



The Government's Role in Legal Protection of Land Ownership: *Urutsewu* Case

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Article	Abstract
<p>Keywords: Role; Government; Legal Protection; Land; Properties</p> <p>Article History Received: Jun 12, 2024; Reviewed: Jun 23, 2024; Accepted: Aug 1, 2024; Published: Aug 6, 2024.</p>	<p><i>Legal protection involves safeguarding human rights violated by others and ensuring the community fully exercises its legally granted rights. In Urutsewu, the conflict arose from the differing perceptions between the TNI and local farmers. The TNI uses the area for defence and weapons testing, while farmers use it to grow crops to support their families. Both parties claim land in Urutsewu for their reasons because there is no clarity on the ownership status between them. This study uses a socio-legal approach, analysing the intersection of law and society by considering social, cultural, and political factors that affect the functioning of the legal system, which aims to examine the government's role in the protection of law and human rights and its efforts to resolve land ownership disputes in the coastal land area of Urutsewu Kebumen. Progress is being made in recognising legal protection and human rights for land rights ownership in Urutsewu, with land specifications now being clarified for both residents and the TNI. The land disputes stem from unclear land ownership (no certificate), prompting both parties to initiate land registration to ensure legal certainty and land protection in Urutsewu.</i></p>



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INTRODUCTION

Land is essential for human survival. As an agricultural country, most Indonesian people, especially farmers, rely heavily on land for their livelihood. Consequently, land often becomes a source of conflict. Not a few people face issues related to land, particularly regarding ownership disputes (Hasanuddin Djohan et al., 2024). Land ownership not only determines one's access to resources but also significantly influences social status within the community (Maulana et al., 2024).

The hereditary, strongest, and most comprehensive land right that a community can own over land is land ownership, as defined in Article 20 paragraph (1) of Law Number 5 of 1960 concerning Agrarian Principles, subsequently referred to as the Basic Agrarian Law (UUPA). In this context, the term "hereditary" refers to a right that can be passed down through generations or inherited from progenitors. These rights are closely tied to other land rights and confer the most extensive authority on the holder (Muljadi & Widjaya, 2004).

Land everywhere poses its own problems. Conflicts arise between individuals and groups, even between rulers and citizens, either through claims, expropriation or other means to acquire a piece of land (Hidayah & Al-Fatih, 2019). Recently, land disputes have emerged and have been rampant throughout Indonesia. The dispute process occurred because of the potential for no common ground between the parties to the dispute. One of them is the conflict that occurred between the community and the Indonesian National Army (TNI AD) in the Urutsewu area, Kebumen Regency.

A vertical conflict centred on land grabs between the community and the Indonesian Army gave rise to the structural war that transpired in Urutsewu. A manifestation of the disparities in perceptions and preferences between the parties involved in the conflict is the conflict that took place in the Urutsewu area. The existence of land ownership rights is the spearhead of the conflict from the perception of each party, namely the community and the Indonesian Army. The Indonesian Army and the community are fighting over land boundaries and property rights over land used as a military training ground in the Urutsewu area. The community advocates for the land to be reserved for agriculture and tourism, while the TNI AD aims to designate it as a defence zone and military testing ground.

Initially, the TNI AD only borrowed land from the local community for training purposes in Ambal District and nearby villages. Along with these exercises, they also conducted heavy weapons tests. Over time, the practice of borrowing land was discontinued, and the Army merely issued a notification letter when conducting training. Subsequently, the TNI AD unilaterally mapped and certified the land, making unilateral claims to the residents' properties. The mapping was justified as necessary for creating a safe zone and building a road to the coast, unrelated to the Army training activities, and without acknowledging that the land belonged to the Army (Luthfi, 2014).

This research focuses on the legal protection of land ownership. Numerous studies have addressed this issue, including the work of Gede Made Swardhana and Suviwat Jenvitchuwong on the participation of customary land management in development and the challenges of Indigenous Community Protection. Indigenous peoples, with their unique cultures and customs, have historically lived in close interaction with land and natural resources. Customary land rights are collective rights held by Indigenous peoples over the land they inhabit and manage. However, conflicts of interest often arise between the local customary law community and the state.

Several factors, including legal dualism in land management, conflicts of interest between indigenous peoples and the state, and the lack of clear borders for customary land areas influence the challenge of protecting customary land rights in Indonesia. The challenge of protecting customary land rights has several significant impacts on Indigenous peoples, leading to legal uncertainty regarding land, a decline in their welfare, and inequities and discrimination against them (Swardhana & Jenvitchuwong, 2023).

Lisnadia Nur Avivah conducted a study on Legal Protection, specifically focusing on the significance of land registration in safeguarding land certificate ownership. To establish the legal certainty of land rights, land registration activities are conducted, which involve a series of land administration activities aimed at collecting and processing both physical and legal data. To prevent land disputes, it is imperative to establish comprehensive regulations governing the usage, utilisation, ownership, and legislation pertaining to land parcels, given their significant benefits to society. The Basic Agrarian Law Number 5 of 1960 (UUPA) mandates that the government must conduct land parcel registration efforts throughout Indonesian territory to secure land rights. One of the goals is to achieve legal certainty regarding community land rights comprehensively and equitably, particularly with respect to land rights established under customary law (Avivah et al., 2022).

Essentially identical to the investigation carried out by Yulies Tiena Masriani. This study analyses the significance of land certificate ownership obtained through land registration as evidence of rights. By issuing land rights certificates, owners are granted legal certainty and protection to prevent future legal disputes arising from parties who perceive themselves as being disadvantaged by the issuance of these certificates. Land registration serves as legally recognised evidence of land ownership (Masriani, 2022).

In practice, the events in Urutsewu have led to several human rights violations. On April 16, 2011, civil actions resulted in clashes where the TNI responded repressively, shooting several civilians and injuring 13 people. Additionally, they damaged agricultural land and 12 motorcycles belonging to farmers. This incident severely impacted the farmers, hindering their harvesting process. The community also felt uneasy and fearful during TNI's military test exercises as there was a constant threat of bombs missing their targets and hitting residents or their crops. Failed ammunition surveillance has led to unexploded bombs posing a deadly risk if touched by farmers. Tragically, such an incident resulted in the death of five children from Setrojenar Village, one resident of the Ambal Village Apparatus, and four residents of Entak Village and Ambal officials who were left permanently disabled (Apriando, 2019).

Human Rights are fundamentally important and universal, belonging not just to specific groups or nations but to all mankind. Consequently, human rights violations are a global issue affecting everyone (Sholecha et al., 2023). Human rights are an essential entitlement of human existence that must be safeguarded (Djuyandi, 2018). In

accordance with Article 28 I paragraph (4) of the Constitution of the Republic of Indonesia, "The protection, promotion, enforcement and realisation of human rights are the responsibility of the State, especially the Government", and the right to land, the right to decent livelihood and work, the right to a decent place to live, the right to social welfare, the right to collectively advance the common living space and the right to legal certainty are human rights listed in the Constitution and is the mandate of the organisers.

As a state of law, Indonesia must have legal, political, economic, social, and moral obligations to protect, promote, and take concrete actions to uphold human rights and basic human freedoms (Waluyo, 2017). The existence of the law must be able to serve and protect the entire Indonesian nation (Kusniati, 2024) regardless of their background and social status. Every citizen has the right to legal protection (Aditya & Al-Fatih, 2023), including the protection and protection of human rights, and the law is a place of protection and defence of society from acts that threaten and degrade a sense of security, peace, and human rights.

According to the 1945 Constitution and Pancasila, the nation's philosophy of life, the right to protection is guaranteed to all Indonesian citizens. The legal protection of individuals' rights to land resource management has been regulated by Article 28B of the 1945 Constitution (as a constitutional right), Article 28 I of the 1945 Constitution, and Law Number 39 of 1999 (as well as human rights). Article 22 of the UUPA explains that property rights can be acquired by removing land. This approach is feasible in customary law since the foundation of national agrarian law is customary law, as outlined in Article 5 of the UUPA (Sudarso et al., 2019).

In countries that adhere to the rule of law, such as Indonesia, constitutional guarantees for human rights are a key feature (Riyadi et al., 2023). This includes providing legal protection for citizens. Land problems in the Urutsewu area are chronic and long-standing, representing complex and multidimensional challenges. Addressing these problems requires cooperation between the community and the government to ensure the protection of land ownership laws. Efforts to prevent, manage, and resolve these issues must consider various legal and non-legal aspects. Therefore, this paper explores the government's role in providing legal protection for land ownership in the Urutsewu area in particular. Understanding this role will offer insights into Indonesia's broader context of land protection.

METHOD

This research employs a socio-legal method, an approach that extends beyond textual analysis to include a comprehensive study of the context, encompassing the entire process from "legislation" to "law enforcement" (Ajir et al., 2023). This interdisciplinary approach examines the interaction between law and society, considering the social, cultural, and political factors that influence the legal system. The

socio-legal approach is utilised to assess the government's role in legal and human rights protection and its efforts to resolve land ownership disputes in the Urutsewu area of Kebumen. The study draws on a variety of sources, including regulations and interview data from those directly involved in the land ownership disputes in Urutsewu—namely, the local government, farmers, and the Indonesian Army—as primary data. Additionally, it references books, journals, articles, and other literature discussing relevant topics. The researcher uses a deductive reasoning framework to interpret the collected data, starting from general facts and concrete events and then deriving specific conclusions. In other words, the researcher collects and organises the field data and facts, ultimately drawing specific conclusions from this organised information.

RESULTS AND DISCUSSION

Land Ownership Conflict between the Community and the Indonesian Army in Urutsewu

Urutsewu is the name for a rural area on the south coast of Kebumen, Central Java, stretching from the Mirit area to Buluspesantren. The name Urutesewu is better known by the local community, referring to the southern coastal area that stretches along Logending Ayah to the Wawar River, which borders Purworejo Regency. There are at least 38 villages in the Urutsewu area of Kebumen. This land dispute case involves three villages and fifteen villages. The three sub-districts are Mirit Sub-district, which includes Wiromartan, Lembu Purwo, Tlogo Pragata, Tlogo Depok, Mirit, and Mirit Petikusan. Ambal District includes Kaibon, Kaibonpetangkuran, Ambal Official, Kenoyojayan, and Entak Villages, while Buluspesantren District includes Brecong, Setrojenar, and Ayam Putih Villages (Pergerakan, 2013).

Throughout the archipelago, Indonesia is replete with both renewable and non-renewable natural resources, which are present in abundance on land, water, and in the air. As stated in Article 33, paragraph (3) of the 1945 Constitution of the Republic of Indonesia, "The earth and water and the natural resources contained in them are controlled by the state to be utilised to the greatest extent possible for the prosperity of the people." This wealth is a gift from God, and humans are obligated to safeguard, maintain, and preserve it for all Indonesians (Listiningrum et al., 2021). As is the case in Urutsewu, which is an area rich in natural resources, among them in terms of mineral potential is high-quality iron sand that stretches along the west coast from the Luk Ulo River to the Wawar River. In addition, Urutsewu also has very good agricultural potential. Agriculture has flourished in the region, producing many agricultural products, including shrimp, melons, red garlic, papaya, parsley, and a wide variety of vegetables. Urutsewu also has promising tourism potential because the location of its rice fields is in coastal areas such as lagoon beaches in Wiromartan Village, Ambal Beach, Mliwis Beach, Bocor Beach, and Setrojenar Beach. The community takes

advantage of the potential of the beach by opening rice warehouses, rentals, horses, swimming pools, parking facilities, and other livelihoods (Cahyati, 2014). Several aspects have triggered conflicts between the two parties:

1. Claim of land possession status

The village head and residents of Urutsewu claim that the land in question is Yasan land. Yasan land refers to land obtained by clearing forests or wild areas for agricultural use, typically acquired by the residents themselves or their ancestors (Winarso, 2012). Since the enactment of the 1960 Basic Agrarian Law (UUPA), this type of land has been converted into property rights (Article II of the Conversion Provisions, 1960 UUPA). Yasan land is recorded in the village's Land Register, commonly known as Letter C. Residents' ownership is evidenced by the Letter C document, or Village C, with a copy provided to the owner. Before the UUPA was issued, Letter C held the same legal weight as a Certificate of Land Ownership.

Mr Widodo Sunu Nugroho, the Head of Wiromartan Village, Mirit District and Mr Seniman, the Chairman of the South Kebumen Farmers Association Forum (FPPKS), stated in their interview:

Various documents and historical information submitted orally show that the claim to land by the Urutsewu people is quite strong. The people of the Urutsewu area began to occupy and cultivate the land that is now a dispute decades ago, even before the Indonesian Army began to conduct military training in the area. The clearing and cultivation of this land is recognised by the UUPA. One of the rights recognised in the UUPA is the Right to Clear Land as mentioned in Article 16 F of the UUPA.

The TNI AD also has strong written evidence that the land is State land assigned to the TNI AD based on the law on the ownership of the land, such as the land used by the TNI for military exercises in the Mirit, Ambal and Buluspesantren areas. An area of 1,150 hectares was obtained from the 1949 KNIL heritage under the ownership of the State because it has been registered in the State Property Inventory (IKN) of the Ministry of Defence/TNI AD Kodam IV/Diponegoro with Registration Number 30709036 (Luthfi, 2014).

Furthermore, Mr Nurohman (Basandi KODIM 0709 Kebumen) stated in his interview:

The land of Urutsewu is not a disputed land, but purely land owned by the TNI. The Urutsewu area is not an agricultural area for residents. Residents are only given the opportunity to use it if it is not being used for military exercises. This is a form of concern of the Indonesian Army to help the economy of residents. BPN has also issued a certificate of ownership rights to the Urutsewu land on behalf of the Indonesian Army for military weapons training purposes. So, the public is expected to understand and not be provoked by hoax news that seems as if the TNI is the one who seized the residents' land so that it can cause conflicts between residents and the TNI AD.

2. Building fences and mining sand

The Ministry of Defence and Security of the Indonesian Army in 2013 started the first land guarantee carried out in Tlogodepok Mirit Village. The refund was made on land claimed to belong to residents at a distance of 500 meters from the coastline. This guarantee finally arrived in Mirit Petikusan village. In 2014, in Ambalresmi Village, a guarantee was carried out by the Indonesian Army, and it continued until 2019 in the Brecong area. The purpose of the construction of this fence is to maintain security when there are shooting and weapons drills, especially large-calibre weapons that can endanger civilians. However, the fence built by the TNI AD stands on land owned by Sanmuntangad residents in Entak Village with proof of Land Rights (Cahyati, 2014).

Mr. Muhlisin (Former Head of Kaibonpetangkuran Village) stated in his interview:

The fencing of land in Urutsewu has received rejection and resistance from the community because it causes fear in the community if they are given a fence barrier, they are worried that they will not be able to grow crops on the land anymore. From the beginning, the community in Urutsewu did not agree with the holding of fencing, but if it was only for training and weapons testing, it was okay but the community asked for compensation if any of their plants were damaged due to the impact of the exercise. If this continues, the land conflict in Urutsewu will continue because the livelihood of farmers on the land will be lost.

Based on Article 82 of the Law concerning Environmental Protection and Management, mining has a complicated impact on life, both on the environment and social life. Development activities often result in ecological degradation, reduce environmental quality and endanger human survival. The existence of difficulties related to the impact of mining certainly contributes to public unrest. The AMDAL, as a legislative basis for the mining licensing system, is vital in ensuring the sustainability of the implementation of environmental protection and management in Indonesia (Jaelani et al., 2022).

In 2008, Kodam IV Diponegoro approved iron sand mining. The situation escalated when, in January 2011, the government granted PT Niagatama Mitra Cemerlang (MNC) a Mining Business License. However, the Mirit residents strongly refused and received support from other villagers in Urutsewu. The community is deeply concerned about potential environmental damage that could trigger natural disasters, especially since the Mirit area is prone to tsunamis. Residents fear that the loss of iron sand, which naturally filters the well water, could lead to increased salinity. Furthermore, livelihoods are at risk—farmers may be unable to cultivate their crops, and fishermen may be unable to go to sea if the land is destroyed by mining activities (Laela & Ubaidillah, 2019).

Statement from the TNI AD, Mr. Suharyadi (a member of the TNI AD Setrojenar Research and Development Department) stated:

Regarding iron sand mining, the community cannot take advantage of assets owned by the Indonesian Army to improve welfare and economic growth. For example, with the existence of iron sand, the most important thing is the administration because there are rules at the Ministry of Finance that allow non-tax income to still go to the government. From the TNI AD side, they did not get the slightest, and the community also got a score. However, during the conflict, the iron sand mining company could not operate since obtaining the permit because the community refused and held protests to various parties in order to maintain the integrity of the environment.

Efforts to Resolve Land Title Disputes in the Urusewu Area

The agrarian conflicts and disputes that result from land ownership inequality have the potential to violate human rights, particularly the right to life and the right not to expropriate, as protected by Article 28A of the 1945 Constitution, Article 9, paragraph (1) of Law Number 39 of 1999, and Article 36 subsection (1) and (2) of Law Number 39 of 1999. Additionally, they violate the right to welfare, as outlined in Article 28 H paragraph (1), the right to equal treatment before the law, the right to protection and human rights, as stated in Article 28I of the 1945 Constitution, and the right to live a prosperous life, as stipulated in Article 28 H paragraph (1). Therefore, the implementation of a human rights-based and expressly agrarian reform policy program is essential to accelerate efforts to resolve rural disputes and conflicts, particularly with regard to land ownership disparities, and to promote social welfare and wellbeing (Hariyanto et al., 2024).

For an extended period, land disputes in the Urutsewu region have been an endemic and classic issue. A comprehension of the root of the problem and its triggering factors is necessary to find a win-win solution to the conflict in Urutsewu. Justice is the foundation of legal equality, which mandates that all individuals be treated equally before the law. The implementation of the law is inextricably linked to legal justice. The law will not be applied fairly if legal justice is not achieved (Arifin et al., 2023). Legal awareness is essential for law enforcers to ensure the equitable application and enforcement of the law (Hariyanto, 2014). As a result, it is imperative that we prioritise the principle of Human Rights (HAM) in the resolution of agrarian conflict disputes, as it is not limited to formal law in its ability to resolve land conflicts (Utomo, 2020).

The Kebumen district government employs several strategies to resolve the conflict. First, they engage in conciliation, resulting in an agreement where the community requests a remeasurement of the TNI AD land boundary to 500 m from the estuary. Additionally, the barrier must be removed and replaced with a non-TNI AD marker, and neither party will claim ownership of the land. The second strategy

involves arbitration with stakeholders, including FPPKS spectators led by Seniman, the Kebumen Regency Government, the Kebumen Land Office, and the Kebumen Code 0709 as a follow-up to the initial dispute (Susanto, 2019).

The third strategy involves a compromise, where the Kebumen Regency Government and the people of Urutsewu agree to maintain a Status Quo. This means that the land use will continue as it did before the conflict, allowing the TNI AD to conduct military exercises and the community to continue farming. The fourth strategy reached an impasse, with the Regent reiterating that the Kebumen Regency Government could not unilaterally resolve the land problems in Urutsewu as the Central Government and the Provincial Government have designated the area for defence and national security purposes. The fifth strategy is mediation, which concludes that the National Land Agency (BPN) lacks proof of ownership of the community's land rights, although the community presents evidence to the Animal Husbandry Service to support their claim.

Mediation encourages the parties to resolve their own problems or conflicts with the help of a neutral or impartial third party (Umam, 2010). The Government is primarily responsible for the protection, delivery, enforcement, and fulfilment of human rights through mediation, which is one of the efforts to establish a conducive environment, as mandated by the Constitution. By forming an independent team, evidence of ownership of land owned by the community and evidence from the TNI AD can be collected, resulting in several recommendations as follows: 1). Designate the Urutsewu area as a special defence and security zone, 2). Acknowledge that while the TNI AD does control the area, there is also evidence of land ownership by residents in the form of village letters and C certificates, 3). Recognise Urutsewu District as a Hankam district, encouraging the community and the Indonesian Army to mutually use the land.

In terms of defence and security, the resolution taken must be dominated by the Indonesian Army. The Indonesian Army is expected not to take repressive actions to resolve the conflict. Reconciliation is an effort to resolve past conflicts and improve relations towards peace and more harmonious relations in the future (Candra Negara et al., 2019).

The Government's Role in Legal Protection and Human Rights in the Context of Land Ownership Disputes in Urutsewu

Obtaining legal protection from the state is essential, as land is fundamental to human survival. This principle is enshrined in Law No. 5 of 1960, commonly referred to as Basic Agrarian Law (UUPA), which declares that "the earth, water, and space, including the natural resources contained in them in 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 assets"(Aswim et al., 2022).

In accordance with the provisions contained in Article 2 letter (a) of Presidential Decree 86/2018, agrarian reform aims to uphold justice by narrowing the gap in land ownership and control. Despite this ambition, land disputes regarding land ownership and control are still frequent. One way to reach a settlement regarding land ownership rights is to ensure that the government and relevant institutions provide adequate legal protection and certainty regarding these rights.

Inequality in land ownership not only causes agrarian conflicts and disputes but also has the potential to violate Human Rights (HAM). Human rights violations related to unfair land ownership include not only land rights but also labour rights, the right to a reasonable standard of living, and other basic rights. As a result of inequality in land ownership, agrarian conflicts can exacerbate poverty and hinder the protection of human rights, especially in relation to civil and political issues. Ensuring fair agrarian policies is critical to preventing human rights abuses. However, the frequent agrarian disputes arising from unfair land ownership continue to hinder the implementation of agrarian reform, even when it is close to the expected level of prosperity and justice. Until now, we have considered the issue of inequality in land ownership to be a critical conflict and the root cause of rural disputes, which we define as an act of structural injustice. Human rights discourse is related to the implementation of agrarian reform policies. This policy is the basis for resolving agrarian disputes or conflicts based on the principles outlined in the TAP MPR Number IX/MPR/2001 concerning agricultural reform and natural resource management. The governing body is obliged to uphold and respect the human rights of affected communities when dealing with agrarian conflicts (B Hardiyanto, 2020).

Legal protection is an effort to protect the community, guaranteed by the provisions of laws and regulations to prevent violations or harmful matters (Prabowo et al., 2022). The people's right to protection is the right of every Indonesian citizen as stated in the 1945 Constitution and Pancasila as the nation's philosophy and ideology of the Republic of Indonesia. In the 1945 Constitution, Article 28A, 28D paragraph (1) and Article 28 I paragraph (4) clearly outline the protection of human rights (HAM) as an Indonesian citizen. The protection of human rights, as stated in the Constitution, must be carried out by adhering to the principles of respect for the community's right to land. The provisions of the Law on the Protection of Land Ownership Rights for Indonesian citizens as a state of law must be based on Pancasila and the 1945 Constitution.

A governmental entity that has proclaimed itself to be a democratic state is required to uphold the protection of human rights (Janah et al., 2023). The world community has come to recognise the universality of human rights, just like it did with the Vienna Declaration of 1993 (Mardiyanto & Hidayatulloh, 2023). The state of law, which recognises and defends human dignity based on Pancasila, is the foundation of legal protection for the people of Indonesia (Sudarso et al., 2019).

Komnas HAM received 1,062 complaints in 2023, 221 of which were related to rural issues. Because land is an important commodity for the entire community, the agricultural sector often faces challenges. This is due to the paradigm of national development policy that still views land as a commodity and simplifies the relationship between humans and land only from an economic point of view. In response to the Secretary General of the Agrarian Reform Consortium (KPA), the number of land disputes in Indonesia increased in 2022 compared to the figure in 2021. In particular, there were 212 cases of agrarian conflicts, impacting 1,035,613 hectares of land and 346,402 heads of families (KK). KPA records show that the plantation sector accounted for 99 cases in 2022, the highest number of cases of agrarian conflict (Fulazzaky et al., 2022).

Land problems in the Urutsewu area stem from the uncertain land ownership status (no certificate) along the coast of Buluspesantren, Ambal and Mirit Kebumen Districts. The essence of land natural resource disputes begins with the absence of a common ground on three key points: (1) who has the right to own land and natural resources; (2) who has the right to use land and resources; (3) who has the right to determine the ownership and use of land and natural resources (Malik, 2003).

Providing certainty and legal protection in the agricultural sector requires the existence of clearly formulated provisions of laws and regulations so that they can be implemented effectively. Article 20 paragraph (1) of Law Number 5 of 1960 concerning Agrarian Plant Staples (hereinafter referred to as the Agrarian Staples Law) is the oldest, strongest, and most complete land right that an individual can possess. According to Article 16 (1) of the UUPA, one of the recognised land rights is property rights. Thus, to ensure the security and legal protection of land ownership, the UUPA was enacted, which formally instructed the government to carry out land registration throughout Indonesia (Santoso, 2015).

Article 19 (1) of the UUPA mandates the Government to organise land registration to ensure legal certainty over land in all areas of the Unitary State of the Republic of Indonesia and also mandates the formation of government regulations that implement it. This obligation in terms of registration is not only imposed on the government as the organiser of registration but also applies to the holder of the right to register on his or her own conscience. The purpose of land registration, according to Article 3A of Government Regulation No.24/1997, is to provide legal certainty and legal protection. To achieve this, a land rights certificate is issued to the holder, serving as proof of legitimate ownership and a powerful legal document (Martana, 2016).

Land certificates in the Urutsewu area, especially in Brecong Village, Buluspesantren District, began to be distributed to residents. The submission of the Systematic Land Registration Program (PTSL) certificate was carried out for Brecong Village. At least 200 certificates were submitted by the Regent of Kebumen. The Chief Executive of BPN Kebumen stated that the PTSL target for the 2020 fiscal year is

60,000 field maps and 56,730 hectares of land certificates. Then, there was a change in the target due to the COVID-19 pandemic to 48,503 field maps and 34,460 land rights certificates spread across villages in 12 sub-districts. For Brecong Village, it targets 3,778 land plot maps and 2,310 ha of land certificates. The target has been fully processed by BPN. However, it has been divided into 1,065 certificate fields. The rest is in the process and will be distributed in stages in 2020-2021. In 2021, the allocation of PTSL in Kebumen is huge: 121,700 field maps and 80,000 hectares of land certificates (Hakim, 2020).

Meanwhile, the TNI AD itself also received nine land use rights certificates from the Minister of Agriculture and Spatial Planning/National Land Agency (ATR/BPN). Of the nine certificates that have been submitted, five came from Urutsewu land and are the result of land dispute settlement. The five certificates cover the 15 widest fields in 15 villages and three sub-districts. The certificates handed over covered an area of 47.72 hectares in Ambalresmi Village, 24.78 hectares in Kenoyojayan Village, 55.46 hectares in Jati Sumber Village, 59.58 hectares in Tlogodepok Village, and 25.68 hectares in Tlogopragoto Village. The other four certificates are land grants from the Kebumen Regency Government (Menteri ATR/Kepala BPN Serahkan Sembilan Sertipikat Hak Pakai TNI AD | Kementrian Agraria Dan Tata Ruang / Badan Pertanahan Nasional, n.d.). The issuance of the certificate marks the beginning of the resolution of the land dispute in Urutsewu, although the community remains resistant to the land being certified under the Indonesian Army. Nonetheless, having a land certificate in place will provide legal certainty and clarity regarding land ownership.

The state's obligations to human rights encompass economic, social, and cultural rights, which are crucial for human life. Environmental rights, in particular, address fundamental issues that people face daily, such as food security, healthcare, and adequate housing, all of which are essential to human wellbeing. These rights are intrinsically linked to other human rights and help transform basic needs into rights grounded in justice and human dignity, allowing individuals to claim these needs as rights (Nasution, 2018). The 1945 Constitution of the Republic of Indonesia mandates the government to manage the nation's economic resources so that all Indonesians can benefit from them, thereby fostering prosperity and independence within a fair, sustainable, and balanced national economy (Syapriallah et al., 2023).

CONCLUSION

Various efforts have been undertaken to resolve land disputes in the Urutsewu area. Since neither party can settle the matter independently, the Government seeks to resolve the land dispute by forming an independent team or mediation team involving legal practitioners and landlords. The government holds primary responsibility for these mediation efforts, which aim to establish a conducive environment for the protection, promotion, enforcement, and fulfilment of human rights, as outlined in the

Constitution. The pre-certification of land to the parties is now beginning to provide legal and human rights protection for landowners in the Urutsewu area. The land issues in the Urutsewu area stem from unclear land ownership status, as many land parcels lack certification. To address this, both parties, in collaboration with the government, have initiated land registration to ensure legal protection and certainty. From the results of the registration, at least 200 certificates have been handed over by the Regent of Kebumen to the community in Urutsewu and nine certificates of land rights to the Indonesian Army. Thus, both parties obtain protection and legal certainty for land ownership in Urutsewu.

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