working days from the issuance.
(5) In the event of a problem with delivery as referred to in verse (4), the relevant Agency and/or Government Official must provide proof of the date of delivery and receipt."

The third issue is the removal of the provision ascertaining that administrative fine is non-tax state revenue (NTSR) of Ministry of Forestry. This provision has serious implications, namely uncertainty regarding which agency that will manages NTSR. It is necessary to appoint an agency for each type of NTSR, as there are several obligations to ensure. Law Number 9 of 2018 on Non-Tax State Revenue (NTSR Law) outlines the obligations of NTSR mana-agency.

Table 6 Obligations of NTSR Management Agencies

No.	Article	Obligation
1.	Article 17 verse (2)	Prepare and submit proposals for the types and rates of NTSR; propose the use of NTSR funds; prepare and submit a NTSR plan for the preparation of the state budget bill and/or revised state budget; collect and deposit NTSR into state treasury; implement the budget sourced from the NTSR fund allocation; manage NTSR receivables; prepare and submit NTSR accountability report; appoint an official to manage NTSR; and carry out other duties regarding NTSR.
2.	Article 27 verse (1)	Verify the receipt of NTSR calculated by the payers.
3.	Article 36 verse (1)	Determining NTSR payable in the event of underpayment.
4.	Article 37 verse (1)	Issue and deliver NTSR invoices to payers if there are outstanding NTSR.
5.	Article 45 verse (1)	Conducting internal oversight of NTSR management.
6.	Article 53 verse (1)	Provide, present, and/or submit documents, information, and/or other evidence requested by the examining agency.
7.	Article 56	If there is a shortfall in NTSR payments, shall follow up by issuing and delivering a letter of determination of NTSR underpayment and a NTSR invoice to the payer. If there is an overpayment, shall issue a NTSR overpayment letter and deliver notification to the payers.
8.	Article 58 verse (1)	Receiving objection files from payers regarding: NTSR assessment letters for underpayment; NTSR assessment letters for zero payment; or NTSR assessment letters for overpayment.
9.	Article 59 verse (3)	Issue a decision on the objection maximum 6 months after the objection letter and supporting documents received completely.
10.	Article 62 verse (1)	Receiving documents requesting relief from NTSR owed by payers.
11.	Article 63 verse (2)	Receiving files requesting refunds for overpayments of NTSR submitted by payers.

Source: NTSR Law.

There is still uncertainty as to whether administrative fines will become NTSR for Ministry of Forestry, NTSR for the Attorney General's Office, or NTSR for other agencies. Based on Article 44 verse (2) GR 45/2025, the state attorney is responsible for collecting administrative fines, seizing assets, and auctioning off seized goods through the state auction office in cases where administrative fines are not paid after assets have been seized. This absurdity can lead to mismanagement, for example, who will prepare and submit NTSR plan to Ministry of Finance; who will manage NTSR receivables; who will prepare and submit NTSR accountability report; and who will receive requests for objections, relief, or refunds of NTSR from taxpayers? This issue needs to be mitigated immediately by the government by determining which agency is designated to manage the NTSR.

CONCLUSION

The study identifies four new provisions in GR 45/2025, namely strengthening the role of the Forest Area Order Task Force; revising the administrative fine formula; introducing instruments for repossessing forest areas; and removing the legality of continuing business under the provisions of Article 110B. There are three crucial issues that have the potential to cause legal uncertainty, namely the lack of clarity on follow-up actions for repossession in conservation and protected forests; the weak principle of enforceability of administrative sanction decisions; and the lack of clarity on the agency that manages NTSR from administrative fines. There are three research recommendations for the government, namely to intensify the repossession of conservation forests and protected forests for ecosystem restoration; to develop a system for delivering administrative sanction quickly to legal subjects; and to appoint an agency to manage NTSR.

REFERENCES

Azzahra S. 2024. *High Indonesian RLI Value: How Did Biodiversity Extinction Occur?"* zonaebt. https://zonaebt.com/high-indonesian-rli-value-how-did-biodiversity-extinction-occur/.

Manurung JW. 2025. *Palm oil fines of Rp25 million per hectare in accordance with Government Regulation No. 45/2025 draw attention. Antara Kalteng*. https://kalteng.antaranews.com/berita/782857/denda-sawit-rp25-juta-per-hektare-sesuai-pp-no452025-tuai-sorotan.

Maskun, Assidiq H, Habaib N, Mukarramah A, Nurhaliza S, and Bachril. 2021. Threats to the sustainability of biodiversity in Indonesia by the utilization of forest areas for national strategic projects: A normative review. *IOP Conf. Series: Earth and Environmental Science*. 886: 012071. doi: 10.1088/17551315/886/1/012071.

Ministry of Agriculture. 2024. *Outlook for Palm Oil Plantation Commodities*. Jakarta: Ministry of Agriculture.

MoEF. 2018. *The State of Indonesia's Forests 2018*. Jakarta: MoEF.

MoEF. 2020. *The State of Indonesia's Forests 2020*. Jakarta: MoEF.

MoEF. 2022. *The State of Indonesia's Forests 2022*. Jakarta: MoEF.

MoEF. 2024. *The State of Indonesia's Forests 2024 - Towards Sustainability of Forest Ecosystems in Indonesia*. Jakarta: MoEF.

Naibaho, Rumondang. 2025. "*PKH Task Force Discovers 4.2 Million Hectares of Illegal Mining in Forest Areas.*" Detiknews. https://news.detik.com/berita/d-8084066/satgas-pkh-temukan-4-2-juta-hektare-tambang-ilegal-di-kawasan-hutan.

Oktavianto, Pradhipta. 2024. "*Endangered Species Continue to Increase*." Forest Digest. https://www.forestdigest.com//detail/2514/spesies-terancam-punah/.

Ombudsman. 2024. *Executive Summary on Systematic Analysis of Maladministration Prevention in the Palm Oil Industry Governance Services*.

Saptati R. 2024. *Through Research Support, BPDPKS Strengthens the Global Competitiveness of Indonesia's Palm Oil Industry*." Media Keuangan. https://mediakeuangan.kemenkeu.go.id/article/show/melalui-dukungan-riset-bpdpks-perkuat-daya-saing-global-industri-kelapa-sawit-indonesia.

Shmelev SA. 2025. Biodiversity Offset Schemes for Indonesia: Pro et Contra. *Sustainability*. 17: 6283.

Sulaiman AA, Djufry F, Syamsuri P, Setiyanto A, Bahrun AH, Hendrawati D, and Ridha MF. 2024. *Indonesian Palm Oil in the Global Market Dynamics*. Jakarta: Pertanian Press.

Supriyono J. 2024. *Is Indonesian Palm Oil Still Victorious?* Jakarta: Gramedia.

Violleta Prisca Triferna. 2021. "*3.3 million hectares of palm oil plantations are indicated to be located in forest areas*." Antara. https://www.antaranews.com/berita/2071370/33-juta-hektare-kebun-kelapa-sawit-terindikasi-ada-di-kawasan-hutan.

Yaputra, Hendrik. 2025. "*Prabowo visits Bangka Belitung, witnesses handover of state confiscated goods*." Tempo. https://www.tempo.co/politik/prabowo-ke-bangka-belitung-saksikan-penyerahan-barang-rampasan-negara-2076721.