



Innovation of Semarang City National Land Agency Office in preventing land rights dispute based on complaint service and e-certificate

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ABSTRACT

Land certificates are issued as proof of ownership and the interests of rights holders who have registered with the National Land Office. It is hoped that the issuance of certificates as juridical data can minimise the occurrence of land certificate disputes, but in fact what happens in the field there are still land certificates in dispute, this usually occurs because of a sense of dissatisfaction that is subjective and there are parties who feel disadvantaged by other parties. This article aims to analyse the innovation of the Semarang City National Land Agency Office in preventing land certificate disputes using a normative juridical approach combined with empirical juridical. From the results of the research, it can be concluded that the innovations made by the Semarang City National Land Agency Office are providing complaint services and updating physical land certificates (analogue) to electronic land certificates (sertipikat-el), one of the reasons for this innovation is expected to reduce and prevent land certificate disputes in Semarang City. The Semarang City Land Office was ranked first in issuing the most electronic certificates for routine services in fiscal year 2024, indicating that the implementation of innovations has been effective and efficient.

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1. Introduction

Based on Article 1 paragraph (2) of Law Number 5 of 1960 concerning Basic Agrarian Principles (UUPA) that all earth, water and space, including the natural resources contained therein within the territory of the Republic of Indonesia, as a gift of God Almighty, are the earth, water and space of the Indonesian nation and are national wealth, the Government has an important role to manage natural resources including land with the aim of achieving the prosperity of the people (Chomzah, 2002). Article 3 of President of the Republic of Indonesia Number 177 of 2024

on the National Land Agency confirms that the Government authorised to manage land is the National Land Agency (BPN).

In accordance with Article 19 paragraph (1) of Law Number 5 of 1960 concerning Basic Agrarian Principles that in land management to ensure legal certainty over land ownership, the Government conducts land registration throughout the territory of the Republic of Indonesia and will subsequently be issued certificates containing the object of ownership. Land certificates are juridical instruments that have a function as proof of ownership of a plot of land that is legal and recognised by the National Land Agency on the basis of Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, with the issuance of land certificates as proof of ownership is expected to provide security for right holders and cannot be recognised by other parties. However, in fact that occurs in the field is still often found disputes land certificates such as overlapping, indications of the occurrence of disputes overlapping land certificates because there are two different juridical data sertipikat in one object the same land parcel either as a whole or part of the land parcel, as happened in Jangli Village, Tembalang Subdistrict, Semarang City, where there is a dispute over land certificates overlapping part of the land parcel, meaning that there are two certificates that recognize the ownership of part of the land parcel, as a result will have an impact on the right holder that is part of the land parcel is not productive or can not be functioned as well as unclear ownership, financial losses, and difficulties in transactions (Karim et al., 2023). Law No. 5 of 1960 on the Basic Regulation of Agrarian Principles stipulates that the National Land Agency has the authority to issue certificates. This legal basis can be used as a basis for the responsibility of the Semarang City National Land Agency in dealing with land certificate disputes. The recognition of land owned by the former Mayor of Semarang that was claimed by another party with multiple certificates, demonstrates the urgency of innovation in the land sector. Similar cases of multiple certificates have occurred in other cities, but the complexity of Semarang, especially as it involves public officials and businessmen, places particular emphasis on reforming the land system (Damar, 2021).

Land certificate disputes are synonymous with problems between two or more parties whose interpretations of each other's interests and objectives conflict. The settlement of land certificate disputes should involve third parties who are qualified in the land sector, in addition to knowledge of personal law, property law, treaty law and other laws relating to land (Syarif, 2012). Referring to Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 21 of 2020 on the Handling and Settlement of Land Cases, Law No. 51 of 2009 on the State Administrative Court, and Law No. 2 of 1986 on the General Court, the National Land Agency, the State Administrative Court (PTUN) and the General Court (PU) have authority over disputes over land certificates, the three legal institutions have different regulations for land certificate disputes, The National Land Agency resolves land certificate disputes through mediation and acts as a mediator. If the mediation process does not result in mutual agreement, then land certificate disputes can be submitted to the State Administrative Court relating to the authority, procedures and substance in the issuance of land certificates by the National Land Agency, while land certificate disputes are submitted to the General Court relating to land ownership rights. The main function of the State Administrative Court and the General Court is to examine, hear and decide disputes over land certificates (Murad, 2007).

In essence, the problem of land certificate disputes has occurred since ancient times even since colonial times, the availability of land with a growing population has resulted in an imbalance, so that this primary need has become a problem in the community. For this reason, innovation is needed from the National Land Agency to overcome problems regarding land certificate disputes, these innovations are created because of the needs and problems that exist in the community (Desrinelti et al., 2021). Several innovation efforts that have become policies have been implemented in the community. The implementation process is a process of implementing a new policy that is planned and structured and has the aim of achieving good performance in

the relationship between certain variables (Irviani et al., 2020). An important aspect in the overall policy process is implementation in the community (Bagus et al., 2022). Policies can be a link to achieve the goals and objectives of the final results of activities organised by the Government (Coryanata, 2016).

With technological reform being a breakthrough for the Semarang City National Land Agency in providing digital-based innovation. Digital innovation is a technology based on technology and digital to achieve certain goals in services (Naura Bilqis Tasyakurina & Condro Widodo, 2024). Digital innovations that have become a breakthrough for the Semarang City National Land Agency are complaint services and electronic certificates.

After the formulation and ratification activities, the policy will then be implemented and implemented in the community (Achmad, 2016). In making policies, it is important to follow technological and digital developments that signal the transition of offline systems to online (Andriansyah Putra & Winanti, 2024). The entry of technology and digital can change the way of life, how to work, how a person thinks and how the Government serves the community (Andari & Mujiburohman, 2023). Computer-based technology and digital for community services have developed rapidly and provide assistance and convenience to the community (Syaifudin, 2020).

This study aims to provide the latest literature to people who still lack knowledge of land law, which will be written explicitly, and to find out what breakthroughs the Semarang City National Land Agency has made in preventing land certificate disputes, which will then be analysed and presented in the form of an article.

In this article, the author hopes to provide literacy about innovations made by the National Land Agency to prevent land certificate disputes so that they can be implemented inclusively in the community after knowing the innovations provided by the National Land Agency, and minimise the occurrence of land certificate disputes.

Therefore, this research will answer the following problem formulation; What are the innovations of the National Land Agency in preventing land certificate disputes in the city of Semarang? What are the barriers to the implementation of innovations provided by the National Land Agency of Semarang City in the form of legal protection?

2. Methods

This research method uses a normative juridical approach combined with empirical juridical to strengthen in obtaining data that describes the innovation of the Semarang City National Land Agency in preventing land certificate disputes. The normative juridical and empirical juridical approaches have the right components to answer the formulation of this research problem, the purpose of the normative juridical approach is to understand and interpret legislation and legal literature as a theoretical basis and norms in a broad sense to guide behaviour (Dr. Johnny Ibrahim, 2013), while empirical juridical provides an understanding of how regulations are implemented and function in the community.

In supporting the answer to the problem in this research, secondary data sources and primary data sources are needed (Agus Priyono & Benuf, 2020). Secondary data sources are Law Number 5 of 1960 concerning Basic Agrarian Principles, Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 3 of 2023 and other laws and regulations relevant to this research will serve as the basis for normative juridical data, selection of data sources Laws and Regulations are scientific literature that has a different but complementary role in strengthening the interpretation of legal research results, legal data sources Laws and Regulations are the main basis for normative research (Muhammad Siddiq Armia, 2022). Primary data sources are observations and interviews which serve as the basis for

empirical juridical data in the preparation of articles obtained through the Semarang City National Land Agency, the data obtained will then be analysed descriptively qualitatively to facilitate the reviewer in understanding the contents of this article.

In obtaining interview data, the author took facts from informants, namely one employee of the Semarang City National Land Agency and one Jangli Village staff involved in this research.

The data analysis process carried out by the author is in accordance with Miles and Huberman's data analysis, namely (1) data collection, the author will take data from observations and interviews; (2) data reduction, the author will analyse the data obtained to sharpen, focus, select, discard, and group data in such a way that the final conclusions can be described and verified; (3) data presentation, the author will collect information that has been arranged which allows conclusions and actions to be drawn; (4) conclusion drawing, the conclusion is a proposition taken from the writing that has been explained or described by the author.

Data validity carried out by the author uses a data trust system with triangulation techniques, this technique can work by comparing and re-examining information that has been obtained through different times and tools and using qualitative methods. Triangulation is a technique of checking the truth of data that utilizes something outside of that data (Moleong, 2021).

The conclusion of this research is explained explicitly, which will lead to the core of the research results and answers to the formulation of the research problem, namely the innovation of the National Land Agency of Semarang City in preventing land certificate disputes and obstacles in the implementation of the National Land Agency's innovation in the form of legal protection.

3. Analysis and Result

3.1. Innovation of the National Land Agency in preventing disputes over land certificates in the city of Semarang

Innovation is an idea, item, event and method that is observed and perceived as something new for a person or group, either invention or discovery that aims to solve a problem (Fathurrohman, 2017). Innovation is urgent to achieve a competitive advantage if a problem does not show an efficient solution.

The innovations made by the National Land Agency of Semarang City in preventing land certificate disputes will periodically have a positive impact both internally and externally. The case of land certificate disputes in Semarang City is still quite complex so that novelty is needed in this problem, the Semarang City National Land Agency has made several efforts to prevent land certificate disputes including:

a. Complaint service

The National Land Agency is a government agency that has an obligation in land services, especially in the service of complaints for indications of land certificate disputes, this is stated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 4 of 2022 concerning Management of Complaints Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, with the existence of these regulations can be the basis for the Semarang City National Land Agency in taking preventive action against land certificate disputes in Semarang City. Complaint services can be carried out in several ways such as; direct complaints, and complaints through the WhatsApp Hotline owned by the Semarang City National Land Agency Office. Basically, the quality of services provided by the government to the community is a success of government administration (Solong, 2021).

Direct complaints can be made by visiting the Complaints Counter at the Semarang City National Land Agency Office with supporting documents such as certificates, complaint forms and power of attorney. Meanwhile, complaints through the WhatsApp Hotline can be made by contacting the WhatsApp number of the Semarang City National Land Agency Office at 0811-

1068-0000, incoming complaints will then be recorded, examined and followed up in accordance with procedures by Semarang City National Land Agency employees (Interview with Mr Dian Puri, 2024).

The complaint service innovation by the Semarang City National Land Agency is expected to facilitate the public in reporting land certificate disputes both through the Complaint Counter and the Semarang City National Land Agency's WhatsApp Hotline.

b. Electronic Certificates

Along with the times, almost all community behaviour uses technological and digital sophistication, this has encouraged the Semarang City National Land Agency to provide technology-based and digital services in issuing land certificates (Eko Eddy Supriyanto, 2016). The existence of the technological and digital era has made a new breakthrough for the Semarang City National Land Agency in preventing land certificate disputes and increasing work efficiency in creating better socio-economic relations (Anggen Suari & Sarjana, 2023). This can be seen in the Semarang City National Land Agency's receipt of an award for first place in issuing the most electronic certificates for routine services in fiscal year 2024, but the electronic certificates issued must be accurate and appropriate to avoid new land disputes (Dita Dwi Puspitasari, 2025). Land certificates that were previously in physical form in the form of paper are now modified into electronic or digital land certificates, this is part of digital transformation and modernisation, the implementation of electronic land certificates is based on Regulation of the Minister of ATR / Head of BPN Number 1 of 2021 concerning Electronic Land Certificates. The innovation of electronic certificates can facilitate the public in accessing land certificates in real time through the Touch My Land application (Muhdany Yusuf Laksono, 2023). Electronic certificate security systems that use authentication, encryption and blockchain offer a higher level of security than physical certificates, particularly in terms of reliability and resistance to forgery. Blockchain, with its decentralised and encrypted nature, significantly increases the security of data and information, making it difficult to manipulate or forge (Candya Upavata Kutey Karta Negara, 2021). However, cyber threats such as data theft and hacking should still be watched out for by the Semarang City National Land Agency in providing maximum service to the community (Pebiyanti et al., 2023).

The National Land Agency created this innovation to provide a higher level of reliability and security to landowners so that falsification of electronic certificates would be more difficult, and to prevent more land certificate disputes in the community (Widiyantoro et al., 2022). Physical land certificates are still valid and serve as proof of ownership, but it is advisable to change to electronic land certificates (Herman, 2023).

The innovation provided by the National Land Agency of Semarang City in order to prevent disputes over land certificates shows that the National Land Agency has prepared itself to provide technology-based and digital services to the community (Silviana, 2021). Technology-based and digital innovations can provide effectiveness and efficiency, this illustrates the development of good governance, to achieve good governance, transparent standards are needed in public services so that service recipients get certainty in accordance with the principles of good governance (Nimas Ratu & Subekti, 2021). To support the achievement of these innovations as administrative order, every parcel of land with ownership including the transfer, encumbrance, and abolition of rights must be registered (Kurniady Noor, 2016).

3.2. Obstacle in the implementation of National Land Agency innovations in the form of legal protection

Innovations to prevent disputes over land certificates implemented by the Semarang National Land Agency have attracted both pros and cons from various segments of the community. Those in favour of the complaints service and electronic certificates consider the

implementation of digital transition and modernisation to be more effective and easier for the public in preventing and resolving land certificate disputes. Others, on the other hand, believe that this innovation will increase the problem of land certificate disputes due to the lack of maturity of technological infrastructure and data security systems. With these pros and cons, the National Land Agency of Semarang City experienced obstacles in implementation in the community.

a. Technology Infrastructure Maturity

The implementation of electronic certificates requires the maturity of adequate technological infrastructure such as security systems, stable internet, compatible software and hardware. However, the fact that this technological infrastructure is not yet fully distributed to remote areas has become an obstacle for the Semarang City National Land Agency in implementing electronic certificates.

In ensuring the maturity of the technology infrastructure, the National Land Agency of Semarang City seeks to coordinate with the central government to obtain infrastructure support, such as improving the quality of human resources to have the capacity and capability to run this innovation and providing stable internet upgrades in remote areas (Interview with Mr Dian Puri, 2024). Isolated areas are a major problem, which will hinder the use of technology and digital transition for the community that should be utilised (Adinegoro, 2023)

b. Data Security System

Data security system is one of the main risks and challenges for the National Land Agency of Semarang City in using technology and digital. Electronic certificates are vulnerable to cyber threats such as data theft and hacking, so the data security system used by the National Land Agency must use strong technology such as a precise and rigorous authentication system and strong data encryption.

In preventing cyber threats, the Semarang City National Land Agency must backup data related to electronic certificates and ensure that the data or information contained in electronic certificates is valid and accessible, in addition the Semarang City National Land Agency also ensures that the accuracy and mapping of land must be certain and appropriate, this prevents overlapping land certificates. Basically, data that uses technology and digital is still possible to be hacked, but if it uses a block data system towards blockchain it is not easy to be hacked (Almadinah Putri Brilian, 2023)

c. Public Awareness

In addition to the efforts of the National Land Agency of Semarang City to socialise the innovation, community participation is also needed to increase literacy and awareness of the urgency of the complaint service and electronic certificates, such as complaining about land disputes to the complaint service and replacing physical certificates with electronic certificates, participation is the participation of individuals in a group with certain conditions and situations to achieve the goals of a group (Devina, 2022). However, in the case of disputes over land certificates in Jangli Village, Tembalang Subdistrict, Semarang City, the certificates are still in physical form and have not yet been transferred to electronic certificates, proving that public awareness is still lacking.

4. Conclusion

The breakthrough provided by the Semarang City National Land Agency in preventing land certificate disputes can be a convenience for the community, especially in Semarang City, the availability of the Complaint Counter is a full attention in reporting land certificate disputes, and the use of electronic and digital with the transition of physical land certificates to electronic

land certificates can facilitate the public in accessing land certificates, provide transparency and minimise land certificate disputes. To achieve success, these innovations need to be socialised more widely to the public, especially in remote areas. However, the uneven technological infrastructure and digital literacy of the community are limitations for the National Land Agency of Semarang City in conducting socialisation in remote areas.

With the innovations related to electronics and digital, the National Land Agency must prepare carefully for the prevention of cyber threats so as not to add to existing problems and ensure the security of the community, especially land certificate holders, for this reason it is hoped that further research can examine legal protection for ownership of land rights certificates from cyber threats.

In carrying out the innovations issued by the National Land Agency, Human Resources who are experts and skilled in their fields are needed, so that development training is needed to achieve the goals of these innovations.

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