



Settlement of Customary Land Disputes Due to Overlapping Customary Land Releases in Skouw Sae Village Muara Tami District Jayapura City

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Abstract

Land disputes in Skouw Sae Village, Muara Tami District, Jayapura City, still occur. The purpose of this study is to determine the process of resolving customary land disputes related to the release of overlapping customary land and to determine the obstacles faced in the process of resolving customary land disputes related to the release of overlapping customary land in Skouw Sae Village, Muara Tami District, Jayapura City. The approach used in this study is the normative and empirical legal approach, which refers to laws, literature, written regulations, or other secondary legal materials and sees the reality that occurs in the field. The results of this study reveal that the process of resolving customary land disputes related to the release of overlapping customary land in Skouw Sae Village is through deliberation led by the Customary Head or Customary Figure (Ondoafi), witnessed by the village head, local village head/sub-district head, then the disputing parties are brought together by bringing written evidence of a customary land release letter which is proof of ownership of the customary land. Meanwhile, the obstacles faced in the process of resolving customary land disputes related to the release of overlapping customary land can be seen from two factors, namely internal factors and external factors, where the internal factor is because the disputing parties want to win on their own, each insists on defending their property, and the external factor is the interference of external parties which worsens the problems that occur on both sides.

Keywords: Dispute Resolution, Customary Land, Overlapping, Release of Customary Land, Skouw Sae Village

Introduction

Land is very important in human life because human life cannot be separated from land; people live on land and obtain food by utilizing land. The history of its development or destruction is also determined by land; land problems can cause terrible disputes and wars

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because humans or a nation want to control the land of other people/nations because of the natural resources contained therein. Humans will live happily and abundantly if they can use the land they control or own by applicable natural laws, and humans will live peacefully and peacefully if they can use their rights and obligations by certain limits in applicable laws that regulate human life in society (G.Kartasapoetra, 1991). The 1945 Constitution Article 18B paragraph (2) explains that the state recognizes and respects customary law communities' units and the traditional rights contained therein. Article 28I paragraph (3) further emphasizes the state's recognition of cultural identity and the rights of traditional communities. Based on this, customary law and the rights related to customary law have a primary place in the legal system in Indonesia. In principle, recognizing customary law is certainly related to recognizing all existing customary rights.

Customary law is a law formed by indigenous peoples' mental patterns and thought structures that are traditionally passed down from generation to generation. The thought structure underlying customary legal norms' formation differs from region to region. The thought structure in forming customary legal norms is called "local wisdom" (indigenous knowledge), a characteristic of a law that applies to indigenous peoples in certain areas. Customary law is the original law of the Indonesian nation because its spirit and formation patterns are adapted to the culture of the Indonesian people. According to Soepomo, uniqueness is caused by the diversity of the population, and uniformity does not need to be based on the Western legal system (Soepomo, 1993).

With the recognition of customary law in the constitution, the position of customary law is equal to other sources of law that must be respected and obeyed. Customary law is binding; even though customary law is not written law, it has the same power to apply sanctions as written law. Therefore, customary criminal and civil sanctions bind every Indonesian citizen. Customary rights are still recognized as long as they do not conflict with the rights contained in positive law; this also applies to customary land ownership rights (Fatmawati & Sesung, 2024). Recognition and respect for customary law community units and their traditional rights, as long as those rights still exist, must be in accordance with the development of society and the principles of a unitary state.

Article 3 of Law Number 5 of 1960 concerning Basic Agrarian Regulations stipulates that: "Considering the provisions in Articles 1 and 2, the implementation of customary rights and similar rights from customary law communities, as long as they still exist in reality, must be such that they are by national and state interests, which are based on national unity and must not conflict with other higher laws and regulations." Based on Article 3 above, the recognition of customary rights is limited to its existence and implementation. Likewise, in Article 3 of UUPA Number 5 of 1960, customary rights are recognized as existing (existence) as long as, in reality, they still exist; if there is still implementation of customary rights must be carried out by national and state interests, which are based on national unity and must not conflict with other laws or regulations that are higher.

Often getting or finding a problem, then it is immediately resolved, either resolved individually by the disputing parties peacefully or through the intermediary of the head of the

local customary institution. Land rights by customary communities are known as "Ulayat Rights," namely a right that is owned or attached to customary communities because of their laws and culture, which gives them the authority to control all land or what is called "Ulayat Land," which is under their control to be utilized according to its function for the survival of the customary community.

In almost every area where there is a land dispute, the parties involved and authorized to handle the problem resolve it in various ways, namely by means of dispute resolution that has been taken so far is through the courts (litigation) and dispute resolution outside the courts (non-litigation). Non-litigation or alternative dispute resolution, better known as Alternative Dispute Resolution (ADR), is regulated in Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. Specifically, researchers looked at customary land disputes that occurred in the customary law community in Skouw Sae village, where the release of customary land often overlapped in the same location or place, which two or more people could own. This is the problem and there is a customary land dispute where buyers of the customary land can conflict with each other among the local customary community and can also conflict with other buyers.

Literature Review

Implementing customary rights that hinder and obstruct national and state interests will prioritize national and state interests over the interests of the customary law community concerned (Suhaily Syam, 2014). Land disputes are differences in values, interests, opinions, and perceptions between individuals and between legal entities (private and public) regarding control status and/or ownership status (Nasrun Hipan. et al., 2018). Disputes arising from social interactions of customary law communities will be resolved quickly without letting the problems they experience remain buried for a long time, which will cause the crystallization of the problem into a more complex problem (Riska Fitriani, 2012).

Research Method

The approach used in this research is the normative and empirical legal approach method, which refers to laws, library materials, written regulations or other secondary legal materials and looks at the reality in the field.

Results And Discussion

Muara Tami District is one of the districts included in the administrative area of Jayapura City. The administrative area of Muara Tami District was originally part of the Abepura District, where in 1994, it was expanded and became 2 (two) areas, namely, Abepura District and Muara Tami Preparatory District. In 1996, Muara Tami was definitively designated as a sub-district based on government regulation number 63 of 1996. She was inaugurated on February 27, 1997, by the Governor of the Head of the High Region 1 of Irian Jaya Province.

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In 2002, there was a change in the name and status of Muara Tami District to Muara Tami District. The Muara Tami District area is located in the eastern part of Jayapura City and has an area of approximately 1,057.67 km². Administratively, Muara Tami District consists of 6 (six) villages and 2 (two) sub-districts as follows: (1). Holtekamp Village, (2). Koya Tengah Village, (3). Skouw Sae Village, (4). Skouw Mabo Village, (5) Skouw Yambe Village, (6). Mosso Village, (7) Koya Timur Village, (8). Koya Barat Village.

The community in Skouw Sae Village, which is located in Muara Tami District, precisely in the RI-PNG Border area, to reach the location from Jayapura City Center is approximately 54.6 km or takes 1.5 hours to 2 hours. Geographically, Skouw Sae Village has an area of 11.97 km² with the following boundaries: (a). The north is bordered by the Pacific Ocean, (b). The south is bordered by Skamto District, Keerom Regency, (c). Abepura District, (d) borders the west. The east is bordered by the neighboring Papua New Guinea (PNG) country. Its location places Skouw Sae Village in a very strategic geographical position because it is located in the country's border and Pacific coast areas.

The Process Of Resolving Customary Land Disputes Is Related To The Release Of Overlapping Customary Land

Release of land rights is the release of legal relations between the holder of land rights and the land they control by providing compensation on the basis of deliberation. The Release of Rights Letter is evidence made to release land rights. The release of customary land rights letter is enforced in the same way as the release of land rights in general, as enforced in accordance with Government Regulation Number 24 of 1997 concerning Land Registration. The customary release is a legal act carried out by the land owner to another person, which the Ondoafi strengthens on the basis of customary deliberation known to the Village Head/Lurah and Sub-district Head/District Head. In the Skouw Sae village customary community, the legal act of buying and selling land based on the customary legal system is very different from Western law in general; the implementation of buying and selling with customary release which often occurs in the Skouw Sae village community is carried out according to custom, which has apparently fulfilled several principles, namely:

- a. It is carried out on the basis of an agreement between the two parties so that it meets the Consensual Principle, namely the agreement/consent of the buyer regarding the amount of money to be paid, the time of payment, while from the seller regarding the area of land, location, boundaries, safe from disputes. If the agreement has been fulfilled, it is usually continued with customary deliberation and a deposit as a down payment. As mentioned above, customary buying and selling acts are rarely found in the Western legal system.
- b. Reel Contract is a real agreement, namely a cash act that can be seen, but it is not uncommon for payments to be made with a deposit; usually, the deposit is not binding, in connection with the fact that when the deposit is given, an agreement has been made, so if there is a default by the prospective buyer, the deposit will be lost, while the default by the prospective seller, then he must return the deposit money in question, usually double.
- c. Bright not dark, namely the buying and selling act that is carried out must be witnessed by

either elders/community leaders, border neighbors or village heads, District Heads who are strengthened by the Ondoafi customary head with a customary release letter. This is intended to provide legal certainty so that the sale and purchase act becomes clear, because traditional leaders and the government know it.

However, until now, the validity of the land rights release letter issued by the tribe, clan or traditional leader (Ondoafi) has sometimes encountered obstacles. Based on the reality in the field, there are still many duplicate land rights release letters for one plot of land or overlapping ownership rights. This happens because recognizing customary land ownership in the Skouw Sae indigenous community can be done based on oral information alone. In addition, with the development of the times, land prices have also increased. This is also one of the factors causing overlapping ownership of customary land release letters carried out by irresponsible parties by selling on top of selling, and some deliberately do it by the indigenous community itself; it is clear that the Father and Mother have sold the customary land, but later the child sells it back to another party. (Palenewen & Solossa, 2023)

So automatically where, one place can be owned by 2 (two) people or more, each of whom also has a customary release. Therefore, with the overlapping release of customary land, there is indirectly a customary land dispute where the disputing parties claim that the land is theirs that has been purchased from the customary community. So, to resolve the overlapping customary land dispute that occurred in the Skouw Sae village customary community between the disputing parties, among others:

1. The customary head or customary figure (Ondoafi) has an important role in his customary community in resolving customary land disputes.
2. The disputing parties are brought together by bringing written evidence of a customary land release letter and proof of ownership of the customary land.
3. Witnessed by customary figures, village heads, and local sub-district heads.
4. The place or area that is the object of the dispute is examined more clearly, whether it really belongs to the clan, tribe, or clan concerned.
5. Who is selling and witnesses are also present (if any) to clearly understand why there are 2 (two) or more customary land release letters owned by the parties for the same object.
6. Customary Leaders, District Heads, and witnesses present at the location determine who has the right to own the customary land based on evidence of a valid customary land release letter; the land object is clear and belongs to which tribe or clan. Meanwhile, land sold above by an irresponsible party can be canceled by a customary leader (Ondoafi), but if the land is sold because of his own family, then the family is responsible for compensating the loss to the injured party.

From some of the things mentioned above, the author can find out the problem, whether there is an error in the place or object in dispute, the customary land release letter given is fake, or there is a party from the family who deliberately sells the land to another party. Therefore, if this happens, the customary land dispute over the overlapping customary land release letter

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can be resolved through deliberation by the parties and customary leaders as mediators to resolve the problem.(Solossa et al., 2023)

Dispute resolution through deliberation is chosen because it is in accordance with the character and way of life of the Skouw Sae Village indigenous community, which is familial in nature, compared to dispute resolution through court institutions, which tend to be confrontational, more calculating of winning and losing, more calculating of materialistic aspects and ignoring social elements in society which is familial in nature. Various reasons encourage the disputing parties, including the indigenous community to prefer to resolve their land disputes through non-litigation methods, including the following:

- 1) The community prefers alternative dispute resolution because this method of resolution is relatively cheap or even free. They realize that they can't resolve their disputes through legal channels because the costs are expensive.
- 2) The thing that encourages them to choose to use alternative methods is that this event has become a habit in their environment where every dispute in the indigenous community will be resolved through deliberation; this method has been going on for years and has even been passed down from generation to generation.
- 3) The relatively short resolution time is also a reason that encourages the community to choose alternative resolutions. Non-litigation dispute resolution or prioritizing harmony in the lives of indigenous communities in Skouw Sae Village. In addition, the resolution in this way also prioritizes the family aspect by considering the aspects of interests that exist in a heterogeneous society, which is identical to the village community, which is described as a society that prioritizes the emotional side without prioritizing the rational side, communalistic nature (togetherness), relationships with one another that tend to be selfless because they are a community group whose social interactions are based on high levels of volunteerism in making sacrifices for other members of society.

Obstacles In The Process Of Resolving Customary Land Disputes Relating To The Release Of Overlapping Customary Lands.

Obstacles faced in resolving customary land disputes related to the release of overlapping customary land can be seen from two factors, namely Internal and External factors. Internal factors include:

1. The disputing parties want to win alone; each insists on defending their property, and both feel right because they have the release of customary land for the disputed object.
2. The disputing parties do not know or understand clearly about each boundary of the customary land of each tribe or clan.
3. There are disputing parties who are not present at the deliberations carried out by customary figures attended by the village head/sub-district head and also the local customary community.

The external factor is the intervention of a third party, who is also not the owner of the

disputed customary land in Skouw Sae Village but interferes by providing false testimony about the origin of the disputed land or object, automatically worsening the situation for the disputing parties.

Conclusion

The process of resolving customary land disputes related to the release of overlapping customary land in Skouw Sae village is through deliberation led by the Customary Head or customary figure (Ondoafi), witnessed by the village head, local sub-district head, then the disputing parties are brought together by bringing written evidence of a customary land release letter which is proof of ownership of the customary land, the place or area that is the object of the dispute is examined more clearly, who is selling it and witnesses are also present (if any), Customary Leaders, District Heads and witnesses who are present at the place who determine who has the right to own the customary land based on evidence of a valid customary land release letter, the land object is transparent and belongs to which tribe or clan. Meanwhile, the customary figure can cancel land sold above the sale by an irresponsible party (Ondoafi). Still, if the land is sold because of his own family, the family is responsible for compensating the loss to the injured party. Meanwhile, the obstacles faced in resolving customary land disputes related to the release of overlapping customary land can be seen from two factors, namely the existence of Internal factors and External factors, where the Internal factor is because the disputing parties want to win alone, each insists on defending their property, both feel right because they have the release of customary land for the disputed object, the disputing parties do not know or understand clearly about each boundary of the customary land of each tribe or clan, and there are disputing parties who are not present at the deliberations carried out by customary figures attended by the village head/sub-district head/district head and also the local customary community.

References

- Fatmawati, I., & Sesung, R. (2024). Issuance of Building Approval (PBG) for Development on Land Affected by Street Plans in Surabaya City. *Journal of Progressive Law and Legal Studies*, 2(03 SE-Articles), 210–224. <https://doi.org/10.59653/jplls.v2i03.1062>
- Hadi, S., Tanati, D., Palenewen, J. Y., Bauw, L., Solossa, M., & Rongalaha, J. (2024). Sosialisasi Hukum Terhadap Peraturan Menteri Agraria/KBPN Nomor 5 Tahun 1999 Tentang Pedoman Penyelesaian Masalah Hak Ulayat Masyarakat Hukum Adat Di Kelurahan Koya Barat Distrik Muara Tami Kota Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 3(3).
- Hadi, S., Solossa, M., Rongalaha, J., & Palenewen, J. Y. (2024). Penyelesaian Sengketa Tanah Ulayat Masyarakat Hukum Adat Suku Ngalum dengan Pemerintah Daerah Kabupaten Pegunungan Bintang. *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial*, 1(11).
- Hadi, S., Tanati, D., Palenewen, J. Y., Solossa, M., & Sahuleka, O. (2023). Penyuluhan Hukum Berdasarkan Peraturan Pemerintah Nomor 24 Tahun 1997 Tentang Pendaftaran Tanah Di Kampung Nendali Distrik Sentani Timur Kabupaten Jayapura. *Nanggroe: Jurnal*

Settlement of Customary Land Disputes Due to Overlapping Customary Land Releases in Skouw Sae Village Muara Tami District Jayapura City

Pengabdian Cendikia, 2(8).

- Hadi, S., & Palenewen, J. Y. (2023). Responsibilities of Notaries in Making Company Deeds of Limited Liability Companies for Communities in Jayapura City. *International Journal of Multicultural and Multireligious Understanding*, 10(5), 287-291.
- Katjong, K., Palenewen, J. Y., & Loogman, S. M. (2021). Penerapan Ipteks Keabsahan Pendaftaran Tanah Di Kampung Asei Kecil. *Jurnal Pengabdian Papua*, 5(3).
- Manengkey, V. T., Tanati, D., Palenewen, J. Y., Pondayar, Y., Solossa, M., & Rongalaha, J. (2023). Penyuluhan Hukum Terhadap Peraturan Menteri Agraria Nomor 5 Tahun 1999 Tentang Pedoman Penyelesaian Masalah Hak Ulayat Masyarakat Hukum Adat Di Kampung Nendali Distrik Sentani Timur Kabupaten Jayapura. *Jurnal Pengabdian Masyarakat Bangsa*, 1(8), 1342-1348.
- Maria S.W.Sumardjono (2005). *Kebijakan Pertanahan Antara Regulasi dan Implementasi*, Jakarta: Kompas.
- Nasrun Hipan, Nirwan Moh Nur, and Hardianto Djanggih, *Problematika Penyelesaian Sengketa Tanah di Lokasi Tanjung Sari Kabupaten Banggai*, Law Reform 14, no. 2, 2018.
- Palenewen, J. Y., Tanati, D., & Solossa, M. (2022). Peranan Kepala Kampung Dalam Penyelesaian Sengketa Tanah Adat Di Kampung Lugom Distrik Yugungwi Kabupaten Lanny Jaya. *BULLET: Jurnal Multidisiplin Ilmu*, 1(06), 1351-1357.
- Palenewen, J. Y., Tanati, D., Hadi, S., Sahuleka, O., & Solossa, M. (2023). Sosialisasi Hukum Berdasarkan Undang-Undang Nomor 30 Tahun 1999 di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Nangroe: Jurnal Pengabdian Cendikia*, 2(8).
- Palenewen, J. Y., & Solossa, M. (2023). Indigenous Land Boundary Dispute between Awi Clan and Afar Clan in the Abepura District, Jayapura City. *Journal of Progressive Law and Legal Studies*, 1(02), 144–150. <https://doi.org/10.59653/jplls.v1i02.126>
- Palenewen, J. Y. (2023). Role of the National Land Agency in Settlement of Land Boundary Disputes in Jayapura City. *International Journal of Multidisciplinary Approach Research and Science*, 1(03), 381-387.
- Palenewen, J. Y. (2022). Hukum Agraria Dan Pendaftaran Tanah Di Indonesia.
- Palenewen, J. Y. (2024). HAK-HAK ATAS TANAH DAN KEKAYAAN ALAM.
- Palenewen, J. Y. (2023). HUKUM PERDATA.
- Palenewen, J. Y. (2023). *HAK DAN KEPEMILIKAN RUMAH SUSUN PERSPEKTIF UNDANG-UNDANG NOMOR 20 TAHUN 2011*. Penerbit Widina.
- Palenewen, J. Y. (2024). TUGAS DAN TANGGUNG JAWAB NOTARIS DALAM PEMBUATAN AKTA AUTENTIK.
- PALENEWEN, J. Y. (2024). Resolution Of Ulayat Land Disputes Between The Traditional Legal Communities Of The Upper Tor District And The Regional Government Sarmi District, Papua Province. *Russian Law Journal*, 12(1).
- Palenewen, J. Y., & Reumi, T. A. S. (2024). Settlement of Customary Law Community Land Disputes Regarding the Construction of the Lukas Enembe Stadium in Kampung

- Harapan Jayapura Regency. *Journal of Law, Politic and Humanities*, 4(5), 1295-1304.
- Palenewen, J. Y., Tanati, D., Hadi, S., Sahuleka, O., & Solossa, M. (2023). Sosialisasi Hukum Berdasarkan Undang-Undang Nomor 30 Tahun 1999 di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 2(8).
- Palenewen, J. Y., & Solossa, M. (2023). Settlement of Land Disputes Through Traditional Law in the Sentani Traditional Community of Jayapura Regency. *International Journal of Multicultural and Multireligious Understanding*, 9(11), 458-463.
- Palenewen, J. Y. (2023). Penyelesaian Sengketa Tanah Ulayat antara Masyarakat Kampung Kaptiau dan Kampung Mawesday di Kabupaten Sarmi. *Socius: Jurnal Penelitian Ilmu-Ilm Sosial*, 1(3).
- Palenewen, J. Y. (2023). Tenure and Ownership of Lani Tribe Traditional Land in the Bokondini District, Tolikara Regency. *International Journal of Multicultural and Multireligious Understanding*, 10(1), 625-628.
- Palenewen, J. Y. (2024). Settlement of Customary Law Community Land Disputes in Byosi Village Keerom Regency Perspective of Regulation of the Minister of State for Agrarian Affairs/KBPN Number 5 of 1999. *Journal of Law, Politic and Humanities*, 4(3), 344-354.
- Palenewen, J. Y., Thesia, E. H., Bano, Y., & Tanati, D. (2023). Penerapan Ipteks Prosedur Pengurusan Sertifikat Berdasarkan Peraturan Pemerintah Nomor 24 Tahun 1997 Tentang Pendaftaran Tanah Di Kampung Asei Besar. *AMMA: Jurnal Pengabdian Masyarakat*, 1(12), 1649-1657.
- Palenewen, J. Y., & Manengkey, V. T. (2022). Analisis Yuridis Pendaftaran Tanah Secara Sporadik Pada Kantor Pertanahan Kabupaten Jayapura. *BULLET: Jurnal Multidisiplin Ilmu*, 1(05), 812-823.
- Palenewen, J. Y., & Rongalaha, J. (2021). Implementasi Asas Kontradiktur Delimitasi Pada Kantor Pertanahan Kota Jayapura Berkaitan Dengan Pengukuran Dan Penetapan Batas Tanah. *Jurnal Hukum Ius Publicum*, 2(1), 45-59.
- Palenewen, J. Y., Tanati, D., & Solossa, M. (2022). Penerapan IPTEKS Sistem Pendaftaran Tanah Berdasarkan Undang-Undang Pokok Agraria Dan Peraturan Pemerintah Nomor 24 Tahun 1997 Pada Kampung Asei Besar. *AMMA: Jurnal Pengabdian Masyarakat*, 1(11), 1607-1615.
- Palenewen, J. Y. (2023). Role of the National Land Agency in Settlement of Land Boundary Disputes in Jayapura City. *International Journal of Multidisciplinary Approach Research and Science*, 1(03), 381-387.
- Palenewen, J. Y., Tanati, D., & Solossa, M. (2022). Penerapan Ipteks Kepemilikan Sertifikat Untuk Menjamin Kepastian Hukum Pada Masyarakat Kampung Asei Kecil. *AMMA: Jurnal Pengabdian Masyarakat*, 1(10), 1312-1319.
- Palenewen, J. Y. (2023). Juridical Study of Registration Period Transfer of Land Ownership Rights at the Land Office Jayapura City. *International Journal of Multicultural and Multireligious Understanding*, 10(5), 495-498.
- PALENEWEN, J. Y. THE ROLE OF LAND DEED OFFICIALS IN THE REGISTRATION OF LAND PROPRIETARY RIGHTS TO GUARANTEE LEGAL CERTAINTY FOR COMMUNITIES IN JAYAPURA CITY.

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- Palenewen, J. Y. (2023). Faktor-Faktor Penyebab dalam Penerbitan Sertifikat Asli Tapi Palsu pada Kantor Pertanahan Kota Jayapura. *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial*, 1(5).
- Palenewen, J. Y. (2024). Legal Consequences for Land Rights Holders Who Do Not Register Their Rights with the National Land Agency Papua Province. *Contemp. Readings L. & Soc. Just.*, 16, 28.
- Palenewen, J. Y., Tanati, D., Reumi, F., Reba, Y. E., Polontoh, H. M., Pelupessy, E., ... & Katjong, K. (2024). Penyuluhan Hukum Tentang Pentingnya Kepemilikan Sertifikat Hak Milik Hak Atas Tanah Untuk Menjamin Kepastian Hukum di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 3(7).
- Palenewen, J. Y., Tanati, D., & Solossa, M. (2024). Keabsahan Jual Beli Tanah Tanpa Melalui Pejabat Pembuat Akta Tanah di Kota Jayapura. *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial*, 2(4), 175-183.
- Pelupessy, E., Hetharia, M., Sahuleka, O., Katjong, K., & Palenewen, J. Y. (2024). Penerapan IPTEKS Tentang Cara Penyelesaian Sengketa Tanah Ulayat Perspektif Peraturan Menteri Negara Agraria/KBPN Nomor 5 Tahun 1999 di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 2(11).
- Pelupessy, E., & Palenewen, J. Y. (2024). Juridical Study Regarding the Function of Land for Investment Interests in the Region. *Journal of Law, Politic and Humanities*, 4(5), 1123-1129.
- Pelupessy, E., Irianti, Y. S., Ketaren, D., Tanati, D., & Palenewen, J. Y. (2024). Penyuluhan Hukum Tentang Peran Pejabat Pembuat Akta Tanah (PPAT) Dalam Pendaftaran Hak Milik Atas Tanah Untuk Menjamin Kepastian Hukum di Kampung Nendali Distrik Sentani Timur Kabupaten Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 2(12).
- Pelupessy, E., Mambaya, M., Sawen, K., Tanati, D., & Palenewen, J. Y. (2024). Penyuluhan HKI Dalam Perspektif HAM di Distrik Arso Timur Kabupaten Keerom. *Nanggroe: Jurnal Pengabdian Cendikia*, 2(12).
- Rongalaha, J., & Palenewen, J. Y. (2022). Implikasi Pada Kantor Pertanahan Kota Jayapura Atas Balik Nama Sertifikat Hak Milik Atas Tanah Untuk Menjamin Kepastian Hukum. *Jurnal Hukum Ius Publicum*, 3(1), 50-70.
- Rongalaha, J., Palenewen, J. Y., Tanati, D., Pondayar, Y., Solossa, M., Reumi, F., ... & Hadi, S. (2023). Penerapan IPTEKS Tentang Gunanya Sertifikat Hak Atas Tanah Untuk Menjamin Kepastian Hukum Bagi Masyarakat Di Kelurahan Koya Barat Distrik Muara Tami Kota Jayapura. *Jurnal Pengabdian Masyarakat Bangsa*, 1(7), 1313-1320.
- Rongalaha, J., Palenewen, J. Y., Tanati, D., Reumi, F., Pelupessy, E., Solossa, M., ... & Wospakrik, D. D. (2024). Penerapan IPTEKS Peraturan Pemerintah Nomor 24 Tahun 1997 Tentang Pendaftaran Tanah di Kelurahan Koya Barat Distrik Muara Tami Kota Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 3(7).
- Riska Fitriani, *Penyelesaian Sengketa Lahan Hutan Melalui Proses Mediasi di Kabupaten Siak*, Jurnal Ilmu Hukum Riau 3, No. 01, 2012.
- Sahuleka, O., Manengkey, V. T., Katjong, K., Tanati, D., & Palenewen, J. Y. (2023). Penerapan Asas Kontradiktur Delimitasi di Kantor Pertanahan Kota Jayapura. *Socius: Jurnal*

Penelitian Ilmu-Ilmu Sosial, 1(4).

- Solossa, M., Pondayar, Y., Tanati, D., & Palenewen, J. Y. (2023). Implementation of the Principle of Accountability in the name Transfer Procedure of Property Rights Certificate at the Land Office Jayapura District. *Journal of Progressive Law and Legal Studies*, 1(03), 206–212. <https://doi.org/10.59653/jplls.v1i03.356>
- Solossa, M., Rongalaha, J., & Palenewen, J. Y. (2024). Penerbitan Sertifikat Hak Milik Atas Tanah Asli Tapi Palsu Pada Kantor Pertanahan Kota Jayapura. *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial*, 2(4), 100-109.
- Supriadi. (2018). *Hukum Agraria*, Jakarta: Sinar Grafika.
- Tanati, D., & Palenewen, J. Y. (2024). Penyelesaian Konflik Agraria Pada Masyarakat Adat Papua.
- Tanati, D., Rongalaha, J., & Palenewen, J. Y. (2022). Penerapan IPTEKS Tentang Penyelesaian Sengketa Tanah Ulayat Pada Masyarakat Hukum Adat Melalui Jalur Non Litigasi Di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Jompa Abdi: Jurnal Pengabdian Masyarakat*, 1(4), 42-51.
- Tanati, D., & Palenewen, J. Y. (2022). Penerapan IPTEKS Tentang Penyelesaian Sengketa Batas Tanah Ulayat Melalui Jalur Litigasi Dan Non Litigasi Pada Masyarakat Hukum Adat Di Kampung Nendali. *AMMA: Jurnal Pengabdian Masyarakat*, 1(09), 1133-1138.
- Tanati, D. (2023). Land Ownership Rights According to Indigenous Peoples in Kwadeware Village, Waibu District Jayapura Regency. *International Journal of Multicultural and Multireligious Understanding*, 10(1), 629-634
- Tanati, D., Palenewen, J. Y., Pondayar, Y., Thesia, E. H., Solossa, M., & Rongalaha, J. (2023). Legal Counseling Law Number 30 of 1999 About Arbitration And Alternative Dispute Resolution In Nendali Village, East Sentani District Jayapura Regency. *Jurnal Pengabdian Masyarakat Bangsa*, 1(8), 1331-1337.
- Tanati, D. (2023). MEMBUKA JENDELA NILAI DAN NORMA MASYARAKAT ADAT KABUPATEN WAROPEN.
- TANATI, D. (2024). Patterns Of Resolution Of Customary Rights Disputes For Traditional Law Communities In Waropen District Papua Province. *Russian Law Journal*, 12(1).
- Tanati, D. (2023). The Role of Customary Institutions in Settlement of Customary Land Disputes between Wonatorey and Watopa Clans in Waropen Regency. *International Journal of Multicultural and Multireligious Understanding*, 10(3), 278-283.
- Tanati, D. (2024). Several Customary Violations in the Waropen Customary Law Community of Papua Province. *Contemp. Readings L. & Soc. Just.*, 16, 19.
- Tanati, D. (2019). The Pattern Settlement of Adat Delict of Waropen Tribe. *JL Pol'y & Globalization*, 89, 14.
- Tanati, D. (2024). Ownership Patterns of Land Rights from the Perspective of Customary Law Communities in Waropen Regency Papua Province. *Journal of Law, Politic and Humanities*, 4(3), 355-363.
- Tanati, D. (2019). The Forms of Custom Offense (Sanctions) of Waropen Tribe of Papua. *JL*

Settlement of Customary Land Disputes Due to Overlapping Customary Land Releases in Skouw Sae Village Muara Tami District Jayapura City

Pol'y & Globalization, 83, 84.

- Tanati, D., Palenewen, J. Y., Pondayar, Y., Thesia, E. H., Solossa, M., & Rongalaha, J. (2023). Legal Counseling Law Number 30 of 1999 About Arbitration And Alternative Dispute Resolution In Nendali Village, East Sentani District Jayapura Regency. *Jurnal Pengabdian Masyarakat Bangsa*, 1(8), 1331-1337.
- Tanati, D., & Palenewen, J. Y. (2023). Penerapan Ipteks Tentang Meningkatkan Kesadaran Masyarakat Terhadap Pendaftaran Hak-Hak Atas Tanah Adat Pada Kampung Nendali. *Amma: Jurnal Pengabdian Masyarakat*, 2(1), 134-140.
- Tanati, D., Palenewen, J. Y., Reumi, F., Reba, Y. E., Polontoh, H. M., Pelupessy, E., ... & Wospakrik, D. D. (2024). Penyuluhan Hukum Tentang Cara Penyelesaian Sengketa Tanah Adat Melalui Jalur Non Litigasi di Kelurahan Koya Barat Distrik Muara Tami Kota Jayapura. *Nanggroe: Jurnal Pengabdian Cendikia*, 3(8), 1-8.
- Thesia, E. H., Thesia, I. M., & Palenewen, J. Y. (2022). Penerapan IPTEKS Tentang Sistem Pendaftaran Tanah Hingga Terbitnya Sertifikat Hak Milik Atas Tanah Untuk Menjamin Kepastian Hukum Di Kampung Nendali Distrik Sentani Timur Kabupaten Jayapura. *Jompa Abdi: Jurnal Pengabdian Masyarakat*, 1(4), 57-67.
- Thesia, E. H., Samosir, H., Pondayar, Y., Tanati, D., Palenewen, J. Y., Solossa, M., ... & Manengkey, V. T. (2023). Sosialisasi Hukum Tentang Peranan Pejabat Pembuat Akta Tanah (PPAT) Dalam Pendaftaran Hak Milik Atas Tanah Di Kampung Asei Besar Distrik Sentani Timur Kabupaten Jayapura. *Jurnal Pengabdian Masyarakat Bangsa*, 1(7), 1306-1312.
- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. <https://www.mkri.id/public/content/infoumum/regulation/pdf/UUD45%20ASLI.pdf>
- Undang-Undang Negara Republik Indonesia Nomor 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria. <https://spi.or.id/wp-content/uploads/2014/11/UNDANG-UNDANG-No-5-Tahun-1960-1.pdf>
- Undang-Undang Republik Indonesia Nomor 30 Tahun 1999 Tentang Arbitrase Dan Alternatif Penyelesaian Sengketa. <https://www.regulasip.id/book/8677/read>
- yoseph Palenewen, J. (2023). Legal Protection for Holders of Land Ownership Certificates in Jayapura Regency. *International Journal of Multicultural and Multireligious Understanding*, 10(3), 273-277.