



## **Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office**

**Johan Rongalaha<sup>1</sup>, James Yoseph Palenewen<sup>2\*</sup>**

Cenderawasih University, Indonesia<sup>1</sup>

Cenderawasih University, Indonesia<sup>2</sup>

Corresponding Email : [jamesyosephpalenewen82@gmail.com](mailto:jamesyosephpalenewen82@gmail.com)\*

*Received: 23-12-2024      Reviewed: 07-01-2025      Accepted: 23-01-2025*

### **Abstract**

Transferring land ownership rights based on court decisions is significant so that the parties have a clear legal status and can guarantee legal certainty. This study aims to determine the process of transferring land ownership rights based on court decisions and the obstacles faced in transferring land ownership rights based on court decisions at the Jayapura City Land Office. The method used in this study is normative and empirical; normative juridical is an approach that refers to laws, literature, and written regulations and sees the reality that occurs in the field. The results of this study reveal that the process of transferring land ownership rights based on court decisions at the Jayapura City Land Office still relies on applicable laws and regulations, including the provisions of Government Regulation Number 24 of 1997 concerning Land Registration, PMNA/KBPN Number 3 of 1997 concerning Provisions for Implementing PP Number 24 of 1997, Changes in Rights based on Court Decisions Government Regulation No. 24 of 1997 Article 55 and Law Number 4 of 2004 concerning Judicial Power. Meanwhile, the obstacles faced in the process of transferring land ownership rights based on court decisions at the Jayapura City Land Office are the lack of completeness of files from the Applicant, who is forced by the counter officer who checks and finds the files are lacking and then returns them to the Applicant. The Applicant also complains about the high cost of paying BPHTB at the Jayapura City Regional Revenue Office, in addition to the lack of public knowledge in the process and flow of administration at the Land Office, where the online checking process must be carried out first by a Notary/PPAT.

**Keywords:** Transfer, Land Ownership Rights, Court Decision, Jayapura City Land Office

### **Introduction**

Land, as a gift from God Almighty, is a natural resource that humans very much need; humans reproduce every year so that the number of humans increases, so land is very much needed and fought over by humans because land is a source of life for humans to live continuously and live and meet needs, both directly for life such as farming or a place to live

## ***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

(Elza Syarief, 2012). Land is a right that is inseparable from human life. The land is a place to earn a living, build a house or residence, and also a place to bury people when they die. Because of the close relationship between humans and land, humans compete to control and own the desired land with economic value for all aspects of human life. To create harmony and peace in the lives of all Indonesian people, problems related to transferring land ownership rights by means of buying and selling need to be regulated by Law (Fatmawati & Sesung, 2024). The status of the land is so important for the state and nation of Indonesia that the makers of the 1945 Constitution of the Republic of Indonesia felt obliged to formulate articles regarding regulations on land and water and the natural resources contained therein for the benefit of the life of the Indonesian nation. Article 33, paragraph 3 of the 1945 Constitution of the Republic of Indonesia explains that land, water, and the natural resources contained therein are controlled by the state and used as much as possible for the prosperity of the people. In Article 33, paragraph 3 of the 1945 Constitution, it is known that the state's role (Government) towards land is to control, not own, as before the enactment of the Basic Agrarian Law (UUPA) the state had ownership rights to land or owned land. Thus, it is clear that land control by the state, according to the UUPA, is of a "public and civil law" nature, while land management before the UUPA came into effect was only of a "civil law" nature. What form of state control over land takes can be observed in Article 2, paragraph 2 of the UUPA, which reads as follows:

- a. regulate and organize the allocation, use, provision, and maintenance of land, water, and space;
- b. determining and regulating legal relations between people and the earth, water, and space;
- c. determining and regulating legal relations concerning the earth, water, and space between people and legal acts.

Law Number 5 of 1960 concerning Basic Agrarian Regulations or the Basic Agrarian Law (UUPA) was drafted based on the state's right to control. One of Basic Agrarian Law's (UUPA) objectives is to provide legal certainty relating to land rights held by the community. This has been expressly regulated in Article 19 paragraph (1) of the UUPA, which states, "To guarantee legal certainty, the Government shall conduct land registration throughout the territory of the Republic of Indonesia according to the provisions regulated by Government Regulations."

A rights registration process is required to guarantee the legal certainty of land rights, the final product of which is a land rights certificate. Land rights certificates function as strong evidence. This is the main function as stated in Article 19, paragraph (2) letter c of the UUPA. A person or legal entity will easily prove themselves as the rights holder of a plot of land if their name is clearly stated on the certificate.

Transfer of land rights can occur due to inheritance without a will and legal acts of transfer of rights, namely as follows:

- a) Inheritance without a will, according to civil Law, if the holder of a land right dies, then the right is legally transferred to his heirs.

- b) Transfer of rights is different from the transfer of land rights due to inheritance without a will, which occurs due to a legal event with the death of the rights holder; in the legal act of transferring rights, the land rights in question are intentionally transferred to another party.

The provisions of the Basic Law are very important for the community as a basis for policy regarding the legality of land that has legal certainty for its land, both land for settlements and land for business. The community can be more productive if the land they own has legal certainty; legal certainty is important to regulate the life of a just community and can avoid violations that the community or law enforcement itself can commit. For this reason, a legal principle is needed that can be used by the state to regulate the order of community life. Legal certainty related to ownership of rights is stated in Law Number 5 of 1960 concerning Basic Agrarian Principles. Article 19 states that to guarantee legal certainty, the Government will register land throughout the territory of the Republic of Indonesia according to the provisions regulated by Government Regulations (Ali Achmad Chomzah, 2004).

In everyday life, especially in the Jayapura City, Papua Province community, many land problems arise. One of them is buying and selling carried out underhand, based on trust, when the name change is about to be carried out when the seller has died or is no longer known by the buyer, who will register his rights at the local land office. Therefore, it is possible to register land ownership rights based on a Court Decision, with the transfer of land ownership rights from one party to another. (Palenewen & Solossa, 2023)

Court decisions can be used as a basis for transferring land ownership rights. The judge has the authority to order the Head of the Land Office to process the Transfer of Land Ownership Certificates and state that the transfer of ownership rights can be carried out or the name change process based on the court decision can be processed; this is based on the provisions of Government Regulation Number 24 of 1997 concerning Land Registration, PMNA/KBPN Number 3 of 1997 concerning Implementing Provisions of PP Number 24 of 1997 and Law Number 4 of 2004 concerning Judicial Power, Changes in Rights Based on Court Decisions Government Regulation No. 24 of 1997 Article 55 and Government Regulation of the Republic of Indonesia Number 128 of 2015 concerning Types and Tariffs for Types of Non-Tax State Revenue applicable to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. Many problems arise over land ownership rights that often go to Court. There are cases of land transfer rights that begin with a sale and purchase case between individuals with land ownership rights as collateral; there are also cases where the first party does not have good faith to process the transfer of ownership rights that are used as collateral to the second party, then the second party asks the Court to grant the transfer of ownership rights to the land and buildings (Solossa et al., 2023). Based on the description above, the researcher is interested in conducting a study entitled: "Legal Analysis of the Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office".

## **Literature Review**

Land ownership rights according to Article 20 paragraph (1) of Law Number 5 of 1960

## ***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

concerning Basic Agrarian Regulations, hereinafter referred to as the Basic Agrarian Law (UUPA), are hereditary, strongest, and most complete land rights that a person on land can own. Hereditary rights are interpreted as rights that can be passed on to heirs, the strongest in relation to other land rights and the most complete in terms of the authority held by the rights holder. According to Article 16, paragraph (1) of the letter a of the UUPA, one of the recognized land rights is ownership rights. The transfer of land ownership rights is regulated in Article 20, paragraph 2 of the UUPA, namely that ownership rights can be transferred and assigned to other parties. The definition of the word "transfer" is a transfer of rights because the owner of the rights has died, then his rights are automatically transferred to his heirs. Article 20, paragraph (2) of the UUPA states that land ownership rights can be transferred and can be assigned to other parties (Adrian Sutedi, 2009).

Meanwhile, A.P. Parlindungan said that all land rights can be transferred due to surrender, inheritance, inheritance-legacy, merger of bonds, revocation of rights, and auction. This surrender can be in the form of a sale and purchase, gift or exchange, or endowment (A.P. Parlindungan, 1990).

### **Research Method**

The research used is normative and empirical juridical; normative juridical is an approach that refers to laws, library materials, written regulations or other secondary legal materials, while empirical juridical is identifying and conceptualizing Law as a real and functional social institution in a real-life system (Ronny Hanitijo Soemitro, 1994).

### **Results And Discussion**

#### **Land Ownership Transfer Process Based On Court Decisions At The Jayapura City Land Office**

Every Transfer of Land Rights throughout Indonesia is based on the 1945 Constitution and Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles and followed by Government Regulation Number 10 of 1961, which was amended by Government Regulation Number 24 of 1997 concerning Amendments to Government Regulation Number 10 of 1961 concerning Land Registration.

The legal basis for the regulation regarding the Mechanism for Transfer of Land Ownership Rights based on Court Decisions is the provisions of Government Regulation Number 24 of 1997 concerning Land Registration, PMNA/KBPN Number 3 of 1997 concerning Provisions for Implementation of Government Regulation Number 24 of 1997, Changes in Rights based on Court Decisions Government Regulation Number 24 of 1997 Article 55 and Law Number 4 of 2004 concerning Judicial Power are also regulated by Government Regulation of the Republic of Indonesia Number 128 of 2015 concerning Types and Tariffs for Types of Non-Tax State Revenue applicable to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency.

Ownership of land rights that already have a legal basis in the form of Ownership Rights, Building Use Rights, Cultivation Use Rights, and Usage Rights is not a guarantee that there will be no disputes in the future. The legal certainty provided by the Law to land rights owners is the certainty of ownership of rights, not the certainty that no problems or disputes will arise in the future.

In the case of disputes or disputes that occur regarding ownership rights, they can be resolved through deliberation and consensus (mediation), which seeks the best solution for both parties without anyone being harmed (win-win solution). This deliberation is often called out-of-court settlement (Non-litigation), which is deliberation to find a middle ground (peace) between the disputing parties with a neutral third party as a mediator they trust. On the other hand, if the word peace is not achieved through Non-Litigation, it can be taken through litigation (Court). To seek justice, the parties must go through the Court with a judge's decision. So that disputes over ownership of land and buildings can be resolved through litigation and non-litigation.

Disputes over ownership of land and buildings are rarely resolved through deliberation and consensus, so they often end up in Court to obtain legal certainty regarding their ownership rights. The case that occurred in the Jayapura District Court was related to disputes over ownership of land rights, with various problems, from overlapping to inheritance disputes to joint property and other problems. So, many decisions related to land disputes are made every year. Specifically, for default decisions, one of the parties is not present at the trial regarding land disputes, and default decisions are part of the Civil Procedure Law in Indonesia. Default decisions are inseparable from the court process and the imposition of decisions on disputed cases according to the provisions of the Law and the judge's conviction. The judge has a full role in making decisions by considering the arguments of the lawsuit and evidence from the plaintiff where the Defendant is not present at the trial and does not provide power of attorney to be represented so that the default decision is made.

Default decisions are decisions taken in cases where the Defendant never attended the trial even though he has been officially and properly summoned and did not provide power of attorney for his interests. This default decision can only be imposed on civil dispute cases such as ownership where there is material loss and where there is a second party (Defendant) who never attended the trial. In principle, the default institution denies the principle of Audi et al. team Partem (hearing both parties), because one of the parties was not present. The judge ex officio before issuing a default judgment.

The Land Ownership Transfer Process based on a Court Decision at the Jayapura City Land Office is a case of a court decision that has legal force at the Jayapura District Court whose decision granted the plaintiff's lawsuit where the Defendant was never present so that the lawsuit was granted.

The researcher interviewed Mrs. Putry R. Waroy, the Functional Coordinator for the Transfer and Maintenance of PPAT Data, on Tuesday, August 27, 2024, at 10.30 WIT, where she said that specifically, the lawsuit for the transfer of rights in the form of changing the name of the land ownership certificate in 2021 which was entered at the Jayapura City BPN was a

## ***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

civil case with case number 150 / Pdt.G / 2021 / PN.Jap, on behalf of Krsotovel Edoway as the Plaintiff against Sebradus Yamlean as the Defendant in a case of default, where the Defendant's address was no longer known and the Defendant's whereabouts were no longer known to his relatives or neighbors.

The mechanism for the transfer of land ownership rights at the Jayapura City Land Office is as follows:

a. Requirements for Transfer of Rights Based on Court Decisions at the Jayapura City Land Office:

1. Application Form Covers personal identity, area, location, and use of the land requested.
2. Power of Attorney if authorized.
3. Photocopy of the identity of the applicant/holder and recipient of rights (KTP, KK, BPJS) and the attorney's identity, if authorized, which has been matched with the counter officer.
4. Original Certificate.
5. Copy of Court Decision.
6. PBB.
7. BPHTB (Land and Building Acquisition Fee) and Proof of BPHTB payment.
8. Proof of online checking from a Notary/PPAT is the main requirement in the transfer of rights process, where the checking itself validates the data on the certificate held by the applicant or certificate owner with the data in the Land Office application. Online checking was initially registered at the Land Office. Still, with the transformation of the ATR/BPN application, certificate checking can be done online but can only be accessed by BPN partners, namely Notaries/PPAT.
9. Proof of Land Value Zone Check, Land Value Zone (ZNT) issued by the Ministry of ATR/BPN is a polygon that describes the relatively similar land value of a group of land plots in it, the boundaries of which can be imaginary or real according to the use of ZNT land as one of the requirements for the Transfer or Registration Process.

b. The flow of registration of transfer of ownership rights based on a Court Decision at the Jayapura City Land Office takes no later than seven working days for the transfer of rights based on the Court Decision to be completed after the Deposit Order (SPS) has been issued and has been paid through a bank or Post Office, the flow of registration of transfer of ownership rights to land based on the Court Decision is:

- 1) Applicants who already have a court decision can go directly to the land office to pick up an application form for registration of transfer of rights based on the court decision, filled out and signed on a sufficient stamp.

- 2) Completeness of the files that have been prepared.
- 3) The Applicant registers at the registration counter in the Transfer of Rights section.
- 4) The counter officer checks the completeness of the files and the results of the decision brought, namely a copy of the decision.
- 5) Registration process.
- 6) A deposit order is issued for the Applicant to pay at the bank or post office, not at the Land Office Counter, unless the officer assists in using the edition machine provided by the Land Office to facilitate the application.
- 7) Recording the transfer of file rights is processed with a seven-day working day SOP.
- 8) After seven days, the Applicant is contacted by the counter officer to pick up the files.
- 9) When picking up files or submitting the transfer of rights certificate accompanied by signing a receipt for the submission of completed files, the Applicant is also asked to show the Original Identity accompanied by a photocopy that the Counter Officer checks.

For the Transfer of Rights process based on Court Decisions in 2021, which were registered at the Jayapura City Land Office, 307 files had been completed and submitted.

#### **Obstacles faced in the process of Transfer of Land Ownership Rights based on Court Decisions at the Jayapura City Land Office**

From the results of the interviews conducted by the researcher, it can be seen that the obstacles that often occur in the process of transferring ownership rights based on court decisions at the Jayapura City Land Office are:

1. Incomplete files from the Applicant, who was forced to check and find the missing files and then return them to the Applicant. In addition, the Applicant also complained about the high cost of paying BPHTB at the Jayapura City Regional Revenue Office.
2. Lack of public knowledge in the process and flow of administration at the Land Office, where the online checking process must be carried out first by the Notary/PPAT.

#### **Conclusion**

The process of transferring land ownership rights based on a court decision at the Jayapura City Land Office remains based on applicable laws and regulations, including the provisions of Government Regulation Number 24 of 1997 concerning Land Registration, PMNA/KBPN Number 3 of 1997 concerning Implementing Provisions of PP Number 24 of 1997, Changes in Rights based on Court Decisions Government Regulation No. 24 of 1997 Article 55 and Law Number 4 of 2004 concerning Judicial Power. It is also regulated in Government Regulation of the Republic of Indonesia Number 128 of 2015 concerning Types and Tariffs for Types of Non-Tax State Revenue applicable to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. Meanwhile, the obstacles faced in the process of

## ***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

Transfer of Land Ownership Rights based on Court Decisions at the Jayapura City Land Office are the lack of completeness of the Applicant's files, which forced the counter officer to check and find the missing files and then return them to the Applicant, then the Applicant also complained about the high cost of paying BPHTB at the Jayapura City Regional Revenue Office, in addition to the lack of public knowledge in the process and flow of administration at the Land Office where the online checking process must be carried out first by a Notary/PPAT.

The suggestions that researchers can convey based on the results of the research conducted are as follows:

1. The Government and especially the Jayapura City Land Office must conduct ongoing socialization to the community in Jayapura City in the process of registering the Transfer of Land Ownership Rights at the Land Office so that the community can know about it and there is no misunderstanding in the future.
2. The community in Jayapura City, in terms of registering land ownership rights at the Jayapura City Land Office, must have good intentions in completing the files requested by the officers in order to ensure the smooth running of the land ownership rights registration process.

## **References**

- Elza Syarief. (2012). *Menuntaskan Sengketa Tanah Melalui Pengadilan Khusus Pertanahan*, Jakarta: Gramedia.
- 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 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.
- Nasrun Hipan, Nirwan Moh Nur, and Hardianto Djanggih, *Problematisa 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. *Nanggroe: 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-*

***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

*Ilmu 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.
- 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).
- 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>
- 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., 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

***Legal Analysis of Transfer of Land Ownership Rights Based on Court Decisions at the Jayapura City Land Office***

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 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.

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.