

Research Article

The Omnibus Law in Indonesia: Assessing Its Consequences on Environmental Sustainability and Land Rights

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Abstract: The Omnibus law, enacted in 2020 in Indonesia, was implemented with the aim of fostering employment opportunities within the nation. The proposed legislative reform is a comprehensive measure aimed primarily at incentivizing foreign investments in order to bolster the country's economic growth and foster the creation of additional employment opportunities. However, this legislation also has an impact on the environmental safeguards and land entitlements of indigenous populations. The primary objective of this study is to evaluate the implications of the Omnibus Law on environmental sustainability and land rights within the Indonesian context. In order to achieve this objective, a normative legal methodology was employed, incorporating a range of primary and secondary sources to collect the necessary data. The study aimed to address its proposed objective through the implementation of qualitative content analysis. The findings derived from this study indicate that the Omnibus law has effectively reduced regulatory burdens on businesses while simultaneously overlooking the potential environmental consequences. The potential repercussions of this could have adverse effects on the previous strides made by Indonesia in the realm of promoting environmental sustainability. Additionally, this legislation hinders the integration of public participation, resulting in suboptimal environmental and social outcomes. Furthermore, the primary objective of this legislation has been to facilitate the attraction of international investments through the provision of land ownership privileges to foreign individuals or entities. This has the potential to have a negligible impact on the land rights of local and indigenous communities. Hence, the enactment of the Omnibus law has the potential to pose a significant risk to both the environmental and land rights domains. This study offers various recommendations aimed at enhancing environmental sustainability and safeguarding land rights within the framework of the Omnibus law.

Keywords, Omnibus Law; Indonesia; Job Creation; Environment Sustainability; Land Rights

1. Introduction

The Omnibus Law is a concept that has been in existence for some time, although its application is more prevalent in common law jurisdictions like the United States, Ireland, and Canada compared to civil law systems such as Indonesia [1]. Law No. 11 of 2020, enacted by the Indonesian National Legislature (Dewan Perwakilan Rakyat, or DPR), represents a noteworthy and contentious legislative measure aimed at fostering employment opportunities by means of the Omnibus Law approach [2]. The aforementioned legislation was endorsed by President Joko Widodo and subsequently enacted on November 2, 2020. Currently, the law in question is officially referred to as Law No. 11/2020 on Job Creation (Undang-Undang no. 11/2020 Tentang Cipta Kerja).

The legislation symbolised the apex of the President's trademark policy, aimed at streamlining the intersecting regulations and promoting foreign direct investment by facilitating the process of investing and conducting business within the nation [3]. The enactment of this legislation brought about a novel structure for the issuance of business licences within the nation, while also incorporating modifications to 77 preexisting national statutes. These amendments pertained to

a diverse array of subjects, such as safeguarding the environment, upholding land rights, regulating agriculture, managing taxation, overseeing fisheries, supporting small and medium-sized enterprises (SMEs), coordinating spatial planning, and governing energy affairs [4]. The Omnibus Law has implemented a series of revisions to Law No. 32 of 2009 on Environmental Protection and Management, thereby expanding and simplifying avenues for both individuals and corporate entities to exploit natural resources.

Furthermore, it has been observed that these amendments have resulted in a decrease in the jurisdiction of the regional government pertaining to environmental conservation and administration [5]. The implementation of environmental management is crucial to maintaining a harmonious equilibrium within the environment. This involves the adoption of policies that support the sustainability of the environment and the responsible utilisation of natural resources. Sustainable practices, characterised by the judicious utilisation of natural resources, prioritise the augmentation of both economic prosperity and environmental sustainability, thereby fostering sustainable economic development.

The Omnibus Law has resulted in the centralization of the previously decentralised environmental management system, thereby transferring full authority and control over natural resources and environmental management to the central government. There has been a notable shift in the system of environmental management, wherein the focus has transitioned from sustainability to a profit-centric approach, primarily aimed at attracting investors [6]. Moreover, the enactment of the Omnibus Law has led to the removal of the strict liability principle in resolving environmental disputes, thereby favouring business corporations and their activities that contribute to environmental pollution [7].

The Omnibus Law has implemented modifications to legislation pertaining to land rights in order to streamline investments in agricultural sectors. Specifically, the amendments affect the following laws: Law 39/2014 on Plantations, Law 22/2019 on Sustainable Agriculture Cultivation Systems, Law 19/2013 on Protection and Empowerment of Farmers, and Law 41/2009 on Protection of Sustainable Food and Agriculture Land [8]. The Omnibus Law encompasses three regulatory measures pertaining to land acquisition, which include the acquisition of land for development in the public interest and the safeguarding of sustainable agricultural land for food production.

The aforementioned measures are the outcomes of the modifications made to Law 2/2012, which pertains to the acquisition of land for development in the public interest, and Law 41/2009, which focuses on safeguarding agricultural land for sustainable food production, commonly referred to as Law LP2B. Furthermore, the implementation of land regulations has included the establishment of land banks, the enhancement of management rights, the provision of flats for foreigners, and the allocation of land rights and management rights in the upper land and underground space [9].

Furthermore, the Omnibus Law enables the process of land acquisition for public purposes by utilising the Land Bank as a means of facilitation. The regulations pertaining to land banks are addressed in Articles 125 to 135 of the Omnibus Law. The establishment of the Land Bank Agency by the Central Government aims to effectively oversee land management activities, including the implementation of plans, land acquisition, procurement, consumption, distribution, and overall land management [8]. The primary objective of this study is to conduct an analysis of the Omnibus Laws in Indonesia, with a specific focus on evaluating their impact on environmental sustainability and land rights.

The current research possesses considerable importance as it assesses the effects of Indonesia's Omnibus Law on environmental sustainability and land rights, thereby providing insights for environmental policymaking and addressing the land rights complexities associated with this legislation. This study undertakes an analysis of Indonesia's environmental policies, aiming to provide comprehensive insights into the environmental vulnerabilities and land acquisition challenges that have arisen as a result of the significant legal amendments introduced by the Omnibus Law.

2. Method

This study utilises a normative juridical methodology to provide a qualitative evaluation of the impacts of the Omnibus Law in Indonesia on the sustainability of the environment and the rights pertaining to land. The study's qualitative approach enables a comprehensive examination of the effects of the Omnibus Law on Indonesia's environmental management system and land acquisition and management system.

Consequently, the present study is grounded in the research philosophy of interpretivism, which advocates for the recognition of subjective truths and is primarily employed in qualitative research endeavours [10]. The research philosophy of interpretivism is deemed suitable for the current study due to its exploration of the legal and social aspects pertaining to the implementation of the Omnibus Law in Indonesia. Specifically, this study aims to investigate the effects of the Omnibus Law on land rights and environmental sustainability.

In addition, the current research employs an inductive methodology in order to comprehensively comprehend and interpret the intricate and diverse ramifications of the Omnibus Law on the Indonesian system of environmental management and land rights. The study has collected primary data from legal documents and associated publications to examine the Omnibus Law and its amendments to the original laws governing environmental protection and land rights in Indonesia's legislation. The researcher is provided with official legal documents that assist in the collection of essential data for evaluating the effects of the Omnibus Law on environmental vulnerabilities and land acquisition and management in Indonesia.

Furthermore, the inclusion of primary data derived from official legal documents enhances the authenticity, credibility, and reliability of the findings in the current study. Furthermore, secondary data has been obtained from various academic sources pertaining to the Omnibus Law in Indonesia and its global implications. These sources include reputable publications such as Hein Online, JSTOR, Nexis, Wiley Online Library, and West Law. Moreover, the current study employs content analysis as a methodological approach to examine the gathered data, resulting in a thorough analysis of both primary and secondary data.

3. Literature Review

The Omnibus Law has been enacted in multiple countries, including the United States, Canada, and Ireland, in diverse manifestations such as the Omnibus Bill, portmanteau bills, Christmas tree bills, arrangement laws, and mosaic laws. The Omnibus Law model has historically been observed in Common Law jurisdictions, including Australia, Argentina, France, Ireland, and Spain [1]. Similar to Indonesia, numerous other countries have also implemented revisions to their existing legislation pertaining to environmental sustainability and land rights. The Brazilian Forest Code (FC), referred to as the "Código Florestal Brasileiro" in Portuguese, is a fundamental legislative framework in the Federative Republic of Brazil. Its primary objective is to establish regulations governing the utilisation and preservation of forests and natural resources within the nation's territorial boundaries.

The Brazilian Forest Code, which was initially established in 1934, has traditionally functioned as a legal measure aimed at addressing issues related to deforestation and land utilisation within the country's jurisdiction. The legislative instrument in question has experienced multiple amendments since its enactment, with notable revisions occurring in 1965 and 2012 [11]. The amendment enacted in 2012 brought about various modifications aimed at achieving a harmonious equilibrium between environmental preservation, agricultural advancement, and land utilisation. The regulations pertaining to forest reserves in rural areas, specifically in the Amazon and Atlantic Forest regions, underwent modifications. The revised code additionally implemented regulations pertaining to environmental protection for rural properties. The Forest Code has played a significant role in formulating policies pertaining

to land consumption planning strategies, thereby promoting the adoption of sustainable land consumption practices [12].

Nevertheless, it has been contended by critics that the amendment made to the code in 2012 would result in a rise in deforestation and environmental exploitation. This is due to the fact that the amendment introduced certain relaxations pertaining to various measures aimed at environmental protection [13]. Within the Canadian context, the Canadian Environmental Assessment Act (CEAA) holds substantial importance as a legislative framework that governs the process of environmental assessment for proposed projects. Its primary objective is to evaluate and forecast the potential environmental impacts of these projects [14]. The Canadian Environmental Assessment Act (CEAA) is applicable to projects falling under federal jurisdiction. This encompasses projects falling under the purview of federal authority, those located on federal lands, or projects that have the potential to generate transboundary environmental effects [15]. The Canadian Environmental Assessment Act (CEAA) provides a regulatory structure for the implementation of Environmental Impact Assessments (EIAs) in order to assess the potential effects of proposed projects on environmental sustainability.

Furthermore, these assessments propose strategies for mitigating the adverse effects of diverse economic activities. Furthermore, the Canadian Environmental Assessment Act (CEAA) also serves to facilitate the active involvement of indigenous communities in Environmental Impact Assessments (EIAs) and advocates for the safeguarding of their land rights [16]. In the German context, the Environmental Impact Assessment Act (Umweltverträglichkeitsprüfungsgesetz, or UVPG) holds substantial importance as a legislative tool that specifically addresses the evaluation of the environmental consequences associated with diverse projects and plans [17]. The legislation in question pertains to the enforcement of European Union directives concerning Environmental Impact Assessments (EIAs) and Strategic Environmental Assessments (SEAs) within the jurisdiction of Germany. The aforementioned legislation aims to facilitate the incorporation of environmental factors into decision-making procedures with the goal of fostering responsible utilisation of natural resources, mitigating environmental pollution, and promoting long-term environmental sustainability [18].

The issue of land rights is a multifaceted legal domain, encompassing a range of case laws pertaining to conflicts surrounding land ownership, land utilisation, indigenous land rights, and environmental preservation within Common Law jurisdictions. The case of Johnson v. M'Intosh (1823) holds great historical significance within the United States Supreme Court as it pertains to the examination of indigenous peoples' entitlements to land and property ownership. The legal matter pertained to a real estate conflict regarding a parcel of land situated within the jurisdiction of Illinois. John Johnson, an individual of non-public status, claimed a possessory right to the aforementioned land based on his acquisition of it from the federal government. Simultaneously, William M'Intosh put forth a rival contention regarding the land, asserting his acquisition of it from indigenous tribes, thereby initiating a legal dispute.

The United States Supreme Court, led by Chief Justice John Marshall, rendered a unanimous decision in support of William M'Intosh. The decision rendered by the Supreme Court had significant implications for Native American land rights, establishing that indigenous tribes possessed the entitlement to inhabit their ancestral territories. However, it should be noted

that their property rights to land were not as extensive as those recognised under the European legal framework [19]. *Tongoane and Others v. National Minister of Agriculture, Forestry, and Fisheries and Another (2011)* is a legal case of considerable importance pertaining to land rights and agrarian reform within the context of South Africa. The case underscored the significant ramifications of ensuring fair and equal access to land distribution and restitution in the context of post-apartheid South Africa.

The legal matter pertained to the Tongoane and similar communities residing in the Limpopo Province of South Africa. These communities asserted their rights to land and alleged that the confiscation of said land during the apartheid era was done in violation of the law. The claimants pursued the restoration of their land entitlements in accordance with the Restitution of Land Rights Act of 1994. The Constitutional Court of South Africa rendered significant judgements in support of the claimants, acknowledging the historical injustices endured by them and affirming that the deprivation of their ancestral land during the apartheid era constituted a violation of their constitutional rights.

The significance of the verdict in this particular case lies in its affirmation of the crucial role of land reform in addressing the historical injustices pertaining to land in South Africa. The decision has played a crucial role in addressing the repercussions of historical injustices related to land rights during the apartheid era throughout the nation [20, 21]. The *Ngāti Whātua Ōrākei v. Attorney-General (1987)* case exerted a substantial influence on indigenous land rights and the elucidation of the Treaty of Waitangi, which is widely recognised as a seminal document in the annals of New Zealand's history [22].

4. Findings and Discussion

The primary objective of the Omnibus Law, officially known as Law No. 11/2020 on Job Creation, in Indonesia is to bolster the nation's economy through the facilitation of increased employment prospects. Additionally, it has been found that this practice contributes to the alleviation of constraints pertaining to foreign investments [23]. Consequently, there is a disregard for environmental protections and workers' rights. The aforementioned legislation has been observed to exert an influence on land rights in Indonesia, resulting in suboptimal outcomes. The implementation of these strategies within the Omnibus law has the potential to exacerbate the issue of biodiversity depletion and deforestation.

The aforementioned legislation has been amended to include provisions from multiple cross-sectoral laws, namely "Law No. 40/2004 on the National Social Security (NSS) System" [24], "Law No. 18/2017 on Migrant Workers in Indonesia," "Law No. 13/2003 on Labour," and "Law No. 24/2011 on the Social Security Administrating Body" [4]. Despite the efficacy of this legislation in fostering economic prospects in Indonesia, its implementation has had adverse implications for environmental sustainability and the safeguarding of land rights within the nation. This study primarily centres on examining the effects of the Omnibus Law on environmental sustainability and land rights in Indonesia. These topics are critically analysed in the subsequent section.

4.1 Impact of Omnibus Law in Indonesia on Land Rights

The recent enactment of Government Regulation (GR)

18/2021 in Indonesia has facilitated the acquisition of real estate by foreign investors in the country [25]. This phenomenon can lead to substantial enhancements in a nation's economic growth. Furthermore, this factor exerted a significant influence on the property laws in Indonesia. As per the provisions outlined in the "National Land Law" (NLL), companies with foreign investments in Indonesia are granted the authority to exercise control and management over the corresponding land, in accordance with their designated roles [26]. The subsequent rights are delineated in relation to this matter:

- Rights for Building Use (HGB) for industry as well as housing within the context of land functionality as a container.
- Rights for land use (HGU) for plantations, agriculture, livestock and dairies.
- Use rights for non-agricultural and agricultural activities.
- Management rights for enterprises which are owned by the state.

The utilisation of Article 22 of the "Foreign Investment Law" (PMA) was originally employed to establish the duration of control over HGU land. However, this provision was subsequently challenged in a legal case before the Constitutional Court (CC), resulting in the decision 21-22/PUU-V/2007. The CC subsequently resurfaced during the process of formulating the Omnibus Law. Hence, it can be argued that the Law No. 18/2021 pertaining to land rights, land registration, management rights, and flat units can be seen as a direct result of the provisions outlined in Article 142 of the Omnibus Law. This law places particular emphasis on the regulation of management rights as stipulated in the government regulation [27]. The Omnibus law has extended the duration of land management under HGU status to a maximum period of approximately 35 years, as opposed to the previous stipulation of 25 years.

Hence, in accordance with the aforementioned legislation, upon the expiration of a 35-year tenure of land management, the proprietors of HGU land possess the capacity to prolong their management tenure for an additional maximum duration of 25 years. The maximum duration for renewal of this can be extended up to 35 years. The implementation of GR 18/2021 allows for a maximum management period of 95 years for HGU [26]. The regulation pertaining to this matter can be found in Article 22 of the aforementioned legislation. The provisions pertaining to HGU holders are outlined in articles 28 and 27, whereas article 26 specifically addresses the duration of the HGU extension period. As stipulated by GR 18/2021, it is required to submit the renewal application for cultivation rights within a period of two years following the expiration of the HGU tenure.

One of the issues pertaining to the "substance of agrarian policy" within Law No. 11/2020 concerning job creation (JC) encompasses the execution of the Omnibus Law in Indonesia [28]. This concept facilitates the consolidation of various legal products into a unified and comprehensive legal framework. The JC Act, which pertains to the agrarian sector, is included in Chapter VIII of Land Procurement. This chapter primarily emphasises the provision of land for various interests, with the aim of promoting investments and generating employment opportunities. Chapter VIII of the land acquisition document encompasses three significant sections, namely "Land Acquisition for Development within the Public Interest," "Land Protection for Sustainable Food Agriculture," and "Land" [29].

To enhance the advantages for investors, two agrarian laws, namely Law No. 41/2009 and Law No. 2/2012, were repealed and amended. The Omnibus law incorporated additional norms that deviated from democratic principles and transparency, thereby detrimentally affecting public engagement as a whole.

4.2 Impact of Omnibus Law on Indonesia's Environment Sustainability

The Omnibus law in Indonesia has been subject to ongoing scrutiny due to its perceived limited effectiveness in promoting environmental sustainability. For example, various provisions within this legislation render the existing forestry regulations ineffective, placing significant emphasis on the preservation of a minimum of 30% of the island's forested land [29]. The aforementioned legislation also introduced modifications to 15 existing articles and introduced four additional articles, leading to the repeal of four previous articles within the framework of "Law No. 18/2013 pertaining to the Eradication and Prevention of Forest Destruction." Within the context of the Omnibus law, there has been a modification in the nomenclature of the "Forest Product Utilisation Licence" to "Business Licence related to the utilisation of forest products." According to Madani, an environmental non-governmental organisation (NGO), these proposed amendments create opportunities for heightened deforestation, which in turn can contribute to the exacerbation of natural disasters such as earthquakes, droughts, and floods [29].

The Omnibus law in Indonesia facilitates the requirements for businesses, granting them the opportunity to carry out assessments related to environmental impact as a prerequisite for obtaining a business licence. This restricts public involvement and consultation with individuals who are directly affected by the specific project. Consequently, this frequently results in the issuance of business permits to organisations that disregard environmental sustainability [30]. Consequently, the project's impact on environmental sustainability hinders other environmental organisations and their affiliated members from expressing their concerns. One significant revision introduced by this legislation involves the elimination of the strict liability principle within the "Forestry and Environmental Law" (FEL). The aforementioned phenomenon can also have an impact on the implementation of Forest and Land Fires (FEL) regulations, thereby posing challenges in prosecuting various companies that engage in deliberate land burning practices for the purpose of commercial clearance [8]. Within the period spanning from 2015 to 2019, an estimated 4.4 million hectares of land in Indonesia were subjected to intentional burning for various purposes. Consequently, the elimination of the strict liability principle may contribute to the promotion of these activities, thereby causing a rise in the emission of greenhouse gases (GHG), the depletion of biodiversity, and the endangerment of various species [31]. As a result, the implementation of this legislation has undone Indonesia's previous gains in terms of environmental sustainability. In recent years, Indonesia has implemented significant initiatives aimed at reducing deforestation, resulting in a notable decline from 1,000,000 acres to 250,000 acres in a span of one year [29]. In this regard, it is important to note that Indonesian palm oil refineries, which make up 83% of the global total, have proven their commitment to upholding the "No Deforestation, No Peat, No Exploitation" (NDPE) principles as set forth by Seymour, Aurora and Arif [32]. Nevertheless, the implementation of the Omnibus law in Indonesia has the potential to detrimentally affect the country's environmental

sustainability, resulting in suboptimal outcomes.

The Omnibus law introduced in 2020 in Indonesia primarily centres on the facilitation of employment generation within the country, streamlining procedures for foreign investors and other stakeholders. This legislation has also implemented various modifications that may have adverse effects on overall environmental sustainability, resulting in inconsequential consequences. Furthermore, it should be noted that the land rights reforms implemented under the Omnibus Law lack transparency, which has resulted in a multitude of complexities. The aforementioned factor can significantly impact the overall performance of the business sector in Indonesia.

5. Recommendations

- The implementation of the Omnibus law in Indonesia may present a range of challenges pertaining to the safeguarding of land rights and the promotion of environmental sustainability. Hence, to address such circumstances, the subsequent suggestions can be duly considered:
- The transparency of environmental impact assessments is necessary. To achieve this objective, it is imperative to establish a robust legal framework that guarantees the impartiality of these evaluations, free from any undue influence from institutions or governmental entities. It is imperative to promote public engagement in these assessments. Additionally, this will contribute to enhancing the integrity of the administered evaluations. Furthermore, this methodology will also yield advantages in ascertaining the true environmental and social ramifications of the correlated development proposal.
- The implementation of crucial measures by governmental bodies and other forest management organisations is imperative for the preservation and safeguarding of the ecosystem. In order to achieve this objective, it is crucial to allocate significant resources towards the research division with the aim of identifying ecologically vulnerable areas, such as coral reefs, rainforests, and wetlands. The protection of these areas can be facilitated by governmental entities and other affiliated organisations. In light of this matter, it is imperative to implement rigorous regulations in order to deter the extraction of resources and other developmental endeavours in these regions, thereby fostering heightened biodiversity.
- The lack of transparency in the legal framework pertaining to land rights within the omnibus law has the potential to adversely impact public perceptions regarding development activities. Hence, it is imperative to implement significant measures aimed at enhancing transparency within this particular context. The incorporation of anti-corruption provisions is imperative in safeguarding land rights, thereby facilitating enhanced foreign investments and subsequently fostering increased job opportunities.
- The Omnibus law should also consider addressing its limited impact on land rights and the sustainability of the environment. The dissemination of crucial legal information pertaining to the Omnibus law to all relevant stakeholders can prove to be efficacious. In order to achieve this objective, it is advisable to employ a language that is unambiguous, as opposed to one that is vague, so as to mitigate any potential confusion among the relevant stakeholders. This approach has the potential to effectively foster significant revisions within the Omnibus

law, with the aim of advancing environmental sustainability and land reforms.

6. Conclusion

Indonesia exhibits significant economic potential, primarily attributable to the dearth of investments. There are various factors that impede the realisation of business requirements in Indonesia. As a result, the Omnibus law was enacted in 2020, with a primary emphasis on facilitating foreign investments and streamlining business regulations. The primary objective of this legislation is to foster employment prospects within the Indonesian context. Despite the positive impact of this legislation on economic growth and employment prospects in Indonesia, it has had adverse effects on environmental sustainability and land rights.

It has been noted that this legislation fails to effectively facilitate public engagement in the evaluation of the environmental consequences associated with a specific development endeavour. In a comparable vein, the aforementioned legislation has exerted a discernible impact on the land tenure of indigenous populations in Indonesia. Furthermore, the absence of transparency is evident in the provisions of this legislation, resulting in a multitude of inconsequential consequences. Consequently, it is imperative to propose significant recommendations aimed at enhancing the legal framework of the Omnibus law in order to bolster land rights and fortify environmental safeguards.

7. Implications

This research study has effectively presented a range of implications, encompassing both practical and theoretical dimensions. These implications contribute to enhancing the overall efficiency and impact of the current research. Several implications will be discussed in the following sections.

7.1 Theoretical Implications

This study has contributed to the existing body of literature on the effects of the Omnibus law on land rights and environmental protections in Indonesia. This study has additionally provided valuable insights into the various amendments that were implemented within the framework of the Omnibus law in Indonesia. This methodology has proven effective in identifying various gaps within the given context, thereby providing impetus for future researchers to address these concerns. Consequently, the Omnibus law presents an opportunity to identify significant solutions for addressing the challenges related to environmental sustainability and land rights. Furthermore, this study has also demonstrated the efficacy of the Omnibus law in generating additional employment prospects within the Indonesian context. Nevertheless, this study sheds light on the significance of the aforementioned legislation in bolstering foreign investments and labour. It critically examines the various benefits and drawbacks associated with the Omnibus law.

7.2 Practical Implications

The present study has also demonstrated efficacy in elucidating various practical implications. This study has the potential to effectively motivate the Indonesian government to undertake significant measures aimed at amending the

Omnibus law in order to enhance environmental sustainability. The findings derived from this study may also serve as a catalyst for various industrial enterprises and investors to embrace environmental protection policies and strategies, thereby making a positive contribution towards environmental sustainability. This approach has the potential to effectively mitigate deforestation, thereby benefiting both the social reputation of the nation and the affiliated companies.

Further, this study also examines the inclusion of land rights within the framework of the Omnibus law in Indonesia, thereby potentially incentivizing foreign investors to engage in investment activities in Indonesia with the aim of fostering development and economic expansion. This approach is expected to yield positive outcomes for both the economic development of the nation and the interests of foreign investors. But it is imperative to prioritise the safeguarding of the land rights of indigenous communities, thereby fostering transparency within the Omnibus law. Moreover, this study has the potential to effectively incentivize policymakers to formulate and execute effective policies pertaining to environmental sustainability and land reforms. In order to address the limitations within the areas of concern, it is imperative to make significant amendments to the Omnibus law.

8. Limitations and Future Research Indicators

While this study has provided valuable insights into the impact of the Omnibus law on environmental sustainability and land rights in Indonesia, it also incorporates certain limitations that can serve as opportunities for future researchers. This study exclusively examines the effects of the Omnibus law on land rights and environmental sustainability in Indonesia, with a potential limitation of research bias. However, it does not address the related issue of ecocide. This factor has an impact on the overall efficacy of the research. Furthermore, this research exclusively utilises a secondary qualitative data analysis approach, primarily due to the convenient availability of the data. The current situation hinders the implementation of an efficient and timely strategy to address the environmental consequences of the Omnibus Law.

One additional constraint identified in this study pertains to its exclusive examination of the ramifications of the Omnibus law within the specific context of Indonesia, which is attributed to the scarcity of available research. To address these limitations in forthcoming research, it is imperative to shed light on additional concerns pertaining to the Omnibus Law, such as the escalation of ecocide. Simultaneously, it is possible to undertake both quantitative and qualitative studies to assess the immediate effects of the Omnibus Law on land rights and environmental sustainability. Furthermore, conducting a comparative analysis between civil law and common law jurisdictions can prove to be a valuable approach for future research endeavours, as it enables a comprehensive comprehension of the Omnibus law.

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