

The Implementation of the Acknowledgment of Rights through the Conversion of Customary Land Ownership

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DOI: <https://dx.doi.org/10.47772/IJRISS.2024.802078>

Received: 06 February 2024; Accepted: 08 February 2024; Published: 11 March 2024

ABSTRACT

To ensure legal certainty and the protection of the rights of each party to land ownership, including customary lands, it is necessary for the state to regulate this matter. One of the substantial triggers for conflicts is the neglect of the rights of indigenous communities, especially concerning the recognition of customary land, and there is still confusion in land regulations. The second root cause is that the conversion process of land rights from customary land to one of the rights under the Agrarian Law (UUPA) is still fully regulated by the law. The conclusion of the research in this thesis is that the implementation of recognition through the conversion of customary land aims to acknowledge previous land rights and to ensure legal certainty, which can contribute to the realization of a just and prosperous society as envisioned by Article 33 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Obstacles in the implementation of the recognition of customary land rights include the lack of legal awareness among the community, the perception that recognition by the indigenous community is already strong, a lengthy and costly conversion process, incomplete land administration systems, and a shortage of technical conversion personnel. To address these obstacles, the Land Office plays a crucial role in conducting outreach and implementing policies related to the recognition of rights through the conversion of customary land ownership.

Keywords: Recognition of Rights, Conversion, Customary Land

INTRODUCTION

Where it is issued through the result of Constitutional Court Decision No. 12/PUU-XIX/2021, reinforcing that in order to reach ratification by the institution regarding the ownership of the fate of the ancestral land (within this field, the fate is owned), any action by the institution involving its transfer or encumbrance is deemed invalid if not recorded in the state's servant's registry, who has the rightful and unchallengeable right.^[1] To arrive at institutional ratification regarding ownership of the ancestral land's fate (specifically within this domain, the fate being owned), every action by the institution involving its transfer or encumbrance is considered null and void if not recorded in the registry of the state's servant who possesses the unequivocally determined right. Furthermore, this entails committing to a mutually agreed-upon technique and covenant stipulated by the fundamental law, which must be adhered to.^[2]

Therefore, there is an excessive tendency among the public to consider that merely possessing or obtaining a land certificate implies ownership without the need for registering it or paying the associated fees or government certifications, similar to the authentic reality of land ownership. Through land registration, information about the true owner of the ancestral land can be obtained, including when the ownership was transferred and who the new owner is. This also applies when the land is encumbered with obligations.

Looking at the reality where many members of the public have not completed the governmental registration process for certificates, especially for compliance lands, various terms are used for these lands, such as traditional certificates like "girik," "petok," "rincik," "merbuk," and others. Compliance lands are lands

controlled by limited compliance communities spread throughout Indonesia. [3] PMNA No. 5 in 1999 states that ancestral land is land that originates from limited compliance institutions. However, compliant land use is subject to certain terms within the framework. The presence of strongly compliant land triggers legal disputes involving individuals, the public, organizations, and even other public interest organizations.

The majority of the Indonesian public sees a fundamental need in public activities, where they diligently work on cultivating agricultural, plantation, and livestock structures to provide a settlement for their physical and personal labor and the labor of their descendants. This has been an integral part of the reality of public activities in Indonesia from pre-independence to post-independence. In the process of addressing this land issue before independence, the Indonesian public adhered to compliance institutions from various global influences, including criminal institutions introduced during the Dutch colonial era, which then took control of various sectors in Indonesia.

Therefore, to safeguard the institutional ratification and the preservation of land ownership, especially in compliance lands, there is a customary dominance related to the areas involved. One significant factor leading to disputes is the reservation of public land, especially in compliance areas, and the associated approval of compliance land, which is linked to agricultural ordinance disturbances. The second root cause is the issue of changing land ownership from compliance land to another land category, which is still fully regulated by institutions using practical methods of change within the framework of the UUPA. [4]

Within the national agricultural institution, the confirmation of ancestral land fate is articulated through land registration schedules and versions of ancestral land fate certificates. This implies the formal acceptance of confirmation (*de jure*), where the substance and purpose of ancestral land fate can be identified. [5] On the other hand, in its implementation, it becomes crucial to determine the substance and purpose of compliant land. In the context of land registration in Indonesia, the public must present ancestral land fate diligently, accompanied by the realities of territorial disputes and sufficient ownership. It cannot be denied that lands under Ownership Rights compliance are still unregistered in certain situations. In these areas, lands are subjected to various fees such as *verponding* fees, *landrente*, or environmental fees under the landlord's label, and the payment realities are identified with various terms like *girik*, *kohir*, *kekitir*, *pipil*, etc.

In such circumstances, the presence of evidence of payment is considered a reality of land ownership. Data from official sources can be viewed as a strong indication of the status of the land as compliant Ownership Rights land, and the recorded payer is generally considered the owner. [6] The registration of ancestral land fate also implies the existence of fixed boundaries concerning territorial disputes and land ownership, which are essential for measurement and mapping. In the context of compliance land, this aspect is challenging to implement, as compliance lands in Indonesia are often not explicitly mapped, and it is frequently difficult to establish fixed boundaries for compliance lands.

In compliance institutions, the lands are theoretically owned by the compliance community, even though territorial disputes and utilization are carried out by individuals. This contributes to the confusion in land registration under the Indonesian land institution regarding how to illustrate the substance and purpose of ancestral land fate for compliance lands. It is challenging to determine who is the rightful owner of compliant lands, especially considering that the birth of compliance land institutions may influence the shift in ancestral land fate. Land registration has its foundation in Law No. 5 of 1960 regarding the Basic Agrarian Principles Regulation, specifically stated in Article 19 paragraph (1) UUPA, that land registration throughout the Republic of Indonesia is conducted to control institutional ratification by the Government, adhering to regulations set by the Government. This foundational ideology led to the issuance of Government Regulation No. 10 of 1960 on Land Registration, later revised by Government Regulation No. 24 of 1997.

The understanding of compliance land in society can be divided into two explanations, as follows:

[Additional information seems to be missing in your text. If you have specific points you'd like me to address or continue, please provide them.] [\[7\]](#)

1. "Former Customary Ownership Land," commonly known as "Girik Land," refers to compliance lands or other lands that have not been converted into individual lands with limited fate (Ownership Rights, Building Rights, Usage Rights, or Business Rights). These lands have not been registered or certified at the local Land Office. They are referred to by various terms such as girik, petok, rincik, merbuk, and others.
2. Lands owned by the community's public compliance institution, with forms such as boundary lands, irrigation lands, village safe lands, space lands, and others. Lands of this type owned by public compliance institutions are not automatically certified. If certification does exist, these lands can be released through customary transfer (ruislag) or by following the established procedures introduced by the compliance institution..

So, the essence of the issue regarding compliance land revolves around compliance lands that have not been converted into individual ownership with limited fate and have not been registered. This means that addressing the land involves recognizing the value of ownership realities and identifying the commitments that need to be facilitated through official procedures by the National Land Agency, allowing public lands to obtain institutional ratification within their protection, as stipulated in the fundamental legal provisions related to compliance lands, namely Article 18 (b) paragraphs (2) and (3) of the 1945 Constitution, which states that the state respects and honors the rights of public compliance institutions.

Enshrined in Article 3 of the Basic Agrarian Law (UUPA) is the acknowledgment of the respect and protection of customary property based on ethical principles. However, in the practical evidence of nationwide data collection conducted by the public, there are still numerous disruptions related to technical units. This is due to the limited time frame for completing the customary data collection process, which is set at 98 days. This sometimes discourages the public from engaging in traditional data collection, and the process can take anywhere from 6 to 12 months. It is for this reason that researchers have delved into exploring the practical issues surrounding the recognition of customary properties that persist in the public domain, in addition to examining the technical disruptions that affect the implementation of customary data collection.

Based on the background description above, the research problem formulated in this study is: **(1)** How is the implementation of land ownership acknowledgment through conversion of customary land ownership? **(2)** What are the obstacles in the implementation of acknowledgment of rights to customary land?

RESEARCH METHODOLOGY

The type and approach of this research are descriptive research, aimed at explaining the implementation of land rights recognition through the conversion of customary land ownership. The methodological approach used to address the issues in this study is the normative juridical approach, by examining the Registration process as the recognition of rights to customary land within the community. In addition to studying relevant laws and literature related to the researched issues, the research also conducts field research to manage and analyze the data presented in the discussion.

DISCUSSION

In its time, the Basic Agrarian Law is used concurrently within Indonesia's land law or the existence of dualism in the regulations of the Basic Agrarian Law, where one law originates from the usual Western law known as Western land law. With the implementation of agrarian law, both Western land rights and land

certificates must be based on the Basic Agrarian Law. There are several opinions from experts on this matter;

1. P. Parlindungan states that “conversion itself is the arrangement of existing land rights before the enactment of the Basic Agrarian Law to enter the system of the Basic Agrarian Law.”^[8] The conversion of land rights is the adjustment of old land rights to become new rights according to the Basic Agrarian Law.^[9]
2. Boedi Harsono states that “conversion is the transformation of old rights into a new single right according to the Basic Agrarian Law (UUPA).”^[10] According to A.P. Parlindungan, the conversion of land rights is the arrangement of existing land rights before the enactment of the Basic Agrarian Law to enter the Basic Agrarian Law system.^[11]

In the journey of conducting land conversion, it is important to provide legal certainty so that land rights holders have definite protection in issuing land certificates, which can serve as valid and strong evidence.^[12] In the Basic Agrarian Law (UUPA), ensuring legal certainty is aimed at enabling land rights to function in accelerating the realization of a just and prosperous society, as envisioned by Article 33, Paragraph (3) of the 1945 Constitution.

Referring to the legal basis for land conversion related to land certificates used since September 24, 1960, it is part 2 of the Basic Agrarian Law, consisting of IX articles specifically dedicated to compliant land conversion, regulations, and similar matters, as outlined in articles 2, vi, and 7 clarified by the Basic Agrarian Law, Agricultural Ministerial Regulations, and Basic Agrarian Law No.2 of 1962, as well as Ministry of Home Affairs No. 26/DDA/1970 regarding Confirmation of Conversion and Registration of Former Indonesian Land Rights.

1. Implementation of Land Rights Recognition Through Conversion of Customary Land Ownership

Indonesia is a country with numerous islands, making a significant portion of its regions agrarian, where the livelihoods of its people rely on utilizing the surrounding nature, particularly the land. As observed by several agrarian experts, a substantial portion of Indonesia’s population is engaged in agriculture. The condition of the land in this agrarian nation, especially in Indonesia, plays a crucial role in supporting the lives of the surrounding communities.

On August 17, 1945, precisely on the day of Indonesia’s independence, the Dutch government was abolished from the unified and sovereign state of Indonesia. At that time, there needed to be regulations and laws governing land/agrarian issues. The agrarian law, which deals with land and people, is explained. The prevailing agrarian law, in effect until now, is Article 33, Paragraph (3) of the 1945 Constitution, which states, “The land, water, and natural resources contained therein are controlled by the State for the prosperity of the people.”

Thus, there is a close connection between humans and nature, with land as the object and humans as the subject. If anyone tries to violate these rights, they will attempt to regulate them through agricultural rights. Similarly, legal relationships between humans related to the land arise due to issues stemming from the land. In the Republic of Indonesia, where the societal order, including its economy, is still dominated by agriculture, land, water, and airspace – divine gifts – play a crucial role in building a just and prosperous society. We must strive for this.

Simultaneously, the existing agricultural laws, which should be essential tools for building a just and prosperous society, often hinder the achievement of these goals. Constitutionally, Article 33, Paragraph (3) of the 1945 Constitution provides the basis that the state controls land, water, and natural resources for the greatest prosperity of the people. From this law, it is evident that the well-being of the people is the primary

goal in utilizing the functions of land, water, airspace, and the natural resources within. The Unitary State of the Republic of Indonesia is the organization of power for all Indonesian people, formed to regulate, control, and manage all the interests of the Indonesian people. Therefore, the state does not have to own it; it only needs the right to announce, which legally grants the state, as an administrative body, the authority to do the following:

- a. Organizing and completing the distribution, utilization, and maintenance of land, water, and airspace.
- b. Defining and regulating the legal relationships between humans and land, water, and airspace.
- c. Defining and regulating the legal relationships among humans and the regulations in the field of land, water, and airspace.

The state authority, according to Article 2, Paragraph (1) of the Basic Agrarian Law (UUPA), is the authority to regulate the management of land, water, and airspace, as well as the natural resources contained within them. This regulatory power encompasses both individually and corporately owned land, as well as unowned land. Therefore, the land owned by an individual/legal entity also becomes the property of the state institution. For example, a corporation releasing/relinquishing land rights for development purposes. Efforts to achieve legal certainty over land rights through land registration in Indonesia from 1961 until now have yielded many positive results in organizing development and land ownership control, except for instances of negative rights.

Legal issues arise in civil disputes related to ownership of a piece of land that already has land ownership rights. In matters of land ownership, conflicts often arise where land certificates contradict land seals (joint ownership certificates, and others). These issues pose challenges in the implementation of land registration in Indonesia, impacting the establishment of legal certainty in land registration, which requires attention to ensure legal certainty for landowners in Indonesia.

From the perspective of customary law, land issues hold significant importance, as mentioned by Soerojo Wignjodipuro. There are two reasons why land has a crucial position in customary law :[\[13\]](#)

- a. Due to its nature: Land is the only form of wealth that, regardless of its condition, remains permanent. In fact, sometimes land becomes more advantageous. For example, a piece of land that is burned or bombed. Despite such conditions, the land does not disappear; it reappears in its original form. In the case of flooding, for instance, after the water recedes, the land re-emerges, often more fertile than before.
- b. Because of the fact: It is a reality that land serves as the habitat for communities, providing sustenance to those communities. The deceased members of the community are buried in the land, and it serves as a place for the trade and protection of the community. It also embodies the dwelling place of the spirits of ancestors.

Legal certainty regarding the recognition of land rights through conversion has been regulated in the provisions of Article II, VI, and VII of the Conversion Provisions in the Basic Agrarian Law (UUPA). Therefore, this conversion is legally effective. This means that when the UUPA is enforced in the location of the land, the conversion has legally taken place without any specific legal action from agrarian/land authorities. Hence, in juridical terminology, the customary lands, since the enforcement of the UUPA, become Former Customary Land Rights turned into Ownership Rights.

The consequence of the enforcement of the Transitional Provisions (UUPA) requires that all evidence of ownership before the UUPA came into effect be replaced with land rights status based on the transitional provisions specified by the UUPA. The change in land rights status is achieved by registering the land with the issuance of a new proof of ownership, namely a land ownership certificate, with the condition that this must be done before the specified deadline, which is until September 24, 1980, if the application is

submitted. If the land rights are not respected, the right to use the land will be directly managed by the state.

The implementation of conversion can be carried out under two conditions and is accompanied by the following documents:

a. For direct conversion, the required documents are:

1. A letter of recommendation from the local land office.
 2. Proof of land ownership such as land certificate (girik), Certificate of Land Rights (letter C), boundary markers (pipit), Verponding Indonesia (if available).
- a. Copy of valid ID card (KTP) of the applicant.
 - b. Family card (Kartu Keluarga).
 - c. Proof of payment of the latest Land and Building Tax (Pajak Bumi dan Bangunan or SPPT PBB).
 - d. Citizenship certificate of the Republic of Indonesia and/or a statement of Name Change (if applicable for descendants).
 - e. Survey letter/situation map (if already available and still valid).

For the affirmation of conversion/recognition of rights, the required documents are:

1. Application letter to the Head of the Land Office as proof of land possession;
- a. Statement and application.

Information from the sub-district and statements from at least 2 (two) or more credible witnesses who are local residents and have no family relationship with the applicant.

- a. Copy of the applicant's ID card (KTP).
- b. Family card (Kartu Keluarga).
- c. Proof of the last payment of Land and Building Tax (Pajak Bumi dan Bangunan or PBB).
- d. Power of attorney (if applicable).
- e. Citizenship certificate of the Republic of Indonesia (SKBRI) and a statement of name change (if applicable for descendants).
- f. Survey letter/situation map (if already available and still valid)..

• The application for land rights can be made for:

1. Vacant state land; land that has never had any rights attached to it.
2. State land where some rights are still attached, but the term has not expired and an extension is requested.
3. State land where some rights were previously attached, and the term has expired, seeking renewal, including Western Rights lands, as explained in the Presidential Decree of the Republic of Indonesia Number 32 of 1979 concerning the principles of policy in granting new rights to converted Western rights lands, Article 1 paragraph (1): "Land with Rights to Cultivate, Rights to Build, and right of use converted from Western rights, whose term will expire no later than September 24, 1980. As stipulated in the Basic Agrarian Law (UUPA), upon the expiration of the rights, the land in question becomes directly controlled by the State," as well as lands that have been registered according to the Basic Agrarian Law (UUPA).

For the purpose of registering rights to land originating from the conversion of old rights, it is substantiated by evidence of the existence of such rights, in the form of written documents, witness statements, and/or statements by the parties involved, the accuracy of which is adjudicated by the land registration committee

systematically led by the Head of the Land Office in systematic land registration. In sporadic land registration, it is deemed sufficient to register rights, rights holders, and other parties' rights burdened by them. Here, the government plays a role as the authority in determining the technical aspects of the registration of customary land to ensure legal certainty in the field of agriculture.

The government, through various efforts, aims to ensure legal certainty over customary land. Considering the vast extent of unregistered land compared to the government's capabilities and available resources, it is estimated that it will take a long time to complete the registration of all such lands. Despite the government's efforts in providing security and legal certainty for land rights, there are still concerns about the idea of land registration and certification of customary land, as it may diminish the sustainability of the customary land itself.[\[14\]](#)

2. Challenges in Implementing Land Rights Recognition Through the Conversion of Customary Land

As previously explained, with the enactment of the Basic Agrarian Law (UUPA) through Law Number 5 of 1960, which is now known as the UUPA, the land law/agricultural law covering the entire domestic territory becomes customary law. This is explicitly stated in Article 5 of the UUPA, which declares that agricultural rights over land, water, and airspace are customary rights, as long as they do not contradict national and state interests, based on the unity of land, water, and airspace in the socialist state of the Republic of Indonesia, considering its legal elements originating from religion.

Before the enactment of the UUPA, there were two land laws in Indonesia simultaneously (dualism). One practice originated from common law, known as common law, while the other was based on Western land law. With the enactment of the National Agrarian Law (UUPA), it was necessary to find similarities between Western land law and customary law within the UUPA. Access to the UUPA system is through the Land Office. With the transformation of land rights into rights according to the UUPA system, the goal is not only for the harmonization of state land rights but also the recognition of previous land rights in accordance with corrections stipulated in the UUPA, ensuring legal certainty. The aim is that land rights can contribute to the realization of a just and equitable society, as envisioned by Article 33 Paragraph (3) of the 1945 Constitution.

However, the reality is that until now, many customary land rights have not been converted into ownership rights since September 24, 1960, the date of the UUPA enactment. As a result, these customary lands cannot be registered at the Land Office as a requirement for land registration.

Imam Soetikno in his book titled "National Agrarian Politics and National Legal Development" explains several obstacles in the implementation of conversion for customary land, namely :[\[15\]](#)

Education Factor

Education has a significant influence in bringing about the necessary changes for the consolidation of conventional land, as for them (the community), registering or not registering land rights is not an issue. This is because they do not perceive land in terms of its management but rather in terms of the land itself, using the land (interest principle). Additionally, it is also influenced by customs, where land as an asset is inherited through generations, and land management is largely under the control of the eldest child.

Occupation Factor

Communities whose daily work revolves around farming share a similar attitude towards land. They do not concern themselves with the status of communal land ownership; what matters to them is the ability to

manage their land peacefully. These communities only require oral evidence (community acknowledgment and evidence of cultivation), considering written proof as a mere inheritance or a gift from parents, documented by community leaders and known by the village head.

The difficulties that arise can impede the progress of Conversion Registration at the Land Office in Langkat Regency. Obstacles refer to hindrances, barriers, or undesired conditions that hinder the development of an individual, causing difficulties for oneself and others, and are something one wants or needs to eliminate.

In this essay research, the mentioned difficulties are constraints in implementing the recognition of rights through the conversion of customary land ownership. The following are examples of these obstacles:

Legal Awareness of Indigenous Communities

In community life, we observe efforts in land ownership where initially it is based solely on possession or occupatio of land categorized as “res nullius,” as explained legitimately in land ownership where there must be a tangible connection between the owner and the land. The legal consciousness of indigenous communities is crucial in understanding and adhering to the legitimate principles of land ownership.[\[16\]](#) After the enactment of Law No. 5 of 1960 regarding the basic agrarian regulations, it can be understood by all citizens or comprehended collectively. This law encourages landowners to register their land at the local land office to obtain ownership rights through the conversion system, leading to the issuance of certificates. Herman Soesang Obeng explains that in the effort to individually own land, there are de facto and de jure requirements that determine the location or address of the land ownership in question.[\[17\]](#)

The conversion of customary land use, as expressed by Soeprapto above, indicates that practitioners need to be cautious because the legality of the subject and the land being converted is still questionable. Similarly, the desires and needs of the community in renovating their land are not the same. The purpose of recording land conversion is to ensure legal certainty, legal protection for the community with land use rights, or to present a valid certificate of ownership as solid evidence.[\[18\]](#) However, a portion of the indigenous community may not comprehend or understand the concept of conversion as outlined in the Basic Agrarian Law (UUPA). Factors Hindering Conversion of Customary Land and Land Registration :

1. Lack of understanding of the function and purpose of conversion, land registration, and certificates.
 2. Perception among the community that substantial costs are needed to carry out conversion, land registration, and certificate acquisition.
 3. Indigenous communities, in their control of customary land, lack a clear history of land ownership. This is due to the belief that as long as it is under their control and management, there is no need for evidence of the historical ownership of customary land.
 4. Extended duration in implementing the conversion of customary land. There is a perception among the community that dealing with the conversion of customary land requires a significant amount of time. Subsequently, the land registration process, culminating in certificate processing, disrupts the time for managing customary land to meet the needs of their families.[\[19\]](#)
- The administrative system of the Village Chief, Sub-district Head, and Sub-district Head, as well as the technical implementers of the conversion process, has limitations.

The implementation of the conversion of customary land is an obligation and responsibility of those who have or control rights and stakeholders interested in submitting a conversion implementation request, followed by the registration of land rights at the Land Office for the acknowledgment and registration of ownership rights to customary land. In addressing the various challenges in implementing the recognition of rights through the conversion of customary land mentioned above, the Land Office can take measures to

overcome these challenges, as follows:

- For customary land managed by its owner, who has supporting documents and has recently applied for registration, the Land Office will proceed with the registration after the land user must fulfill obligations according to the Decree and the requesting party is invited to submit land measurement and mapping documents. After capturing the current state through photographs, a land certificate will be issued with the recorded land area from the measurement results. This is stated in the Decree of Ownership Confirmation, which does not specify a deadline for registering the land use right.
- Regarding long-term management, high costs, and lengthy procedures, the Land Office has implemented specific policies, especially for the registration of customary land through the National Project (Prona), facilitating and collaborating with local governments, particularly village heads, to fund the expenses. Specifically, payment is made in two (2) installments: the first before the survey and mapping are conducted, and the remaining amount is paid after the completion of the certificate. The payment coordination is handled by the village head.
- The strong influence of customary law and the low understanding of the certificate's function are significant factors hindering the registration of customary land ownership. Because customary law is considered sacred and regulates communal behavior regarding land issues, this factor has not been satisfactorily addressed. Steps taken include:
 1. In case of a transfer of rights by the village head, they request that the transfer must be registered to obtain a certificate.
 1. During each Agricultural Basic Law (UUPA) commemoration, the Land Office asks the village head and youth groups to help explain the functions and uses of the certificate. Short-term cooperation has been established between the Land Office and students participating in Community Service Program (Kuliah Kerja Nyata – KKN) to provide legal education to the community, making them aware of the importance of certification, instructions, and how to use it so that they are willing to register their land. However, compared to existing land use rights before registration, these activities have not been well-implemented, and the advice given by students is not comprehensive.
- The issues and limitations imposed by the Government are national problems, not exclusive to the Land Office alone but affecting the entire country. To address these challenges, the government is creating favorable conditions for land use rights registration. Although the Land Office's efforts to overcome these challenges have not yet succeeded, they are persistently being pursued..

Here is where the government plays a crucial role as the authorized entity in determining the technical aspects of registering customary land to ensure legal certainty in the field of agriculture. The government, through various efforts, strives to guarantee legal certainty for customary land. Considering the vast amount of land yet to be registered and comparing it with the government's capabilities and available resources, it is estimated to take a long time to complete the registration of all such lands. In addition to the government's efforts to provide security and certainty of land rights, concerns persist regarding the concept of registering and certifying customary land, as it may impact the preservation of the land itself.

CONCLUSION

Implementation of land recognition through conversion of customary land is carried out to acknowledge prior land rights and ensure legal certainty. It serves to accelerate the realization of a just and prosperous society, as envisioned by Article 33 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Challenges in implementing the recognition of customary land rights include the lack of legal awareness among the community, assuming that the recognition of customary land by indigenous communities is

already strong. The conversion process is lengthy, expensive, and hindered by incomplete land administration systems and limitations in the technical implementation of conversion. To address these challenges, the Land Office plays a crucial role in overcoming them through education and policies directed towards indigenous communities regarding the implementation of land recognition through the conversion of customary land.

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FOOTNOTE

[1] Ni Putu Diah Anjeni Werdhi Wahari, “Pengaturan Girik dan Implikasi Kepastian Hukum dalam Pembuktian Hak Atas Tanah”, Jurnal Legislasi Indonesia Vol 19 No. 3 – September 2022: 425-434

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