



The Role of the National Land Agency in Resolving Land Parcel Exchange Disputes through Mediation: A Case Study in Pekalongan Regency

Peran Badan Pertanahan Nasional dalam Penyelesaian Sengketa Pertukaran Objek Tanah melalui Mediasi: Studi Kasus di Kabupaten Pekalongan



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Abstract

Land registration in Indonesia aims to ensure legal certainty and protection of land rights, as regulated under the Basic Agrarian Law (UUPA) and Government Regulation No. 24 of 1997. However, in practice, administrative errors such as the exchange of land parcels in certificates still frequently occur, leading to legal uncertainty and disputes within the community. This study examines the role of the National Land Agency (BPN) in resolving such disputes through mediation, with a case study conducted in Pekalongan Regency. The research employs a normative-empirical approach by analyzing statutory regulations, official documents, and field data. The findings indicate that BPN holds a strategic role in mediating disputes, verifying physical and juridical data, and correcting administrative errors in land certificates. Nevertheless, several challenges persist, including limited human resources, low public legal awareness, and the restricted administrative authority of BPN. Strengthening institutional capacity, improving data accuracy, and enhancing inter-agency coordination are necessary to optimize mediation outcomes. Overall, effective mediation by BPN contributes to orderly land administration, the reduction of agrarian conflicts, and the realization of legal certainty in Indonesia's land sector.

Keywords: Land disputes, National Land Agency, Mediation, Legal certainty, Administrative errors

Abstrak

Pendaftaran tanah di Indonesia bertujuan untuk menjamin kepastian dan perlindungan hukum terhadap hak atas tanah sebagaimana diatur dalam Undang-Undang Pokok Agraria (UUPA) dan Peraturan Pemerintah Nomor 24 Tahun 1997. Namun, dalam praktiknya masih sering terjadi kesalahan administrasi, seperti tertukarnya objek tanah dalam sertifikat, yang menimbulkan ketidakpastian hukum dan sengketa di masyarakat. Penelitian ini membahas peran Badan Pertanahan Nasional (BPN) dalam penyelesaian sengketa tersebut melalui mekanisme mediasi, dengan studi kasus di Kabupaten Pekalongan. Penelitian menggunakan pendekatan normatif-empiris melalui analisis peraturan perundang-undangan, dokumen resmi, serta data lapangan. Hasil penelitian menunjukkan bahwa BPN memiliki peran strategis dalam memediasi sengketa, melakukan verifikasi data fisik dan yuridis, serta

memperbaiki kesalahan administrasi dalam sertifikat tanah. Meski demikian, masih terdapat berbagai kendala seperti keterbatasan sumber daya manusia, rendahnya kesadaran hukum masyarakat, dan terbatasnya kewenangan administratif BPN. Diperlukan penguatan kapasitas kelembagaan, peningkatan akurasi data, serta koordinasi antarinstansi untuk mengoptimalkan hasil mediasi. Secara keseluruhan, mediasi yang efektif oleh BPN berkontribusi terhadap tertib administrasi pertanahan, pengurangan konflik agraria, dan terwujudnya kepastian hukum di bidang pertanahan di Indonesia.

Kata Kunci: Sengketa tanah, Badan Pertanahan Nasional, Mediasi, Kepastian hukum, Kesalahan administrasi

1. INTRODUCTION

Land holds a highly fundamental position in human life, encompassing social, economic, and cultural dimensions. For the Indonesian people, land is not merely a place to stand or a source of livelihood; it also embodies profound philosophical and historical values. Land is often regarded as an integral part of one's identity as well as a symbol of intergenerational continuity. Consequently, the regulation, control, and utilization of land frequently become sensitive issues that are prone to conflict. At the national level, land disputes remain among the most complex and unresolved agrarian problems, arising from administrative, legal, and social factors. As a state governed by law, Indonesia has sought to establish legal certainty in the field of land affairs through Law Number 5 of 1960 concerning Basic Agrarian Principles (commonly known as the Basic Agrarian Law or *UUPA*). This law serves as the primary foundation for the administration of national land management. Article 19 of the *UUPA* explicitly stipulates that, in order to ensure legal certainty for its citizens, the government is obliged to carry out land registration throughout the territory of Indonesia. This mandate is subsequently implemented through Government Regulation Number 24 of 1997 concerning Land Registration, which remains the main technical guideline for the administration of land registration to this day.

Conceptually, land registration comprises two principal components: physical data and juridical data. Physical data contain information regarding the location, boundaries, and area of a land parcel, whereas juridical data provide details concerning the legal status of the land, the type of land rights, and the identity of the rights holder. Both forms of data constitute the foundation for the issuance of land title certificates, which serve as strong legal evidence, as stipulated in Article 32 paragraph (1) of Government Regulation Number 24 of 1997. The issuance of such certificates is expected to provide each rights holder with assurance of legal certainty over their land (Aksar et al., 2023). The primary objective of land registration is to provide legal certainty and protection for the holders of rights over land parcels, condominium units, and other registered land-related rights, thereby enabling them to easily prove ownership. Certainty regarding the object of land rights is indicated by the spatial location of the land parcel, which is georeferenced on the cadastral map. Meanwhile, certainty regarding the subject of land rights is demonstrated by the name of the rights holder recorded in the land registration book maintained by the land administration authority.(Anggraeni et al., 2023)

However, in practice, the implementation of land registration does not always proceed smoothly. Various technical and administrative obstacles frequently arise, which in turn have the potential to give rise to legal disputes.(Madiong et al., 2021) One of the most frequent issues encountered in land registration is disputes related to the physical data of land, namely discrepancies between the information recorded in the certificate and the actual conditions in the field. The most prominent form of such physical data error is the transposition of land objects within the certificates, wherein the position of the land parcel stated in the official document does not correspond with its actual location on the ground. This situation has given rise to various problems within the community. In several cases, two adjacent land parcels were mistakenly recorded in reverse in each respective certificate. As a result, individuals who have long occupied and managed land in accordance with the physical boundaries on site are faced with legal challenges because their certificates do not reflect the factual position of the land they possess. Consequently, the certificate intended to provide legal certainty becomes a new source of dispute.

A concrete example of such a case occurred in Podo Village, Kedungwuni District, Pekalongan Regency, Central Java Province, where two land ownership certificates were found to have been issued

with reversed positions. The parcel that was physically located on the east side was recorded as being on the west in the certificate, and vice versa. This error was only discovered when one of the owners sought to carry out inheritance proceedings, during which land officers identified inconsistencies between the cadastral map and the actual field conditions upon inspection. The issue subsequently developed into a dispute between two parties, both of whom claimed ownership. One party relied on the formal validity of their certificate, while the other asserted their rights based on long-term physical possession. This conflict between formal legal certainty and material truth often lies at the core of similar land disputes across Indonesia.

From a land law perspective, such phenomena illustrate the tension between formal land administration and substantive truth in the field. While certificates are recognized as strong evidence of ownership, they do not constitute absolute proof. Article 32 paragraph (2) of Government Regulation Number 24 of 1997 stipulates that if an error is proven to have occurred in the issuance of a certificate, the certificate may be annulled or corrected in accordance with applicable regulations. However, the implementation of this provision is often complex, as it involves the rights of citizens that are legally protected.

Disputes arising from the transposition of land objects also highlight weaknesses in the land administration system, particularly in the aspects of physical data verification and inter-agency coordination. Errors in measurement, inaccuracies in boundary determination, and the lack of community participation in the boundary-setting process are among the main causes of data discrepancies. On the other hand, limited human resources, outdated surveying instruments, and time constraints in programs such as the Complete Systematic Land Registration (Pendaftaran Tanah Sistematis Lengkap or PTS) further increase the likelihood of such errors.

Administrative mistakes that result in the transposition of land parcels carry serious legal implications. From the perspective of certificate holders, these errors may cause losses because the state-issued certificate fails to reflect the actual field conditions. Meanwhile, for those who have long occupied and managed the land physically, there is a risk of losing their rights over the land they have possessed and cultivated. Such situations clearly create legal uncertainty, contradicting the very objectives of land registration as stipulated in Article 3 of Government Regulation Number 24 of 1997 namely, to provide legal certainty and protection for land rights holders. The responsibility for such errors fundamentally lies with the land administration authority as the implementing body of land registration. The state, through the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional or ATR/BPN), bears the obligation to ensure that all physical and juridical data recorded in land certificates are accurate and correspond to factual conditions. However, in practice, this responsibility often conflicts with technical and administrative limitations encountered in the field.

The Land Office holds the authority to facilitate mediation processes in order to achieve a settlement between the disputing parties before the case proceeds to the court.(Intariani et al., 2023) However, in many cases, mediation often reaches a deadlock, as both parties firmly adhere to the legality that each considers valid. When amicable efforts fail, dispute resolution is pursued through litigation, either at the Administrative Court (Pengadilan Tata Usaha Negara – PTUN) or at the General Court, depending on the substance of the case. This phenomenon further underscores the importance of applying the principle of prudence in every stage of land administration. Land officials, including surveyors and Land Deed Officials (Pejabat Pembuat Akta Tanah – PPAT), play a strategic role in ensuring the validity and accuracy of land data. Negligence or lack of diligence at the initial stage may lead to prolonged legal consequences and cause harm to the community.

In addition to administrative factors, social and cultural elements also contribute to errors in land registration. In many rural areas, land boundaries are often determined based on natural markers such as trees, stones, or ditches, which over time may shift or disappear. This condition leads to inconsistencies between cadastral maps and the actual field conditions. The lack of legal awareness among communities to promptly report physical changes or transfer of rights to the Land Office further exacerbates data inaccuracies. Based on the aforementioned background, the author formulates the research problems as follows: How is the role of the National Land Agency (Badan Pertanahan Nasional BPN) in resolving land disputes? How is the mechanism for resolving disputes concerning transposed land parcels in land title certificates in Pekalongan Regency?

2. METHOD

This study employs an *empirical juridical approach*, which is a legal research method that initially emphasizes the collection of secondary data, followed by the gathering of primary data in the field through direct interaction with the community.(Soekanto, 2006) The data sources in this research consist of primary data obtained through interviews, as well as secondary data comprising primary and secondary legal materials. Data collection techniques include literature study, interviews, and observation. The collected data are analyzed qualitatively using a deductive reasoning method.

3. RESULT DAN DISCUSSION

A dispute is a condition that gives rise to differences in views or opinions, which may manifest as conflicts or major disagreements. The term may also refer to a *disputed area*, namely a territory that becomes the object of contention or the source of conflict. In addition, it can be understood as a quarrel or disagreement that may be resolved amicably or, alternatively, one that must be decided by a court. The formal resolution of disputes has evolved into an adjudicative process, encompassing two primary avenues: judicial proceedings (*litigation*) and arbitration. On the other hand, there are also informal mechanisms for conflict resolution based on mutual agreement between the disputing parties, such as negotiation and mediation.(Rolando et al., 2024)

The judiciary has long served as one of the primary institutions for resolving conflicts and disputes. However, court decisions often fail to deliver a sense of justice or satisfaction for both parties. In most cases, the rulings tend to favor only one side. The party able to legally prove their ownership or right over an object is declared the winner by the court, while the other party although substantively entitled but unable to present formal evidence is declared to have lost. In this context, judicial dispute resolution emphasizes formal proof rather than the substantive capacity of each party to produce evidence. As a result, litigation processes often culminate in win lose outcomes rather than achieving genuine justice for the disputing parties(Dewi, 2022).

One of the land dispute cases examined in this study concerns an error in the physical data recorded in a land title certificate. The land parcel that should have been located on the eastern side was instead recorded as being on the western side. However, the parcel on the eastern side had already been occupied by another party, referred to as the respondent. This physical data dispute occurred in Podo Village, Kedungwuni District, Pekalongan Regency, Central Java Province, between Mrs. A and Mr. B. In the event of a disagreement concerning the physical data of land, Article 32 paragraph (1) of Government Regulation Number 24 of 1997 stipulates that a land certificate serves as proof of ownership, possessing strong evidentiary power with respect to both the physical and juridical data contained therein, provided that such data are consistent with the corresponding measurement letter and land register. (Shella & Ramasari, 2022)

1. The Role of The National Land Agency in Resolving Disputes

Based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 11 of 2016 concerning the Settlement of Land Cases, it is explained that in handling land-related issues, a distinction is made between *disputes*, *conflicts*, and *cases* of land affairs. In general, the National Land Agency (BPN) categorizes land-related problems into several typologies as stipulated in Article 1 paragraphs (2), (3), and (4) of the regulation, namely:

- a. A *land dispute* refers to a disagreement over land affairs that occurs between individuals, legal entities, or institutions and does not result in widespread impact;
- b. A *land conflict* refers to a disagreement over land affairs between individuals, groups, organizations, legal entities, or institutions that has the potential to, or has already caused, broader social impacts; and
- c. A *land case* refers to a land-related dispute whose settlement and handling are carried out through judicial institutions. (Sandika et al., 2023)

Several types of land-related issues that specifically fall under the authority of the National Land Agency (Badan Pertanahan Nasional/BPN) include the following aspects:

- a. Land ownership and possession, which generally arise due to:

- 1) A lack of public understanding regarding land law;
- 2) The unawareness or absence of the rightful owner of the land in question; and
- 3) Disputes emerging as a consequence of inheritance matters.
- b. Procedures for the determination of rights and land registration, which may occur due to:
 - 1) The existence of unresolved disputes over the land object; and
 - 2) The loss of documents or files during the certificate issuance process
- c. Boundaries and/or location of land parcels, which frequently arise as a result of:
 - 1) The absence or unrecognizable condition of boundary markers (land stakes); and
 - 2) The heirs' lack of knowledge regarding the precise location of inherited land. (Sandika et al., 2023)
- d. Multiple sales transactions, referring to disputes arising from differing views, values, or interests concerning the ownership status of a land parcel that has been transferred through successive sales to more than one party.
- e. Duplicate certificates, referring to conflicts resulting from differing interpretations, values, or interests regarding a specific parcel of land that has more than one certificate of land rights.
- f. Replacement certificates, which occur when the original certificate is damaged due to natural disasters or paper deterioration over time, necessitating the issuance of a replacement certificate. (Arbainah et al., 2024)
- g. Falsified sale and purchase deeds, referring to differences in perception, values, or interests concerning a parcel of land due to the existence of a sale and purchase deed proven to be counterfeit.
- h. Erroneous boundary designation, referring to disputes regarding the location, boundary, or area of a land parcel claimed by one of the parties, which has been determined by the National Land Agency of the Republic of Indonesia based on an incorrect boundary identification.
- i. Overlapping land claims, referring to disagreements in perception, values, or interests concerning the location, boundary, or size of a land parcel recognized by one party due to its overlap with another party's land ownership. (Aziziyah & Fitriyah, 2023)
- j. Court decisions, referring to differences in perception, values, or interests arising from judicial rulings related to the subject or object of land rights, as well as the procedures concerning the issuance of specific land rights. (Zaenal et al., 2024)

The authority of the National Land Agency (Badan Pertanahan Nasional, hereinafter referred to as BPN) in resolving land disputes is governed by several statutory and regulatory instruments, including the following:

- a. Decree of the Head of the National Land Agency of the Republic of Indonesia No. 34 of 2007 on Technical Guidelines for the Handling and Settlement of Land Affairs; This decree defines a land dispute as a difference in perception, values, opinions, and/or interests between individuals or legal entities-both private and public-concerning the status of control, ownership, or utilization of a particular parcel of land. A land dispute may also arise from administrative decisions issued by state administrative authorities in relation to such matters. The objects of land disputes encompass various categories, including land owned by individuals or legal entities, state or regional government assets, state land, customary (adat) and communal (*ulayat*) lands, former western rights lands, national rights lands, plantation lands, and other forms of land tenure.
- b. Regulation of the Head of the National Land Agency No. 3 of 2011 on the Management, Review, and Handling of Land Cases; This regulation provides systematic guidelines for managing and handling land-related cases to ensure that dispute resolution is conducted effectively, efficiently, and in a measurable manner.
- c. Presidential Regulation No. 63 of 2013; This regulation affirms that the National Land Agency (BPN) has the principal duty of implementing governmental functions in the land sector at the national, regional, and sectoral levels in accordance with the prevailing laws and regulations.

- d. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 11 of 2016 in conjunction with No. 21 of 2020 on the Settlement of Land Cases.

Under this regulation, the National Land Agency is vested with the authority to conduct negotiations, mediation, and facilitate dispute resolution between conflicting parties with the primary aim of achieving a mutually agreed settlement. This regulation serves as the legal basis for BPN's role as a mediator, assisting parties in identifying alternative solutions to their dispute without imposing or determining a specific outcome. In its implementation, the mediator plays an active role in providing the disputing parties with a proper understanding of the substance of the dispute and in proposing equitable and mutually beneficial solutions. (Sinaga, 2024)

Thus, a mediator within the National Land Agency is required to possess sufficient knowledge of both the legal and technical aspects of land affairs that constitute the object of dispute, in order to provide effective assistance throughout the land dispute resolution process. The procedure for resolving land disputes within the National Land Agency (Badan Pertanahan Nasional, hereinafter referred to as BPN) is carried out through several structured stages as follows:

- a. Submission of an Official Report or Complaint to the Land Office; This stage is initiated by a landowner who believes that their land certificate has been exchanged or contains administrative discrepancies. The complainant must submit a written report to the local Land Office, either directly through the public service counter or online if such facilities are available. The report must be accompanied by supporting documents, including proof of land ownership and valid personal identification, which serve as the basis for preliminary examination and case identification by BPN officers.
- b. Case Registration and Identification by the National Land Agency; At this stage, BPN records and verifies the submitted complaint. The verification process includes the examination of administrative data such as land certificates, registers, parcel maps, and relevant payment proofs (e.g., non-tax state revenue or PPAT fees). When necessary, BPN conducts a field inspection, including re-measurement or physical verification of the land in question. Based on these findings, BPN determines whether the case may be resolved through mediation or requires alternative legal or administrative measures.
- c. Pre-Mediation (Mediation Preparation Stage); BPN invites the disputing parties to attend a preliminary session at the Land Office. During this stage, the Agency explains the objectives and procedures of mediation, seeks the parties' consent to proceed, and collects all necessary supporting documents and evidence. The parties may also be accompanied by legal counsel or an authorized representative with a formal power of attorney.
- d. Mediation Process Facilitated by the National Land Agency; Mediation sessions are conducted under the supervision of an appointed mediator or facilitator from the Land Office or BPN's mediation team. During this process, both parties are given the opportunity to present their claims and supporting evidence. The mediator's role is to facilitate an amicable settlement or an administrative solution, such as data correction, exchange of erroneously issued documents with valid proof, or other appropriate remedial actions. When deemed necessary, the process may include on-site verification or the involvement of mapping and surveying experts.
- e. Mediation Agreement or Minutes of Mediation; If an agreement is successfully reached, it is formalized in a written mediation report or minutes of mediation signed by the disputing parties and the authorized BPN officials. This document serves as the legal and administrative basis for subsequent actions to be taken by BPN. Conversely, if no agreement is achieved, BPN may recommend that the dispute be settled through alternative mechanisms, including litigation in the District Court.
- f. Administrative Follow-Up by the National Land Agency; Based on the outcome of the mediation, the Land Office carries out administrative adjustments or corrections in land registration data. These may include rectification of land records, issuance of new or replacement certificates, and revocation or amendment of erroneous certificates in accordance with prevailing land administration regulations. All actions are executed

following BPN's internal procedures, including verification, preparation of correction minutes, and certificate reissuance when necessary.

2. The Mediation Process and Settlement of Land Disputes Arising From Exchanged Land Certificates in Pekalongan Regency

The resolution of land disputes involving exchanged land parcels in Pekalongan Regency is carried out through a mediation process. This mediation-based settlement serves as one of the facilities provided by the National Land Agency (Badan Pertanahan Nasional, hereinafter referred to as BPN), as regulated under the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 21 of 2020 concerning the Management and Settlement of Land Cases. The Land Office (Kantor Pertanahan) functions as a vertical agency of the National Land Agency established in each regency or municipality. It operates under the supervision of the Head of the Provincial Office of the National Land Agency and is ultimately accountable to the Head of the National Land Agency at the national level. The Land Office is responsible for facilitating mediation and handling administrative cases related to land affairs. (Harahap et al., 2023) As stipulated in Presidential Regulation No. 10 of 2006 concerning the National Land Agency, Article 3 explicitly states that one of the primary functions of the National Land Agency is to conduct studies and manage issues, disputes, cases, and conflicts in the field of land affairs. (Sadono, 2023)

The aforementioned provision is further elaborated in the Regulation of the Head of the National Land Agency of the Republic of Indonesia No. 3 of 2011 concerning the Management, Review, and Handling of Land Cases. The following describes the procedural flow of land dispute resolution through mediation involving Mrs. A at the Land Office (National Land Agency) of Pekalongan Regency.

- a. Submission of Complaint; Mrs. A submitted a formal report to the Pekalongan Regency Land Office regarding the exchange of land parcels indicated in her land title certificate. The report was accompanied by the original certificate, personal identification, and other supporting documents necessary for verification.
- b. Receipt and Registration of the Case; Officials of the Division for Dispute, Conflict, and Case Handling received the complaint, recorded it in the official complaint register, and assigned a special team to conduct further investigation and follow-up actions.
- c. Examination and Verification of Data; The assigned team from the National Land Agency examined both juridical and physical documents, including land certificates, land books, and deeds of sale and purchase, as well as parcel maps and survey data. This verification aimed to determine the source of error and identify the cause of the exchange of land parcels.
- d. Field Inspection: Subsequently, the National Land Agency, together with Mrs. A and the relevant parties, conducted a field re-measurement to match the physical boundaries of the land with the data recorded in the certificate.
- e. Mediation Process; Upon completion of the verification stage, the National Land Agency facilitated a mediation meeting between the disputing parties. The mediation session was chaired by an authorized mediator from the Land Office. Both parties agreed to resolve the dispute amicably, resulting in a consensus to correct the certificate data in accordance with the actual physical condition of the land.
- f. Outcome and Administrative Follow-Up; Based on the agreement reached, the Pekalongan Regency Land Office prepared a *Minutes of Mediation* and a *Peace Agreement* signed by both parties. Following this, the Land Office implemented corrections to both juridical and physical data in the land registry and subsequently issued a revised and legally valid land certificate.

3. Obstacle in The Settlement Process of Land Dispute Involving Exchanged Land Parcels in Land Ownership Certificates

- a. Limited Human Resources and Time at the Land Office; The mediation process at the Land Office requires the involvement of officers from various divisions, such as dispute resolution, surveying, and land registration. However, the limited number

of personnel and the high workload often become significant obstacles to accelerating the dispute resolution process. Consequently, several stages of mediation are frequently delayed to adjust to the availability of staff and their working schedules.

- b. Lack of Legal and Procedural Understanding Among the Community; A considerable portion of the community still lacks adequate understanding of the mediation mechanism and the role of the National Land Agency (Badan Pertanahan Nasional/BPN) in resolving land disputes. Many parties mistakenly assume that the BPN has the authority to issue binding legal decisions, whereas its role is limited to administrative settlement. This misunderstanding often leads to misperceptions and dissatisfaction with the outcomes of mediation facilitated by the BPN.
- c. Multiplicity of Parties Involved in the Dispute; successive buyers, or third parties with interests in the land. This complexity creates coordination difficulties among the parties and often results in delays in scheduling mediation sessions, as it is challenging to ensure the simultaneous presence of all involved parties.
- d. Limited Authority of the National Land Agency in Dispute Resolution; The Land Office only holds administrative authority; therefore, when a dispute extends to issues of ownership rights or involves criminal elements, the BPN cannot proceed with mediation and must refer the matter to the judicial system or law enforcement agencies. This limitation of authority consequently prolongs the resolution process, making it more complex and requiring additional time beyond the administrative scope of land affairs.

4. Solution To The Obstacles in Resolving Land Disputes Involving Exchanged Land Plots

Berdasarkan hasil penelitian, tantangan dapat dikelompokkan menjadi empat kategori:

- a. Efforts to Overcome the Limitations of Human Resources and Time at the Land Office; In addressing the obstacles arising from limited personnel and time constraints, the Land Office must implement strategic measures to enhance the effectiveness of mediation practices. One approach is to improve employee competence and work efficiency through technical training for those directly involved in the process, such as surveyors, document examiners, and mediators. In addition, the utilization of information technology plays a crucial role for instance, through the implementation of digital complaint and case-monitoring systems to ensure faster, more transparent, and well-documented administrative procedures. Another essential measure is strengthening coordination among divisions within the National Land Agency, allowing verification, examination, and follow-up stages of mediation outcomes to proceed in a synchronized manner without unnecessary delays.
- b. Enhancing Public Understanding of Legal and Procedural Aspects; The issue of limited public understanding of mediation mechanisms and the authority of the National Land Agency can be addressed through regular legal education and socialization programs. These activities aim to provide the public with a clear understanding of the agency's functions, authority, and the procedural stages of land dispute resolution. Furthermore, providing accessible informational media—such as brochures, printed guidelines at complaint counters, or materials published on the official website of the National Land Agency can help the public comprehend the complaint process before submitting a dispute. The role of land extension officers is also essential in delivering direct education to communities at the local level, such as in villages or sub-districts.
- c. Handling Disputes Involving Multiple Parties; When a dispute involves multiple parties, coordination often becomes the primary obstacle. To address this, the National Land Agency may organize mediation sessions in stages or separately, allowing each party equal opportunity to present their arguments and evidence without impeding the

overall process. It is also necessary to appoint competent mediators with strong communication and negotiation skills to balance the diverse interests fairly. The National Land Agency can further encourage the involved parties to appoint representatives or legal counsel to facilitate coordination and expedite decision-making during mediation proceedings.

- d. Addressing the Limited Authority of the National Land Agency in Dispute Resolution; Given that the authority of the National Land Agency is confined to administrative matters, inter-institutional collaboration is necessary particularly with judicial bodies and law enforcement agencies to expedite referrals when disputes involve civil or criminal elements. The National Land Agency should also strengthen its role as an administrative facilitator and mediator by providing clear guidance and recommendations regarding potential legal actions available to the parties. Moreover, harmonization of laws and regulations is required to delineate more clearly the boundary between administrative and judicial authorities, thereby preventing overlaps in the practical implementation of land dispute resolution.

4. CONCLUSION

Land plays a highly significant role in the social, economic, and cultural life of Indonesian society. To ensure legal certainty regarding land ownership, the government has established a land registration system as regulated under the Basic Agrarian Law (UUPA) and Government Regulation No. 24 of 1997. However, in practice, various issues continue to arise, one of which involves errors in physical data, particularly the exchange or misidentification of land parcels in certificates. Such cases not only cause losses to the community but also generate legal uncertainty, which contradicts the fundamental objectives of land registration itself. The National Land Agency (Badan Pertanahan Nasional/BPN) plays a pivotal role in resolving land disputes through administrative channels, particularly mediation. Pursuant to Ministerial Regulation of ATR/BPN No. 11 of 2016 in conjunction with No. 21 of 2020, the BPN is authorized to facilitate negotiations, verify data, conduct field inspections, and correct administrative errors through mediation processes. In a case that occurred in Pekalongan Regency, the BPN successfully resolved a land parcel exchange dispute through mediation by issuing revised land certificates in accordance with the actual field conditions.

Nevertheless, the implementation of mediation often faces several challenges, including limited human resources, low public legal awareness, the multiplicity of parties involved, and the restricted administrative authority of BPN. To overcome these obstacles, strategic measures are required, such as enhancing staff competence, utilizing information technology, providing legal education to the public, strengthening inter-agency coordination, and harmonizing regulations related to land dispute resolution authority. Overall, the BPN's role is crucial in maintaining orderly land administration and promoting peaceful solutions to agrarian conflicts. However, to optimally achieve the objectives of legal certainty and protection for land rights holders, it is essential to improve professionalism, data accuracy, and synergy among the community, local governments, and judicial institutions in every stage of land dispute resolution.

REFERENCE

Aksar, A., Dinata, U., Shaleh, A. I., Az-Zahra, F., Ambarwati, A., & Putri, M. (2023). Rekonstruksi Penyelesaian Sengketa Sertifikat Ganda Pada Badan Pertanahan Nasional. *Jurnal Pembangunan Hukum Indonesia*, Vol. 5, No. 3.

Anggraeni, D., Widjajaatmadja, D. A. R., & Koto, Z. (2023). Kepastian hukum penerbitan sertifikat ganda bagi pemegang hak milik atas tanah oleh kantor pertanahan. *Jurnal Multidisiplin Indonesia*,

Vol. 2, No. 8.

Arbainah, A., Habibi, M., & Wibowo, M. F. (2024). Proses Administrasi Pendaftaran, Penerbitan dan Penyerahan Sertifikat Pengganti Kantor Pertanahan Kota Samarinda. *Innovative: Journal Of Social Science Research*, Vol 4, No. 1.

Aziziyah, A. N., & Fitriyah, M. A. T. (2023). Tumpang Tindih Sertifikat Tanah. *Legal Spirit*, 7(2).

Dewi, N. M. T. (2022). Penyelesaian Sengketa Non Litigasi Dalam Penyelesaian Sengketa Perdata. *Jurnal Analisis Hukum*, Vol. 5, No. 1.

Harahap, M. D. M., Ferdinand, F., & Harinie, L. T. (2023). Pemanfaatan Aplikasi Sentuh Tanahku Guna Perbaikan Kinerja Layanan di Kantor Pertanahan Kota Palangka Raya. *Edunomics Jurnal*, Vol. 4. No. 1.

Intariani, S., Masese, D., Rahman, S., & Poernomo, S. L. (2023). Efektivitas Fungsi Kantor Pertanahan Kabupaten Banggai Dalam Penyelesaian Sengketa Melalui Mediasi Berdasarkan Permen ATR/BPN Nomor 21 Tahun 2020. *Journal of Lex Generalis (JLS)*, Vol. 4. No. 1.

Madiong, B., Makkawaru, Z., Desa Bontomanai, P., Manggarabombang, K., & Takalar, K. (2021). Analisis Penyelesaian Sengketa Tanah Melalui Jalur Mediasi Di Desa Bontomanai Kecamatan Mangarobombang Kabupaten Takalar Land Dispute Settlement Analysis Through Mediation in Bontomanai Village, Manngarabombang District, Takalar Regency. *J. Paradigma Administrasi Negara*, Vol. 3, No. 2.

Rolando, R., Wn, S. F., Juniyanto, D., & Setiawan, N. (2024). Hukum Agraria Dalam Penyelesaian Sengketa Tanah Di Indonesia. *Perkara: Jurnal Ilmu Hukum Dan Politik*, Vol. 2. No. 1..

Sadono, A. H. (2023). Penanganan Masalah Pertanahan Berdasarkan Peraturan Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional Nomor 21 Tahun 2020 tentang Penanganan dan Penyelesaian Kasus Pertanahan. *Rampai Jurnal Hukum (RJH)*, Vol. 2. No. 1.

Sandika, F. L., Chandra, T. Y., & Kencanawati, E. (2023). Peran Badan Pertanahan Nasional dalam Penyelesaian Sengketa Tumpang Tindih Pertanahan Melalui Mediasi. *Blantika: Multidisciplinary Journal*, Vol. 1. 3.

Shella, S. A., & Ramasari, R. D. (2022). Tinjauan yuridis kekuatan hukum sertifikat tanah elektronik berdasarkan peraturan menteri agraria dan tata ruang nomor 1 tahun 2021. *Jurnal Hukum Dan Etika Kesehatan*.

Sinaga, H. (2024). Peran Mediasi dalam Kerangka Pengembangan Hukum di Indonesia. *J-CEKI: Jurnal Cendekia Ilmiah*, Vol. 3. No. 4.

Soekanto, S. (2006). Pengantar penelitian hukum. 2010. <https://lib.ui.ac.id/detail?id=6324>.

Zaenal, A. A., Rahman, S., & Razak, A. (2024). Kewenangan Badan Pertanahan Nasional Dalam Penyelesaian Sengketa Tanah. *Journal of Lex Theory (JLT)*, Vol. 5, No. 1.