

CORRESPONDENCE PROOF

Title : **Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)**

Author : **Zulfikri Toguan, Rodyahsriningsih, & Ridho Alfahriansyah**

DOI : [10.30659/l dj.8.1.163-177](https://doi.org/10.30659/l dj.8.1.163-177)

Affiliation : Universitas Islam Riau

Journal : Law Development Journal (LDJ)

Web : LDJ - <https://jurnal.unissula.ac.id/index.php/RH>

Publisher : **Master of Law, UNISSULA**

E-mail : Zulfikripohan@law.uir.ac.id

The proposer submits the article manuscript via email above on the LAW DEVELOPMENT JOURNAL (LDJ) website. This journal was chosen because it is in accordance with the theme of the article and is in the national category of **GARUDA INDEXED AND SINTA 2**.

TIMELINES

NO.	STEP	DATE
1	Proof of confirmation of article submission and articles that are distributed	2026-03-11
2	Proof of confirmation of Reviewer A's review	2026-03-12
3	Proof of Confirmation of Revision Submission, and Resubmitted Article	2026-03-19
4	Proof of confirmation of Reviewer B's review	2026-03-12
5	Proof of Confirmation of Revision Submission, and Resubmitted Article	2026-03-19
6	Proof of confirmation of Reviewer C's review	2026-03-12
7	Proof of Confirmation of Revision Submission, and Resubmitted Article	2026-03-19
8	Proof of confirmation of Accept Submission article	2026-03-30
9	Proof of confirmation of article published online	2026-03-31

SUBMIT JOURNAL

Submission Metadata

EDIT METADATA

Authors

Name Zulfikri Toguan 
Affiliation Universitas Islam Riau
Country Indonesia
Bio Statement

Author is a dedicated academic and legal scholar specializing in Law Scope. With a career rooted in the pursuit of legal excellence, serves as a faculty member at Excellent University, where they balance rigorous learning with a commitment to institutional development. Their research primarily focuses as the topic above which exploring the intersections of fundamental norm. Its work has been featured in several peer-reviewed journals, contributing to contemporary dialogues on legal reform and policy-making. Beyond the classroom and active participant in university governance and interdisciplinary research projects, aiming to bridge the gap between academic theory and practical legal application.

Principal contact for editorial correspondence.

Name Rodyahsriningsih Rodyahsriningsih 
Affiliation Universitas Islam Riau
Country Indonesia
Bio Statement

Author is a legal academic and researcher at Excellent University. Their scholarly work centers on law, with a particular interest in legal norm. A is deeply integrated into the academic community, frequently leading university-wide initiatives and contributing to collaborative research grants. Known for a meticulous approach to legal analysis. A is committed to advancing the rule of law through both high-impact publication and mentorship of the next generation of legal practitioners.

Name Ridho Alfahriansyah 
Affiliation Universitas Islam Riau
Country Indonesia
Bio Statement

Author is a legal academic and researcher at Excellent University. Their scholarly work centers on law, with a particular interest in legal norm. A is deeply integrated into the academic community, frequently leading university-wide initiatives and contributing to collaborative research grants. Known for a meticulous approach to legal analysis. A is committed to advancing the rule of law through both high-impact publication and mentorship of the next generation of legal practitioners.

Title and Abstract

Title Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

LOA



RUMAH JURNAL FAKULTAS HUKUM (RJFHU)
UNIVERSITAS ISLAM SULTAN AGUNG (UNISSULA)
Jl. Raya Kaligawe Km.4 Semarang 50112 Telp. (024) 6583584 (8 Sal) WA. +6281325424803
E-mail: rumahjurnal@unissula.ac.id web : <http://www.unissula.ac.id>

RUMAH JURNAL FH UNISSULA

Rumah Raungan Jurnal Fakultas Hukum Terintegrasi & Profesional

Semarang, March 11th, 2026

LETTER OF ACCEPTANCE (LOA)

No. 001/LDJ/III/2026

FROM:

Law Development Journal (LDJ) SINTA 2

TO:

Zulfikri, Rodyahsriningsih & Ridho Afriansyah
(Universitas Islam Riau)

CONGRATULATION!

Title/Article:

"Legal Certainty of Land Rights Based on Land Certificates (SKT) in Industrial Forest Plantation Areas (Study in Bengkalis Regency)"

Hereby, we as the *Law Development Journal (LDJ) SINTA 2* based on Degree No. 0228/DTS/C3/DT.05.00/2026 with ISSN: 2747-2604 which management board convey that the document has undergone the OJS process from submission, review, revision and proof reading for Publishing (for March 2026 EDITION) with publication date duration since 1 March until 30 May 2026. Then the editor has agreed by doing the **ACCEPTANCE** and has sent it to the Copy Editing section for the template and galley process. With this letter, the author also agrees to all improvements and changes during the review process according to the rules in this journal.

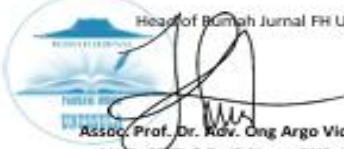
Therefore, according to our journal management administrative procedures, the author should give **PAYMENT** as publication fee IDR 5.000.000,- and report it to our journal finance officer at Faculty of Law UNISSULA Semarang.

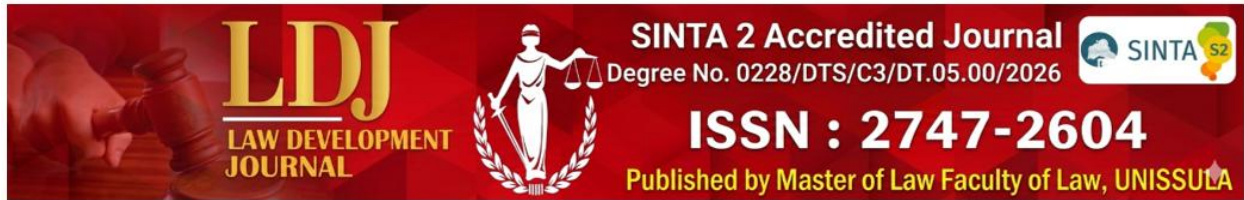
Bank Mandiri No. Rek. 1350000507507 a.n. Andri Winjaya Laksana / Arpangi

Send Your Transfer Receipt to: WA. 081325424803/E-mail: ldj@unissula.ac.id

Thank you for your cooperation.



Head of Rumah Jurnal FH UNISSULA,

Assoc. Prof. Dr. Nov. Ong Argo Victoria, ANT III,
AWP, CSFT, S.Sy, S.Hum., BHS., S.Tr. Trans,
M.H., M.Kn, MM.
NIDK : 8802111019



LDJ
LAW DEVELOPMENT
JOURNAL

SINTA 2 Accredited Journal
Degree No. 0228/DTS/C3/DT.05.00/2026

ISSN : 2747-2604
Published by Master of Law Faculty of Law, UNISSULA

REVIEW PROCESS



LDJ
LAW DEVELOPMENT
JOURNAL

SINTA 2 Accredited J
Degree No. 0228/DTS/C3/DT.05

ISSN : 274
Published by Master of Law Fa

HOME ABOUT USER HOME SEARCH CURRENT ARCHIVES ANNOUNCEMENTS ARTICLE IN PRESS

Home > User > Editor > Submissions > #51880 > Review

#51880 Review

SUMMARY REVIEW EDITING HISTORY REFERENCES

Submission

Authors Zulfikri Toguan, Rodyahsriningsih Rodyahsriningsih, Ridho Alfahriansyah

Title Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

Section Articles

Editor Anis Mashdurohatun

Review Version 51880-124502-1-RV.DOCX 2026-03-30 ENSURING A BLIND REVIEW

Upload a revised Review Version No file chosen

Supp. files 51880-124289-1-SP.DOCX 2026-03-17 Present file to reviewers

Peer Review

Round 1

[SELECT REVIEWER](#) [VIEW REGRETS, CANCELS, PREVIOUS ROUNDS](#)

COMMENT ON REVIEWING FORM

REVIEWING FORM

Peer Reviewer

To:

Correspondence Author

• The [all](#) article in English Version

NO.	CHAPTER	CONTENT	REVISION
1	Title	It should be taken from research findings, so that it is interesting to read.	The title may not include the name of the research location, it will be stated inside of content. The title is a maximum of 14 words, the title may not contain the name of the place, agency, name of the regulation. All that explanation will be explained inside of the content. Example: <u>The Handling of Credit Problems in Bank Financial Restruction</u> (9 words)
2	Abstract	Abstract contains little summary sequentially: Aims/purposes, research methods, novelty and conclusions, made between 200-300 words.	Example: <u>This study aims to</u> <u>The research method was used</u> <u>The Novelty in this research is</u> <u>Based on the research concluded</u>
3	Keyword	You can put 3-5 words in keywords <u>Alphabetically use</u> :	Please make it one by one per word, no sentence or acronym. Example: <u>Act; Legal; Management; Modern.</u>
4	Introduction	The introduction should <u>consisted</u> the background and <u>problem of the research (GAP)</u> .	Make sure you make it <u>around 6-7 paragraphs</u> as match and synchronous with the title and the discussion.
5	Research Methods	The formulation of the problem in this article is very strictly, so there is no gap between <u>das sein and das sollen</u> , please provide an analysis of certain legal theories depend on your <u>research approach or methods</u> .	The editorial was not in the form of a problem statement but was changed to the research objective, and became the last paragraph of the introduction, without numbering. Editor The formulation of the research objectives <u>was synchronized with the abstract & conclusion</u> . Please make it in one (1) paragraph. And make it in <u>Past Tense</u>

			Grammar , because already happened.
6	Result and Discussion	Pay attention to making paragraphs, don't have very long paragraphs and not many numbering. Better you use the picture or graphic or table it make your document more appropriate. Table in 9 size, all scape 1	If you can avoid the use of many bullet numbering, make possible editorials without bullet numbering, except for lists. For example, in the description of "There are several legislations in detail and divided from several changes from year to year which contain legal rules regarding namely" can be made so that the statement does not need to make bullet numbering.
7	Conclusion	The section use title "Conclusion not Closing" and summarized into 1 paragraph.	The sharp and to do point conclusion is needed and you can put the suggestion descriptions inside conclusion or combined it in 1 paragraph.
8	References (APA STYLE)	Starting January 2025 all citations from other sources must be cited in bodynotes and use references wit APA style. Please, arrange from: Journals: Books: Internet: Regulation: Interview: Etc.	Please add more Journal References min. 15 sources in short of 10 years before. Example: Journal: And for journal (Victoria, et.al., 2020: 397-407). so the reference will be written → Victoria, Ong Argo. Ade Busma Ariyana, Devina Arifani . 2020. Code of Ethics and Position of Notary in Indonesia. <i>Sultan Agung Notary Law Review</i> , Vol. 2 No. 4: p.397-407, Doi: 10.30659/sanlar.2.4.397-407, http://lppm-unissula.com/jurnal.unissula.ac.id/index.php/SANLaR/article/view/13536 Book: (Mustofa, 2021: 25). so the reference will be written → Mustofa, Muhammad. 2021. <i>Hukum Waris Islam</i> . Bandung: Multimedia Press. Etc. (Follow the TEMPLATE)

REVIEWING FORM

Peer Reviewer

To:

Co-Author

* The all article in English Version

Please learn this first to step of Journal Review:

1. Introduction

Theoretical Background or Research Objectives in Introduction. This section reveals what background problem, theoretical basis, GAP, as well as the purpose of the research conducted.

2. Research Methods

This section reveals things related to research methods, such as:

- What method was used?
- What or who was the research subject?
- How data collection technique was?
- What data collection tools were used?
- What kind of data analysis was used?--> make it in one (1) paragraph.

3. Results and Discussion

This section reveals the results and the main discussion of the research that has been carried out which must be explained briefly, clearly, and concisely. (TO DO POINT)

Journal Review Writing Format

You can see the format for writing a journal review more or less in the author guideline.

Journal Review Cover Format

In reporting the results of a journal review, you must also use the same front cover as when you make a report, script, or paper.

How to Make a Journal Revision

After understanding the things that must be prepared, the format, and examples, you can immediately start making a journal revision based on the REVIEWER FORM in OJS or E-mail.

The steps are as follows: (Read comment step by step)

1. Read the Introduction

First, read and understand the section preliminary of the journal you want to revise.

In this section, try writing:

- The purpose of the research conducted
- The background or reason why the researcher choose this problem
- Does the research use a new approach/method or does it use an approach/method that has been used by other researchers?
- What problems do researchers want to answer?

You don't have to write this directly into a journal revision format, you can write it down first as notes or just scribble on paper after that make correction in previous document.

2. Read the Result and Discussion Section

Next, read the core discussion of the journal you want to revise.

In this section, try writing:

- What solutions are given by researchers to answer the problems raised?
- How do researchers design experiments to test the system created?
- Was the experiment successful? If not, did the researchers discuss the causes in the journal?
- Where the greatest contribution of the research that has been done?

4. Conclusion

After finishing with the main discussion, continue with reading the results and conclusions of the study.

In this section, try writing:

- Are the conclusions written in accordance with the research objectives?
- Are there still unresolved research problems?
- Do you have any other ideas or ways to solve the research problem?
- Where are the weaknesses of the journals you read?
- Are the references used in the journal up-to-date?

Write into Format

After you've read all the sections and you've written down the important points, it's time to write them down in a journal revision format.

Write one by one starting from the title, the name of the journal, to the results of your revision.

Remember! In writing a revision, always try to write it briefly, clearly, and concisely.

Make Second-and so on Revisions

If you have finished writing the results of the review, do not rush to collect to editor or journal management or publish it.

First, revise the results of the reviews form from the reviewers.

Read and examine each line.

If there is a writing error or there is a sentence that doesn't fit, fix it immediately!

In addition, consider the systematic reporting of journal reviews below.

Journal Review Reporting Systematics

- Use A4 as size paper
- Use a font according to the JOURNAL TEMPLATE FORMAT
- Using 1 space
- Using the left & bottom margin rule: 4 cm, right & top 3 (44-33)
- Use covers and formats as listed in the respective journal guides
- Using standard words and not using abbreviations such as not, they, which, with, etc.
- Italic for different languages, example: *Burgerlijk Wetboek (BW)*

5. References

References in this article use APA (American Psychological Association) REFERENCE STYLE, all references must be in the same format as those at the end of this document and the reference list must include all cited literature. We recommend authors to use a management reference system (Mendeley, Zotero, Endnote, etc.)→ examples:

Journals:

- Caroline, C., Sumiati, S., et.al. 2023. Taxation in the Modern Economy: An In-Depth Analysis of Policy Frameworks, Economic Implications, and Strategic Approaches for Sustainable Financial Development. *International Journal of Society Reviews*, Vol, 1 No.2: p.363-374, accessed from https://scholar.google.co.id/scholar?hl=en&as_sdt=0,5&cluster=4174919886406042461
- Deen, Thaufiq, Ong Argo Victoria & Sumain. 2018. Public Notary Services in Malaysia. *JURNAL AKTA*, Vol. 5, No. 4: p.1017-1026. Doi: 10.30659/akta.v5i4.4135, accessed from <http://jurnal.unissula.ac.id/index.php/akta/article/view/4135>
- Hajar, Ibnu, & Mubarak Umam Alfi. 2023. Peningkatan Kinerja Sumber Daya Manusia dalam Konteks Dukungan Sosial. in *Jurnal Riset Bisnis Indonesia*, Vol. 20, No. 1: p.56-64 url:

CHECKING MAIN DATA-REVIEW

Summary/Affiliates/E-mail	Write down your name, institution of origin and E-mail Example: Ong Argo Victoria ADA Chicago United States & International Islamic University Malaysia, E-mail: argovictoriaupin@gmail.com
Date	Date the job was done
Topic	The journal topic you choose

Writer	Journal author (all names are written without titles or degrees)
Year	Clear (Follow Journal Management)
Title	clear
Journal	clear
Vol. & Page	clear

Theoretical basis	Explain the theoretical basis of the research that you briefly summarized. Usually, the theory used is at the beginning of the journal. If the researcher explicitly states the name of the theory used, write it down in this section. Do not forget to write down the purpose of the research
Research Method	Describe the research method used Explain how many subjects, how to take the subject and its characteristics
Description	Describe the treatment or checking carried out the manipulation by the researcher (if any)
Instrument	Describe the measuring instrument of each variable
Results and Discussion	Describe the results obtained from your study. Write down research weaknesses and suggestions combination for further research (written in Conclusion in one (1) paragraph)
Strengths and Weaknesses	Strengths and weaknesses regarding research (if any)
Conclusion	Give firm and clear conclusions in one (1) paragraph
References	Multiply Journal references both nationally and internationally min. 15 and main books, internet, regulation, interview, etc. as well as other documents related to your research. Follow TEMPLATE

JOURNAL REVIEWS FOR METHODS

Title	Please make it as interesting as possible, so that the reader is immediately interested in reading the contents of the document onwards (1-14 words)-up to date
Journal	Customize with existing New JOURNAL TEMPLATE (ask journal team/management)
Volumes & Pages	Will be adjusted by the Journal Team
Year	Will be adjusted by the Journal Team
Writer	Blind Review, so it does not display the author's name
Reviewer	Blind Review, so it doesn't display the Reviewer's name
Date	According to the date chosen by the Editor and the review time interval (1-3 Month) after Editor Chosen .

Research Purposes	The aims/purposes the main objective of this research is to obtain/analyze/find out/tested
Research Subject	The subject of this research is
Research Methods	The method used in this study was themethod. With primary data sources.....and/or secondary data.....
Operational Definition of Dependent Variable	The dependent variable in this study is
Ways & Tools to Measure Dependent Variables (which are influenced)	The methods and tools used to measure the dependent variable are:
Operational Definition of Independent Variable (influencer)	The independent variable in this study is the person centered approach.....
Research Result	Overall, the results of this study are.....(only 1 paragraph and get straight to the point, don't repeat existing sentences)
Research Power	The strength of this research is the tools used in the research are(if any)
Research Weaknesses	Weaknesses of this research are(if any)

PEER REVIEW ASSESSMENT RESULTS

Scientific Journal Title (Article) : In accordance with the documents that have been sent by the Editor and received by the Peer Reviewer
(Based on Original Article)

Scientific Journal Writer : The Secret (Blind Review)

Proposer Status : Independent Author / First Author / Second Author / Correspondence Author (only written in original documents)

Scientific Journal Identity:

- a. Journal Name : Editor and managerial duties of the journal concerned
- b. ISSN /E-ISSN number : same
- c. Volume/number, month, year: same
- d. Publisher : UNISSULA
- e. DOI of the article (if any): Appears when the journal has been Published
- f. Journal Web Address : UNISSULA
- g. Indexed in Google Scholars, DOAJ, Scopus, Scimagojr/Thomson Reuter ISI knowledge, etc. (based on the quality of Journals in Faculty of Law UNISSULA)

Category of Scientific Work Publication : International Scientific Journal / Internationally Reputation

(give Red Color to the right category) : Accredited National Scientific Journal
: National Not Accredited (ISSN)

Peer Review Rating Results:

Component Assessed	Maximum Value of Scientific Journals			Final score Which Obtained
	International <input type="checkbox"/>	Accredited National <input checked="" type="checkbox"/>	National Not Accredited <input type="checkbox"/>	
a. Completeness of the contents of the article (10%)		7%		
b. Scope and depth of discussion (30%)		20%		
c. Adequacy and up-to-date data/information and methodology (30%)		26%		
d. Completeness of elements and quality of journal publications (30%)		25%		
Total = (100%)		78%		78%
Proposer Value (FINAL)=				80%

Peer Reviewer Comments

- a. Completeness and suitability of elements:
 - Corresponds between Title and Content
 - Just a little improvement in Abstract
- b. Scope & depth of discussion:
 - In accordance with the Scope of Law and Journal Scope
 - Still can be improved, especially the analysis
- c. Adequacy and up-to-date data/information and methodology:
 - Research sophistication is sufficient
 - The research method has been adjusted and assisted by peer reviews with minor corrections
- d. Completeness of elements and quality of journal publications:
 - Already well
 - Variative
- e. Plagiarism Indications:
 - Pass
 - ~~Turnitin~~

Semarang,
Reviewer,

(BLIND REVIEWS)

Work unit : Editor
Last Position : Doctor

REVISION

Here is the table with the 5 general components for journal revision instructions by color, please follow the instruction carefully:

No.	General Revision Component	Brief Description	Example of Revision Action
1.	Title	"The title should reflect the research content and provide a comprehensive overview of the research gap, the proposed solution, and the key findings."	A comprehensive journal title is essential because it must function as an immediate summary and a compelling pitch for the research. It should clearly define the research gap (the problem being solved) to establish relevance, highlight the solution or methodology used to address that gap, and strongly hint at the most significant finding or contribution, thereby maximizing reader interest and signaling the paper's importance to the field.
2.	Structure and Organization	Relates to the overall flow, logical structure, consistency of sections (Abstract, Introduction, Methods, Results, Discussion, Conclusion), and adherence to the journal's template/format.	* Ensure abstract length/format is compliant. * Reorganize sub-sections for a more logical narrative flow. * Confirm all main sections are present and complete.
3.	Methods and Data Analysis	Covers the clarity of the research design, justification of methods, procedure details, instrument validity and reliability, and the appropriateness of the data analysis techniques and interpretation.	* Add detail regarding the sample and sampling technique. * Clarify the statistical analysis tools used. * Include a justification for why the specific method was chosen.
4.	Argument Strength and Findings	Focuses on the significance of the findings, the depth of the discussion, the	* Strengthen the discussion by linking findings to the latest literature. * Clarify the theoretical or practical implications of

		linkage between results and existing theory/literature, and the clarity of the research contribution.	the results. * Ensure the conclusion directly addresses the research objectives.
5.	Literature Review and References	Concerns the relevance, currency, and quality of the sources cited. Also ensures all in-text citations match the reference list (and vice versa), and that the reference formatting is correct.	* Replace some older references with more current ones (last 5–10 years). * Correct the formatting of the reference list according to the journal's citation style (e.g., APA, Harvard). * Ensure no in-text citation is missing from the reference list.
6.	Language and Style	Emphasizes clarity, grammatical accuracy, word choice, spelling, and the proper formatting of tables and figures.	* Conduct thorough proofreading for grammar and spelling corrections. * Revise table and figure captions/titles to be self-explanatory and informative. * Maintain consistency of technical terms used throughout.

Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

Abstract. Land occupies a strategic position in social life and national development; consequently, its control and utilization must be regulated in a manner that ensures legal certainty. In practice, particularly in rural areas, communities frequently rely on a Land Statement Letter (*Surat Keterangan Tanah/ SKT*) as evidence of land possession. Legal issues emerge when land possessed by communities on the basis of an SKT is located within areas designated as Industrial Plantation Forests (*Hutan Tanaman Industri / HTI*), where the state has granted official management permits to corporate entities. Such circumstances give rise to competing claims between communities exercising *de facto* control over the land and companies holding formal legal authorization issued by the government. This study seeks to examine the legal status of community land possession based on SKT within HTI areas and to assess the extent to which legal certainty is ensured, with reference to Supreme Court Decision Number 1429 K/Pdt/2022. The research adopts an empirical legal method employing a descriptive-analytical approach. Primary data were obtained through interviews with SKT holders, village officials, and representatives of the relevant company, while secondary data were collected from statutory regulations, legal scholarship, and judicial decisions. The collected data were analyzed qualitatively

through a juridical approach in order to understand the practice of land control and the scope of its legal protection. The findings indicate that an SKT does not possess evidentiary value equivalent to that of a land ownership certificate, which constitutes strong legal proof of title under Indonesian land law. In cases where the disputed land is situated within HTI areas, legal certainty tends to favor parties holding formal permits issued by the state. Hence, the existence of an SKT in itself does not provide sufficient legal protection for communities unless it is followed by formal land registration in accordance with applicable land law regulations.

Keywords: *Industrial; Land; Plantation; Rights.*

1. Introduction

Land constitutes a fundamental asset within society, as it is intrinsically linked to social interactions, economic activities, and the implementation of national development policies. Accordingly, the governance of land ownership, control, use, and utilization must be regulated in a manner that guarantees legal certainty, as mandated by Law Number 5 of 1960 concerning Basic Agrarian Regulations (Basic Agrarian Law / UUPA). One of the principal objectives underlying the enactment of the UUPA is to establish a legal framework that provides protection and certainty regarding land rights for the Indonesian people. In a legal system founded upon the rule of law, the principle of legal certainty plays a crucial role in ensuring clarity concerning the status of rights while simultaneously safeguarding the interests of land right holders (Boedi Harsono, 2008).

In practical terms, particularly within rural communities, a considerable number of individuals continue to exercise control over land on the basis of a Land Statement Letter (Surat Keterangan Tanah / SKT) issued by village authorities. This document essentially performs an administrative function by recording factual land possession. As such, its legal standing cannot be equated with a land title certificate obtained through the formal land registration mechanism, which constitutes authoritative evidence of land rights (Adrian Sutedi, 2013). Consequently, individuals who rely solely on an SKT frequently encounter legal vulnerability, particularly when disputes concerning land ownership arise (Urip Santoso, 2012).

Land registration therefore serves as a central instrument for securing legal certainty and legal protection for individuals or entities holding land rights. Through this mechanism, the state formally recognizes the identity of the right holder, determines the location and boundaries of the relevant parcel of land, and clarifies the legal status attached to it (A.P. Parlindungan, 2009). In the absence of formal registration, control over land generally reflects only factual possession in practice and does not yet receive full legal protection within the national land law system.

The complexity of land governance becomes more pronounced when land controlled by communities on the basis of an SKT is located within designated state forest areas, particularly

those allocated for Industrial Plantation Forests (Hutan Tanaman Industri / HTI). Under Indonesian forestry law, forest areas fall under the authority and control of the state, and their utilization may only be conducted pursuant to official permits issued by the government. In reality, the establishment of HTI concessions often overlaps with land that has long been occupied and cultivated by local communities across generations, thereby generating conflicts between local residents and companies holding legally recognized forest management permits (Food and Agriculture Organization, 2011).

This situation is illustrated by a dispute involving residents of Koto Pait Beringin Village in Talang Muandau District, Bengkalis Regency, and a corporate entity holding an Industrial Plantation Forest concession. The dispute proceeded through several levels of judicial review and was ultimately resolved by the Supreme Court of the Republic of Indonesia. In Supreme Court Decision Number 1429 K/Pdt/2022, the Court concluded that the legal authority attached to the Industrial Plantation Forest management permit held by the company possessed stronger legal force than the Land Statement Letters (SKT) relied upon by members of the community (Supreme Court Decision Number 1429 K/Pdt/2022). This judicial determination demonstrates that legal certainty in such disputes tends to favor parties holding formal authorization issued by the state, thereby indicating that the existence of an SKT alone does not yet provide sufficiently robust legal protection for local communities.

In light of these circumstances, it becomes necessary to examine the legal status of community land control based on Land Statement Letters (SKT) within Industrial Plantation Forest (HTI) areas. Furthermore, this research seeks to analyze the degree of legal certainty afforded to SKT holders by referring to Supreme Court Decision Number 1429 K/Pdt/2022, as part of broader efforts to strengthen the agrarian legal system while promoting greater protection of community land rights.

2. Research Methods

This research applies a normative–empirical approach by examining various regulations related to land control and ownership as well as the governance of forest areas, particularly those associated with the existence of Land Statement Letters (SKT) and Industrial Plantation Forest (HTI) areas, while simultaneously examining their implementation in practice through field research. This approach is employed to assess the conformity between land and forestry legal norms and the reality of land control by communities based on Land Statement Letters (SKT), particularly in the context of disputes between communities and companies holding HTI concession permits. The research was conducted in Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency.

3. Result and Discussion

3.1. Legal Status of Land Control Based on Land Statement Letters (SKT) within Industrial Plantation Forest (HTI) Areas

A Land Statement Letter (Surat Keterangan Tanah / SKT) is generally understood as an administrative document issued by village or sub-district authorities acknowledging that a particular individual exercises physical possession over a specific parcel of land. Such a document usually contains information concerning the identity of the land possessor, the location and boundaries of the land, and a brief account of the history of possession. Nevertheless, within the framework of Indonesia's national land law system, an SKT does not possess the same legal authority as a land rights certificate issued by the National Land Agency. Under the provisions of the Basic Agrarian Law and the regulations governing land registration, legal certainty over land rights can essentially be obtained only through the formal land registration process conducted by the competent authority. Consequently, the SKT merely functions as preliminary administrative evidence reflecting factual control of land and does not, in itself, constitute legally recognized ownership.

Within Indonesia's system of land governance, the State occupies a central position as the authority that controls land, water, and natural resources for the purpose of promoting public welfare. This principle is embodied in the Basic Agrarian Law, which aims to regulate land tenure arrangements, ensure agrarian justice, and prevent the emergence of land disputes. In this context, land registration serves as a key instrument for establishing legal certainty and providing legal protection for holders of land rights.

Government Regulation Number 24 of 1997 further provides that land registration is intended to ensure legal certainty, supply reliable information regarding land status, and create an orderly system of land administration. The process may take place through initial land registration carried out systematically by the government within certain regions or sporadically upon the initiative of individual landholders. Through this procedure, both physical and juridical data relating to land parcels are officially recorded and subsequently form the basis for the issuance of land certificates that serve as strong evidence of land rights.

Legal difficulties arise when communities control land solely on the basis of SKT documentation while the land in question has been administratively designated as part of a state forest area, particularly within Industrial Plantation Forest (HTI) zones. In such circumstances, conflicting legal perspectives often emerge between community claims based on long-standing possession and the State's classification of the land as forest territory. For local communities, SKT documents are frequently perceived as legitimate proof of land control, particularly where the land has been cultivated and utilized for generations. In contrast, the State regards HTI areas as part of the national forest estate that remains under its authority (Boedi Harsono, 2008).

The case examined in this research concerns land controlled by residents of Koto Pait Beringin Village in Talang Muandau District, Bengkulu Regency, which lies within the HTI concession area

of PT Riau Abadi Lestari. For many years, members of the local community have used the land for housing and agricultural purposes. Their control over the land has also been administratively recognized through the issuance of SKT by village authorities as confirmation of such possession. However, following the granting of HTI concession rights to the company by the government, the area was officially classified as part of the state forest zone and placed under the management authority of the concession holder (Interview, 10 March 2025).

These differing legal foundations subsequently generated disputes between the community and the company. The community bases its claims on continuous and open possession of the land exercised in good faith, supported by SKT documentation. Conversely, the company relies on forest utilization permits issued by the government, asserting that the disputed land falls within the state forest area and therefore cannot legally be granted as private ownership (Interview, 14 March 2025).

The results of this study indicate that the issuance of SKT by village authorities was primarily intended as an administrative acknowledgment of community land possession prior to the formal designation of the area as forest land. Village officials themselves generally recognize that SKT carries limited legal authority and cannot be equated with a land certificate as formal proof of ownership. This situation reflects a gap between the practices commonly found within local communities and the formal legal provisions governing land ownership (Interview, 12 March 2025).

From a juridical standpoint, HTI areas form part of the forest territory controlled by the State under prevailing forestry legislation. The granting of HTI concessions to private companies does not transfer ownership of the land but merely confers the right to manage and utilize forest resources within a specified area. As long as the legal status of the forest area has not been formally released or converted through the procedures prescribed by law, land located within such areas cannot be granted private ownership rights. Consequently, SKT documents cannot serve as a valid legal basis for ownership claims over land situated within HTI areas.

This situation illustrates the intersection between agrarian law and forestry law. Agrarian law tends to recognize land control based on factual possession and historical land use by communities, whereas forestry law emphasizes the State's authority over forest territories. The lack of harmonization between these regulatory frameworks often produces legal uncertainty, particularly for communities that have long cultivated land but do not possess formally recognized ownership certificates (Urip Santoso, 2012).

Based on the analysis conducted, it can be concluded that community ownership claims based solely on SKT within HTI concession areas possess limited legal standing. The SKT does not constitute evidence of ownership rights but merely represents administrative acknowledgment of land possession. Moreover, the classification of the land as part of the state forest estate constitutes the primary barrier to the recognition of individual ownership rights.

Nevertheless, community occupation of land prior to the establishment of HTI concessions cannot be disregarded. Such occupation reflects a social and historical reality demonstrating the community's dependence on land as a principal source of livelihood. Accordingly, the State should provide protection through policies aimed at resolving agrarian conflicts, conducting land tenure inventories, and implementing mechanisms such as agrarian reform, forest area release, or social forestry programs. These measures are necessary to achieve a balance between the interests of the State, concession-holding companies, and local communities.

Therefore, from a formal juridical perspective, ownership claims based solely on SKT within HTI concession areas cannot be recognized as legitimate land rights. However, from a sociological standpoint, such land control remains significant and should be considered in the formulation of legal policies in order to ensure both legal certainty and a sense of justice for all stakeholders.

Further academic studies demonstrate that land conflicts in Indonesia are not solely caused by the weakness of community ownership evidence but are also closely linked to the limited implementation of land registration programs. Many communities continue to rely on administrative documents such as SKT because they are easier and faster to obtain, despite the fact that such documents do not provide legal certainty regarding ownership rights. This situation reflects relatively low public awareness of the importance of land certification and may potentially generate future disputes (Fitriana Trinengsi Taolin et al., 2024).

In addition, land registration plays a significant role in establishing orderly land administration while simultaneously providing legal protection for rights holders. In academic discourse, land registration is understood not merely as the recording of legal status but also as a mechanism for ensuring legal certainty, reducing the potential for disputes, and providing transparent information for interested parties. Consequently, the absence of land certificates as valid proof of ownership frequently places communities in a vulnerable position when confronted with claims from parties possessing stronger legal foundations (Yamani, Nur Habibah, 2024).

The absence of land certificates therefore often weakens the position of communities when confronted with claims from parties supported by stronger legal instruments. This situation becomes even more complicated when the land concerned is located within areas legally designated as forest zones or concession territories, where administrative documents such as SKT are insufficient to provide strong legal legitimacy.

From the perspective of agrarian law, land certificates possess high evidentiary value because they are issued through official land registration procedures conducted by the State. Certificates thus function as the principal legal instrument ensuring certainty of control, utilization, and legal protection against claims from other parties. Conversely, communities relying solely on SKT or long-standing physical occupation frequently face weaker legal standing when confronted with parties possessing formal legal documentation (Maria S.W. Sumardjono, 2007).

Academic research also indicates that one of the principal factors contributing to land disputes in Indonesia is the incomplete implementation of land registration, particularly in rural areas and regions with complex legal status. Many communities have controlled land for decades but lack legally recognized ownership documentation. This situation creates disparities in legal protection, especially when community claims overlap with business permits issued by the State (Ahmad Redi, 2017).

The absence of land certificates further limits the ability of communities to obtain adequate legal protection. Studies suggest that land certification not only functions as proof of ownership but also provides security in land utilization while reducing the potential for disputes. Land parcels that have not been registered are generally more vulnerable to conflict because they lack clearly recorded juridical data.

From the perspective of land administration, land registration constitutes an essential element in establishing an orderly and transparent system of land management. Clear legal status of land parcels facilitates governmental supervision, regulation, and development planning. Conversely, unregistered land complicates the identification of ownership and frequently becomes a recurring source of disputes (Nurhasan Ismail, 2016).

Within the context of forest areas and industrial concessions, these issues become even more complex due to the divergence between sociological land control and juridical authority over land. Communities often regard long-standing physical possession as a legitimate basis for ownership, whereas legally the State retains authority over forest territories and may grant management rights to particular entities. Such discrepancies frequently give rise to disputes between local communities and concession-holding companies (Nurhasan Ismail, 2016).

Further research indicates that the weak formal legality of community land control is often associated with limited access to land registration services, insufficient legal awareness, and economic constraints. Under such circumstances, communities tend to rely on simple administrative evidence such as SKT as the basis for ownership claims, even though such documents provide limited legal protection in the event of disputes (Nurhasan Ismail, 2016).

Agrarian law scholarship also emphasizes that land certification has an important preventive function in avoiding conflicts. By ensuring certainty regarding the subject, object, and legal status of land, the potential for disputes can be minimized from the outset. Conversely, unclear legal status creates opportunities for overlapping claims and competing interests among communities, government authorities, and private enterprises (Gunawan Wiradi, 2016).

In practice, many agrarian disputes brought before the courts originate from the weakness of community ownership evidence. When confronted with parties possessing formal legal instruments such as land certificates or government-issued permits, communities relying solely on administrative documentation are placed in a particularly vulnerable position. This

demonstrates that formal legal legitimacy remains a decisive factor in determining legal certainty over land (M. Ilham Arisaputra, 2018).

Accordingly, the urgency of land registration extends beyond administrative considerations and is closely related to the protection of community rights. Without land certificates as valid proof of ownership, communities frequently face unequal legal positions when confronted with parties supported by stronger legal authority. Enhancing public legal awareness and accelerating land registration programs therefore constitute essential steps toward ensuring legal certainty, reducing agrarian conflicts, and providing fairer legal protection for all stakeholders (Waskito and Hadi Arnowo, 2018).

Other studies further indicate that administrative documents such as SKT essentially reflect factual possession of land by communities but do not possess comprehensive evidentiary value under existing land law. Individuals relying solely on SKT frequently encounter difficulties in defending their claims, particularly when confronted with parties holding stronger legal bases such as certified land titles or government-issued permits.

Within the context of conflicts in HTI areas, the situation becomes even more complex due to the coexistence of two regulatory regimes, namely agrarian law and forestry law. Academic research indicates that this regulatory overlap constitutes one of the principal causes of recurring land disputes, especially in areas that were initially controlled by communities but later designated as state forest territories. Consequently, policy harmonization and restructuring of land tenure arrangements are required in order to ensure fair and balanced legal certainty for all parties involved (Fitriana Trinengsi Taolin et al., 2024).

In conclusion, numerous academic studies emphasize that strengthening the land registration system, improving public legal awareness, and harmonizing agrarian and forestry policies are essential steps in reducing land conflicts. These efforts are expected to enhance legal protection for communities while simultaneously promoting a more orderly and transparent system of land administration at the national level.

3.2. Legal Certainty for Holders of Land Statement Letter Based on the Supreme Court Decision Number 1429 K/Pdt/2022

The authority of the State to regulate land tenure and land utilization constitutes a central principle in Indonesian agrarian law. Article 2 of Law Number 5 of 1960 concerning Basic Agrarian Regulations affirms that the State exercises control over land, water, and airspace in order to ensure that these natural resources are utilized for the greatest prosperity of the people. On the basis of this constitutional mandate, the State possesses the authority to determine the

allocation, designation, and utilization of land while also regulating legal relationships between individuals and land resources (Boedi Harsono, 2008).

In practice, this authority extends beyond administrative regulation and serves as the legal foundation for the State to grant various forms of land rights to individuals and legal entities. These rights include ownership rights (*hak milik*), cultivation rights (*hak guna usaha*), building use rights (*hak guna bangunan*), use rights (*hak pakai*), and other forms of rights recognized under statutory provisions. Nevertheless, not all land areas may be freely granted such rights because certain territories have been formally designated as state forest areas, which are governed under a distinct legal regime within the framework of forestry law.

Forest territories are subject to a legal framework that differs from ordinary land areas. Within such areas, the State not only acts as a regulatory authority but also retains direct control over their management and utilization. As a result, the granting of land rights under the Basic Agrarian Law cannot be carried out unless the status of the land as forest territory has first been formally released or converted through procedures prescribed by law (Supriadi, 2010). This situation frequently generates legal challenges when communities have historically occupied and cultivated land for generations but the area is later designated as forest territory and subsequently granted to private companies through Industrial Plantation Forest HTI concessions.

A similar situation can be observed in Koto Pait Beringin Village, located in Talang Muandau District, Bengkalis Regency. Part of the land in this region has been designated as production forest and subsequently granted to PT Riau Abadi Lestari under an Industrial Plantation Forest concession scheme. At the same time, members of the local community had long utilized the land for settlement and agricultural activities. Community control over the land was further supported by the issuance of SKT by village authorities as administrative documentation acknowledging such possession.

From a normative legal perspective, the SKT does not constitute constitutive proof of ownership. Rather, it functions as administrative evidence describing the history of possession or utilization of a parcel of land by a particular individual. This characteristic distinguishes the SKT from land certificates issued by the National Land Agency (*Badan Pertanahan Nasional / BPN*), which carry legal authority as formal proof of land rights (Adrian Sutedi, 2013). Accordingly, the SKT may only serve as preliminary evidence that can support the process of land registration and cannot independently establish legally recognized ownership.

In practice, however, many members of the public perceive the SKT as a document that sufficiently proves land ownership. From the perspective of agrarian law, legal certainty concerning land rights can only be obtained through a formal land registration process that culminates in the issuance of a land certificate as valid legal proof of ownership (A.P. Parlindungan, 2009). This difference in legal understanding frequently becomes a source of agrarian disputes, particularly in areas located within state forest territories.

The dispute between the community of Koto Pait Beringin Village and PT Riau Abadi Lestari represents a concrete example of such circumstances. The community based its claim on hereditary land possession supported by SKT documentation. Conversely, the company relied upon an official government permit authorizing the management and utilization of the forest area for industrial plantation activities. The disagreement arising from these competing claims eventually led to litigation proceedings and was ultimately examined at the cassation level by the Supreme Court of the Republic of Indonesia.

In Supreme Court Decision Number 1429 K/Pdt/2022, the panel of judges emphasized that forest areas constitute territory under the authority of the State and that their management may be delegated to particular parties through the issuance of official permits. The HTI permit granted to PT Riau Abadi Lestari was therefore recognized as a valid legal basis for the company's management of the area. As long as such permits remain valid and have not been revoked or annulled, they continue to possess binding legal force.

The Court further held that the SKT documents held by members of the community merely function as administrative evidence and cannot be equated with land certificates as legal proof of ownership. The issuance of SKT by village authorities does not have the legal effect of altering or nullifying the status of forest areas that have been formally designated by the State. In its legal reasoning, the Court emphasized that long-standing physical possession of land does not automatically give rise to ownership rights when the land is situated within a state forest area.

On this basis, the court concluded that the community lacked a sufficiently strong legal foundation to claim ownership over the disputed land. This ruling was subsequently upheld by the Supreme Court, thereby attaining the status of a final and binding judgment (*inkracht van gewijsde*). Normatively, the decision demonstrates that the legal regime governing forestry possesses greater authority in determining the legal status of forest areas compared with claims of land control based solely on administrative evidence such as SKT.

From the perspective of legal certainty, the decision illustrates that legal protection for SKT holders within HTI areas is extremely limited. The SKT does not provide sufficient legal force to establish ownership rights, particularly when the land concerned forms part of the state forest estate. This view is consistent with the opinions of legal scholars who emphasize that legal certainty regarding land ownership can only be achieved through official land registration procedures culminating in the issuance of land certificates as strong legal evidence.

However, from a sociological perspective, long-standing community occupation of land prior to the designation of forest areas cannot simply be disregarded. Numerous studies indicate that agrarian conflicts frequently arise due to discrepancies between the factual control of land exercised by communities and the designation of forest territories by the State (Ahmad Nashih Luthfi, 2019). Such circumstances often create legal uncertainty and a perception of injustice

among local communities, particularly for individuals whose livelihoods have long depended on the land in question.

Interviews conducted with residents of Koto Pait Beringin Village in 2025 revealed that many community members had occupied and managed the land long before the establishment of the forest designation. For these residents, the SKT represented recognition by village authorities of their existence and control over the land (Interview, 2025). Meanwhile, village officials explained that the issuance of SKT was intended solely as an administrative record of land possession and not as a formal grant of ownership rights.

On the other hand, PT Riau Abadi Lestari asserted that its operational activities were conducted on the basis of official government permits and within concession boundaries determined by the relevant authorities. The company also stated that it had undertaken mediation efforts with local communities in order to reduce tensions and identify mutually acceptable solutions.

This situation reflects the broader tension between two legal regimes: agrarian law, which tends to recognize community land control based on possession and historical use, and forestry law, which emphasizes the authority of the State over forest territories. Several academic studies published in legal journals indicate that similar conflicts frequently arise in various regions of Indonesia, particularly in areas affected by the expansion of forest territories or the granting of industrial concessions (Rachmad Safa'at, 2020).

Normatively, the Supreme Court's decision provides legal certainty for HTI permit holders by affirming the legitimacy of corporate management rights over forest areas. However, from the perspective of community protection, the decision also demonstrates that the legal position of SKT holders remains weak, especially when the land they occupy is legally classified as state forest territory. This situation indicates that legal certainty in land matters is not determined solely by physical possession but is significantly influenced by the juridical status of land as determined by statutory regulations (Maria S.W. Sumardjono, 2011).

From a normative-critical perspective, this situation underscores the importance of harmonizing agrarian law with forestry regulations. Without such policy synchronization, agrarian conflicts are likely to persist and continue generating legal uncertainty for local communities. The State therefore plays a crucial role in ensuring that longstanding community land occupation can be considered through equitable mechanisms such as land tenure inventories, forest area release procedures, or social forestry programs (I Nyoman Nurjaya, 2018).

Accordingly, legal certainty for SKT holders within HTI areas remains highly limited from a juridical standpoint. Supreme Court Decision Number 1429 K/Pdt/2022 clearly establishes that the existence of an SKT cannot serve as valid legal proof of ownership over land located within a state forest area. Nevertheless, from a sociological perspective, the presence of communities that have long occupied and utilized the land should remain an important consideration in the formulation

of legal policy. Legal approaches that rely exclusively on formal legality without taking into account social realities risk perpetuating agrarian conflicts. Consequently, the concept of legal certainty should not merely depend on formal legality but should also reflect broader principles of justice for all parties concerned.

4. Conclusion

In principle, a Land Statement Letter functions merely as an administrative document indicating the initial stage of physical control over a parcel of land. It does not possess the legal authority to establish ownership rights in the same manner as a land title certificate issued by the National Land Agency (BPN), which serves as formal proof of land ownership within the national land registration system. Where land controlled by members of the community is located within a state forest area, particularly in regions that have been designated as Industrial Plantation Forest concessions, such land cannot legally be subject to individual ownership rights unless the forest status has first been released or altered through the legally prescribed procedures. Consequently, from the standpoint of formal land law, an SKT cannot serve as a valid legal basis for asserting ownership rights over land located within HTI concession areas. Nevertheless, from a sociological perspective, the control of such land has in many instances existed for a considerable period of time and has been passed down across generations within local communities. The decision affirms that the legality of HTI management permits granted to companies under forestry law possesses a stronger legal standing compared with the SKT documents held by members of the community. This situation indicates that such administrative documents cannot function as equivalent evidentiary instruments when confronted with official permits issued by the state. It further demonstrates that the national land law system continues to emphasize formal legality obtained through the land registration process as well as the state's authority in designating forest areas. As a consequence, communities who possess only SKT documents occupy a legally vulnerable position when confronted with claims made either by the state or by companies holding officially granted concession permits. Nevertheless, from the perspective of substantive justice, long-standing community control and utilization of land represent an important social reality that should not be disregarded in the formulation of policies aimed at resolving agrarian conflicts.

5. References

Books:

- A. P. Parlindungan. *Pendaftaran Tanah di Indonesia (Land Registration in Indonesia)*. Bandung: Mandar Maju, 2009.
- Adrian Sutedi. *Peralihan Hak atas Tanah dan Pendaftarannya (Transfer of Land Rights and Their Registration)*. Jakarta: Sinar Grafika, 2013.
- Adrian Sutedi. *Sertifikat Hak Atas Tanah (Land Title Certificates)*. Jakarta: Sinar Grafika, 2017.

- Boedi Harsono. *Hukum Agraria Indonesia: Himpunan Peraturan-Peraturan Hukum Tanah (Indonesian Agrarian Law: Compilation of Land Law Regulations)*. Jakarta: Djambatan, 2004.
- Boedi Harsono. *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya (Indonesian Agrarian Law: The Formation, Substance, and Implementation of the Basic Agrarian Law)*. Jakarta: Djambatan, 2008.
- Maria S. W. Sumardjono. *Kebijakan Pertanahan antara Regulasi dan Implementasi (Land Policy between Regulation and Implementation)*. Jakarta: Penerbit Buku Kompas, 2005.
- Supriadi. *Hukum Kehutanan dan Hukum Perkebunan di Indonesia (Forestry Law and Plantation Law in Indonesia)*. Jakarta: Sinar Grafika, 2010.
- Urip Santoso. *Hak Atas Tanah, Hak Pengelolaan, dan Hak Milik atas Satuan Rumah Susun (Land Rights, Management Rights, and Ownership Rights of Apartment Units)*. Jakarta: Kencana, 2017.
- Urip Santoso. *Hukum Agraria: Kajian Komprehensif (Agrarian Law: A Comprehensive Study)*. Jakarta: Kencana, 2012.

Journals:

- Ahmad Nashih Luthfi. "Konflik Agraria dan Kepastian Hukum Hak Atas Tanah (Agrarian Conflicts and Legal Certainty of Land Rights)." *Jurnal Bhumi*, Vol. 5 No. 1, 2019.
- Ahmad Redi. "Problematika Pendaftaran Tanah dalam Perspektif Hukum Agraria Nasional (Problems of Land Registration in the Perspective of National Agrarian Law)." *Jurnal RechtsVinding*, Vol. 6 No. 2, 2017.
- Amiruddin. "Unsur Kepastian Hukum dalam Kebijakan Publik (Elements of Legal Certainty in Public Policy)." *De Jure: Jurnal Penelitian Hukum*, BPHN, 2020.
- Arie Sukanti Hutagalung. "Administrasi Pertanahan dan Kepastian Hukum Hak atas Tanah (Land Administration and Legal Certainty of Land Rights)." *Jurnal Yuridika*, Vol. 29 No. 1, 2014.
- Barita Sidabutar. "Legal Security of Land Ownership by the System Law in Indonesia and Judicial Practice." *Jurnal Gagasan Hukum*, Vol. 5 No. 1, 2023.
- Fitrina Trinengsi Taolin et al. "Kesadaran Hukum Masyarakat dalam Pendaftaran Peralihan Hak Atas Tanah (Community Legal Awareness in the Registration of the Transfer of Land Rights)." *Tunas Agraria*, Vol. 7 No. 1, January 2024.
- Gunawan Wiradi. "Reforma Agraria dan Penyelesaian Konflik Pertanahan (Agrarian Reform and the Resolution of Land Conflicts)." *Jurnal Bhumi*, Vol. 2 No. 1, 2016.
- I Nyoman Nurjaya. "Konflik Tenurial di Kawasan Hutan dan Permasalahannya (Tenurial Conflicts in Forest Areas and Their Problems)." *Jurnal Arena Hukum*, Vol. 11 No. 3, 2018.
- I Nyoman Nurjaya. "Pengakuan Hak Masyarakat dalam Konflik Agraria (Recognition of Community Rights in Agrarian Conflicts)." *Jurnal RechtsVinding*, Vol. 7 No. 2, 2018.

- M. Ilham Arisaputra. “Penguasaan Tanah Tanpa Sertifikat dan Perlindungan Hukumnya (Land Possession without Certificate and Its Legal Protection).” *Jurnal Hukum & Pembangunan*, Vol. 48 No. 2, 2018.
- Maria S. W. Sumardjono. “Kepastian Hukum dan Perlindungan Hak atas Tanah (Legal Certainty and Protection of Land Rights).” *Jurnal Hukum IUS QUIA IUSTUM*, Vol. 14 No. 3, 2007.
- Maria S. W. Sumardjono. “Kepastian Hukum Hak Atas Tanah dalam Sistem Hukum Nasional (Legal Certainty of Land Rights in the National Legal System).” *Jurnal Hukum IUS QUIA IUSTUM*, Vol. 18 No. 1, 2011.
- Nurhasan Ismail. “Peran Pendaftaran Tanah dalam Memberikan Jaminan Kepastian Hukum (The Role of Land Registration in Providing Legal Certainty).” *Jurnal Hukum Prioris*, Vol. 5 No. 1, 2016.
- Rachmad Safa’at. “Dinamika Konflik Agraria dalam Kawasan Hutan (The Dynamics of Agrarian Conflicts in Forest Areas).” *Jurnal Arena Hukum*, Vol. 13 No. 2, 2020.
- Rachmad Safa’at. “Konstruksi Hukum Penguasaan Tanah oleh Masyarakat dalam Perspektif Agraria (Legal Construction of Community Land Control in Agrarian Perspective).” *Jurnal Konstitusi*, Vol. 10 No. 4, 2013.
- Waskito and Hadi Arnowo. “Urgensi Pendaftaran Tanah dalam Mencegah Sengketa Agraria (The Urgency of Land Registration in Preventing Agrarian Disputes).” *Jurnal Perspektif*, Vol. 23 No. 2, 2018.
- Yamani et al. “Pendaftaran Tanah di Indonesia (Land Registration in Indonesia).” *CAUSA: Jurnal Hukum dan Kewarganegaraan*, 2024.

Legislation:

- Government Regulation Number 24 of 1997.
Law Number 41 of 1999.
Law Number 5 of 1960.
Supreme Court Decision Number 1429 K/Pdt/2022.
The 1945 Constitution of the Republic of Indonesia.

Interviews:



- Interview with a representative of PT Riau Abadi Lestari regarding the land status within the Industrial Plantation Forest (HTI) concession area, Bengkalis, 14 March 2025.
- Interview with holders of *Surat Keterangan Tanah* (SKT), Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency, 10 March 2025.
- Interview with the Head of Koto Pait Beringin Village regarding the history of the issuance of *Surat Keterangan Tanah* (SKT) and community land possession, Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency, 12 March 2025.

ACCEPTED

Editor Decision

Select decision

Decision Revisions Required 2026-03-30 | Accept Submission 2026-03-31

Notify Author  Editor/Author Email Record  2026-03-31

Review Version 51880-124502-1-RV.DOCX 2026-03-30

Author Version 51880-124511-1-ED.DOCX 2026-03-31

Editor Version 51880-124503-1-ED.DOCX 2026-03-31

No file chosen

Law Development Journal has been indexed in:



COPY EDITING



[HOME](#)
[ABOUT](#)
[USER HOME](#)
[SEARCH](#)
[CURRENT](#)
[ARCHIVES](#)
[ANNOUNCEMENTS](#)
[ARTICLE IN PRESS](#)

Home > User > Editor > Submissions > #51880 > **Editing**

#51880 Editing

[SUMMARY](#)
[REVIEW](#)
[EDITING](#)
[HISTORY](#)
[REFERENCES](#)

Submission

Authors Zulfikri Toguan, Rodyahsriningsih Rodyahsriningsih, Ridho Alfahriansyah 
Title Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)
Section Articles
Editor Anis Mashdurohatusun 

Copyediting

COPYEDIT INSTRUCTIONS

REVIEW METADATA	REQUEST	UNDERWAY	COMPLETE	ACKNOWLEDGE
1. Initial Copyedit File: 51880-124600-1-CE.DOCX 2026-03-31	INITIATE	N/A	COMPLETE	N/A
2. Author Copyedit File: 	—	—	—	
3. Final Copyedit File: 	—	N/A	COMPLETE	N/A

Upload file to Step 1, Step 2, or Step 3 No file chosen

Copyedit Comments  No Comments

Scheduling

Schedule for publication in [TABLE OF CONTENTS](#)

FIX DOCUMENT BEFORE PUBLISHING

Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

Zulfikri¹, Rodyahsriningsih² & Ridho Afriansyah³

¹Universitas Islam Riau, Indonesia, E-mail: Zulfikripohan@law.uir.ac.id

²Universitas Islam Riau, Indonesia, E-mail: rodiyahningsih@student.uir.ac.id

³Universitas Islam Riau, Indonesia, E-mail: alfariansyahridho@gmail.com

Abstract. *Land occupies a strategic position in social life and national development; consequently, its control and utilization must be regulated in a manner that ensures legal certainty. In practice, particularly in rural areas, communities frequently rely on a Land Statement Letter (Surat Keterangan Tanah/ SKT) as evidence of land possession. Legal issues emerge when land possessed by communities on the basis of an SKT is located within areas designated as Industrial Plantation Forests (Hutan Tanaman Industri / HTI), where the state has granted official management permits to corporate entities. Such circumstances give rise to competing claims between communities exercising de facto control over the land and companies holding formal legal authorization issued by the government. This study seeks to examine the legal status of community land possession based on SKT within HTI areas and to assess the extent to which legal certainty is ensured, with reference to Supreme Court Decision Number 1429 K/Pdt/2022. The research adopts an empirical legal method employing a descriptive-analytical approach. Primary data were obtained through interviews with SKT holders, village officials, and representatives of the relevant company, while secondary data were collected from statutory regulations, legal scholarship, and judicial decisions. The collected data were analyzed qualitatively through a juridical approach in order to understand the practice of land control and the scope of its legal protection. The findings indicate that an SKT does not possess evidentiary value equivalent to that of a land ownership certificate, which constitutes strong legal proof of title under Indonesian land law. In cases where the disputed land is situated within HTI areas, legal certainty tends to favor parties holding formal permits issued by the state. Hence, the existence of an SKT in itself does not provide sufficient legal protection for communities unless it is followed by formal land registration in accordance with applicable land law regulations.*

Keywords: *Industrial; Land; Plantation; Rights.*

1. Introduction

Land constitutes a fundamental asset within society, as it is intrinsically linked to social interactions, economic activities, and the implementation of national development policies. Accordingly, the governance of land ownership, control, use, and utilization must be regulated in a manner that guarantees legal certainty, as mandated by Law Number 5 of 1960 concerning Basic Agrarian Regulations (Basic Agrarian Law / UUPA). One of the principal objectives underlying the enactment of the UUPA is to establish a legal framework that provides protection and certainty regarding land rights for the Indonesian people. In a legal system founded upon the rule of law, the principle of legal certainty plays a crucial role in ensuring clarity concerning the status of rights while simultaneously safeguarding the interests of land right holders (Boedi Harsono, 2008).

In practical terms, particularly within rural communities, a considerable number of individuals continue to exercise control over land on the basis of a Land Statement Letter (Surat Keterangan Tanah / SKT) issued by village authorities. This document essentially performs an administrative function by recording factual land possession. As such, its legal standing cannot be equated with a land title certificate obtained through the formal land registration mechanism, which constitutes authoritative evidence of land rights (Adrian Sutedi, 2013). Consequently, individuals who rely solely on an SKT frequently encounter legal vulnerability, particularly when disputes concerning land ownership arise (Urip Santoso, 2012).

Land registration therefore serves as a central instrument for securing legal certainty and legal protection for individuals or entities holding land rights. Through this mechanism, the state formally recognizes the identity of the right holder, determines the location and boundaries of the relevant parcel of land, and clarifies the legal status attached to it (A.P. Parlindungan, 2009). In the absence of formal registration, control over land generally reflects only factual possession in practice and does not yet receive full legal protection within the national land law system.

The complexity of land governance becomes more pronounced when land controlled by communities on the basis of an SKT is located within designated state forest areas, particularly those allocated for Industrial Plantation Forests (Hutan Tanaman Industri / HTI). Under Indonesian forestry law, forest areas fall under the authority and control of the state, and their utilization may only be conducted pursuant to official permits issued by the government. In reality, the establishment of HTI concessions often overlaps with land that has long been occupied and cultivated by local communities across generations, thereby generating conflicts between local residents and companies holding legally recognized forest management permits (Food and Agriculture Organization, 2011).

This situation is illustrated by a dispute involving residents of Koto Pait Beringin Village in Talang Muandau District, Bengkalis Regency, and a corporate entity holding an Industrial Plantation Forest concession. The dispute proceeded through several levels of judicial review and was ultimately resolved by the Supreme Court of the Republic of Indonesia. In Supreme Court

Decision Number 1429 K/Pdt/2022, the Court concluded that the legal authority attached to the Industrial Plantation Forest management permit held by the company possessed stronger legal force than the Land Statement Letters (SKT) relied upon by members of the community (Supreme Court Decision Number 1429 K/Pdt/2022). This judicial determination demonstrates that legal certainty in such disputes tends to favor parties holding formal authorization issued by the state, thereby indicating that the existence of an SKT alone does not yet provide sufficiently robust legal protection for local communities.

In light of these circumstances, it becomes necessary to examine the legal status of community land control based on Land Statement Letters (SKT) within Industrial Plantation Forest (HTI) areas. Furthermore, this research seeks to analyze the degree of legal certainty afforded to SKT holders by referring to Supreme Court Decision Number 1429 K/Pdt/2022, as part of broader efforts to strengthen the agrarian legal system while promoting greater protection of community land rights.

2. Research Methods

This research applies a normative–empirical approach by examining various regulations related to land control and ownership as well as the governance of forest areas, particularly those associated with the existence of Land Statement Letters (SKT) and Industrial Plantation Forest (HTI) areas, while simultaneously examining their implementation in practice through field research. This approach is employed to assess the conformity between land and forestry legal norms and the reality of land control by communities based on Land Statement Letters (SKT), particularly in the context of disputes between communities and companies holding HTI concession permits. The research was conducted in Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency.

3. Result and Discussion

3.1. Legal Status of Land Control Based on Land Statement Letters (SKT) within Industrial Plantation Forest (HTI) Areas

A Land Statement Letter (Surat Keterangan Tanah / SKT) is generally understood as an administrative document issued by village or sub-district authorities acknowledging that a particular individual exercises physical possession over a specific parcel of land. Such a document usually contains information concerning the identity of the land possessor, the location and boundaries of the land, and a brief account of the history of possession. Nevertheless, within the framework of Indonesia's national land law system, an SKT does not possess the same legal authority as a land rights certificate issued by the National Land Agency. Under the provisions of the Basic Agrarian Law and the regulations governing land registration, legal certainty over land rights can essentially be obtained only through the formal land registration process conducted by the competent authority. Consequently, the SKT merely functions as preliminary

administrative evidence reflecting factual control of land and does not, in itself, constitute legally recognized ownership.

Within Indonesia's system of land governance, the State occupies a central position as the authority that controls land, water, and natural resources for the purpose of promoting public welfare. This principle is embodied in the Basic Agrarian Law, which aims to regulate land tenure arrangements, ensure agrarian justice, and prevent the emergence of land disputes. In this context, land registration serves as a key instrument for establishing legal certainty and providing legal protection for holders of land rights.

Government Regulation Number 24 of 1997 further provides that land registration is intended to ensure legal certainty, supply reliable information regarding land status, and create an orderly system of land administration. The process may take place through initial land registration carried out systematically by the government within certain regions or sporadically upon the initiative of individual landholders. Through this procedure, both physical and juridical data relating to land parcels are officially recorded and subsequently form the basis for the issuance of land certificates that serve as strong evidence of land rights.

Legal difficulties arise when communities control land solely on the basis of SKT documentation while the land in question has been administratively designated as part of a state forest area, particularly within Industrial Plantation Forest (HTI) zones. In such circumstances, conflicting legal perspectives often emerge between community claims based on long-standing possession and the State's classification of the land as forest territory. For local communities, SKT documents are frequently perceived as legitimate proof of land control, particularly where the land has been cultivated and utilized for generations. In contrast, the State regards HTI areas as part of the national forest estate that remains under its authority (Boedi Harsono, 2008).

The case examined in this research concerns land controlled by residents of Koto Pait Beringin Village in Talang Muandau District, Bengkalis Regency, which lies within the HTI concession area of PT Riau Abadi Lestari. For many years, members of the local community have used the land for housing and agricultural purposes. Their control over the land has also been administratively recognized through the issuance of SKT by village authorities as confirmation of such possession. However, following the granting of HTI concession rights to the company by the government, the area was officially classified as part of the state forest zone and placed under the management authority of the concession holder (Interview, 10 March 2025).

These differing legal foundations subsequently generated disputes between the community and the company. The community bases its claims on continuous and open possession of the land exercised in good faith, supported by SKT documentation. Conversely, the company relies on forest utilization permits issued by the government, asserting that the disputed land falls within the state forest area and therefore cannot legally be granted as private ownership (Interview, 14 March 2025).

The results of this study indicate that the issuance of SKT by village authorities was primarily intended as an administrative acknowledgment of community land possession prior to the formal designation of the area as forest land. Village officials themselves generally recognize that SKT carries limited legal authority and cannot be equated with a land certificate as formal proof of ownership. This situation reflects a gap between the practices commonly found within local communities and the formal legal provisions governing land ownership (Interview, 12 March 2025).

From a juridical standpoint, HTI areas form part of the forest territory controlled by the State under prevailing forestry legislation. The granting of HTI concessions to private companies does not transfer ownership of the land but merely confers the right to manage and utilize forest resources within a specified area. As long as the legal status of the forest area has not been formally released or converted through the procedures prescribed by law, land located within such areas cannot be granted private ownership rights. Consequently, SKT documents cannot serve as a valid legal basis for ownership claims over land situated within HTI areas.

This situation illustrates the intersection between agrarian law and forestry law. Agrarian law tends to recognize land control based on factual possession and historical land use by communities, whereas forestry law emphasizes the State's authority over forest territories. The lack of harmonization between these regulatory frameworks often produces legal uncertainty, particularly for communities that have long cultivated land but do not possess formally recognized ownership certificates (Urip Santoso, 2012).

Based on the analysis conducted, it can be concluded that community ownership claims based solely on SKT within HTI concession areas possess limited legal standing. The SKT does not constitute evidence of ownership rights but merely represents administrative acknowledgment of land possession. Moreover, the classification of the land as part of the state forest estate constitutes the primary barrier to the recognition of individual ownership rights.

Nevertheless, community occupation of land prior to the establishment of HTI concessions cannot be disregarded. Such occupation reflects a social and historical reality demonstrating the community's dependence on land as a principal source of livelihood. Accordingly, the State should provide protection through policies aimed at resolving agrarian conflicts, conducting land tenure inventories, and implementing mechanisms such as agrarian reform, forest area release, or social forestry programs. These measures are necessary to achieve a balance between the interests of the State, concession-holding companies, and local communities.

Therefore, from a formal juridical perspective, ownership claims based solely on SKT within HTI concession areas cannot be recognized as legitimate land rights. However, from a sociological standpoint, such land control remains significant and should be considered in the formulation of legal policies in order to ensure both legal certainty and a sense of justice for all stakeholders.

Further academic studies demonstrate that land conflicts in Indonesia are not solely caused by the weakness of community ownership evidence but are also closely linked to the limited implementation of land registration programs. Many communities continue to rely on administrative documents such as SKT because they are easier and faster to obtain, despite the fact that such documents do not provide legal certainty regarding ownership rights. This situation reflects relatively low public awareness of the importance of land certification and may potentially generate future disputes (Fitriana Trinengsi Taolin et al., 2024).

In addition, land registration plays a significant role in establishing orderly land administration while simultaneously providing legal protection for rights holders. In academic discourse, land registration is understood not merely as the recording of legal status but also as a mechanism for ensuring legal certainty, reducing the potential for disputes, and providing transparent information for interested parties. Consequently, the absence of land certificates as valid proof of ownership frequently places communities in a vulnerable position when confronted with claims from parties possessing stronger legal foundations (Yamani, Nur Habibah, 2024).

The absence of land certificates therefore often weakens the position of communities when confronted with claims from parties supported by stronger legal instruments. This situation becomes even more complicated when the land concerned is located within areas legally designated as forest zones or concession territories, where administrative documents such as SKT are insufficient to provide strong legal legitimacy.

From the perspective of agrarian law, land certificates possess high evidentiary value because they are issued through official land registration procedures conducted by the State. Certificates thus function as the principal legal instrument ensuring certainty of control, utilization, and legal protection against claims from other parties. Conversely, communities relying solely on SKT or long-standing physical occupation frequently face weaker legal standing when confronted with parties possessing formal legal documentation (Maria S.W. Sumardjono, 2007).

Academic research also indicates that one of the principal factors contributing to land disputes in Indonesia is the incomplete implementation of land registration, particularly in rural areas and regions with complex legal status. Many communities have controlled land for decades but lack legally recognized ownership documentation. This situation creates disparities in legal protection, especially when community claims overlap with business permits issued by the State (Ahmad Redi, 2017).

The absence of land certificates further limits the ability of communities to obtain adequate legal protection. Studies suggest that land certification not only functions as proof of ownership but also provides security in land utilization while reducing the potential for disputes. Land parcels that have not been registered are generally more vulnerable to conflict because they lack clearly recorded juridical data.

From the perspective of land administration, land registration constitutes an essential element in establishing an orderly and transparent system of land management. Clear legal status of land parcels facilitates governmental supervision, regulation, and development planning. Conversely, unregistered land complicates the identification of ownership and frequently becomes a recurring source of disputes (Nurhasan Ismail, 2016).

Within the context of forest areas and industrial concessions, these issues become even more complex due to the divergence between sociological land control and juridical authority over land. Communities often regard long-standing physical possession as a legitimate basis for ownership, whereas legally the State retains authority over forest territories and may grant management rights to particular entities. Such discrepancies frequently give rise to disputes between local communities and concession-holding companies (Nurhasan Ismail, 2016).

Further research indicates that the weak formal legality of community land control is often associated with limited access to land registration services, insufficient legal awareness, and economic constraints. Under such circumstances, communities tend to rely on simple administrative evidence such as SKT as the basis for ownership claims, even though such documents provide limited legal protection in the event of disputes (Nurhasan Ismail, 2016).

Agrarian law scholarship also emphasizes that land certification has an important preventive function in avoiding conflicts. By ensuring certainty regarding the subject, object, and legal status of land, the potential for disputes can be minimized from the outset. Conversely, unclear legal status creates opportunities for overlapping claims and competing interests among communities, government authorities, and private enterprises (Gunawan Wiradi, 2016).

In practice, many agrarian disputes brought before the courts originate from the weakness of community ownership evidence. When confronted with parties possessing formal legal instruments such as land certificates or government-issued permits, communities relying solely on administrative documentation are placed in a particularly vulnerable position. This demonstrates that formal legal legitimacy remains a decisive factor in determining legal certainty over land (M. Ilham Arisaputra, 2018).

Accordingly, the urgency of land registration extends beyond administrative considerations and is closely related to the protection of community rights. Without land certificates as valid proof of ownership, communities frequently face unequal legal positions when confronted with parties supported by stronger legal authority. Enhancing public legal awareness and accelerating land registration programs therefore constitute essential steps toward ensuring legal certainty, reducing agrarian conflicts, and providing fairer legal protection for all stakeholders (Waskito and Hadi Arnowo, 2018).

Other studies further indicate that administrative documents such as SKT essentially reflect factual possession of land by communities but do not possess comprehensive evidentiary value

under existing land law. Individuals relying solely on SKT frequently encounter difficulties in defending their claims, particularly when confronted with parties holding stronger legal bases such as certified land titles or government-issued permits.

Within the context of conflicts in HTI areas, the situation becomes even more complex due to the coexistence of two regulatory regimes, namely agrarian law and forestry law. Academic research indicates that this regulatory overlap constitutes one of the principal causes of recurring land disputes, especially in areas that were initially controlled by communities but later designated as state forest territories. Consequently, policy harmonization and restructuring of land tenure arrangements are required in order to ensure fair and balanced legal certainty for all parties involved (Fitriana Trinengsi Taolin et al., 2024).

In conclusion, numerous academic studies emphasize that strengthening the land registration system, improving public legal awareness, and harmonizing agrarian and forestry policies are essential steps in reducing land conflicts. These efforts are expected to enhance legal protection for communities while simultaneously promoting a more orderly and transparent system of land administration at the national level.

3.2. Legal Certainty for Holders of Land Statement Letter Based on the Supreme Court Decision Number 1429 K/Pdt/2022

The authority of the State to regulate land tenure and land utilization constitutes a central principle in Indonesian agrarian law. Article 2 of Law Number 5 of 1960 concerning Basic Agrarian Regulations affirms that the State exercises control over land, water, and airspace in order to ensure that these natural resources are utilized for the greatest prosperity of the people. On the basis of this constitutional mandate, the State possesses the authority to determine the allocation, designation, and utilization of land while also regulating legal relationships between individuals and land resources (Boedi Harsono, 2008).

In practice, this authority extends beyond administrative regulation and serves as the legal foundation for the State to grant various forms of land rights to individuals and legal entities. These rights include ownership rights (*hak milik*), cultivation rights (*hak guna usaha*), building use rights (*hak guna bangunan*), use rights (*hak pakai*), and other forms of rights recognized under statutory provisions. Nevertheless, not all land areas may be freely granted such rights because certain territories have been formally designated as state forest areas, which are governed under a distinct legal regime within the framework of forestry law.

Forest territories are subject to a legal framework that differs from ordinary land areas. Within such areas, the State not only acts as a regulatory authority but also retains direct control over their management and utilization. As a result, the granting of land rights under the Basic Agrarian

Law cannot be carried out unless the status of the land as forest territory has first been formally released or converted through procedures prescribed by law (Supriadi, 2010). This situation frequently generates legal challenges when communities have historically occupied and cultivated land for generations but the area is later designated as forest territory and subsequently granted to private companies through Industrial Plantation Forest HTI concessions.

A similar situation can be observed in Koto Pait Beringin Village, located in Talang Muandau District, Bengkalis Regency. Part of the land in this region has been designated as production forest and subsequently granted to PT Riau Abadi Lestari under an Industrial Plantation Forest concession scheme. At the same time, members of the local community had long utilized the land for settlement and agricultural activities. Community control over the land was further supported by the issuance of SKT by village authorities as administrative documentation acknowledging such possession.

From a normative legal perspective, the SKT does not constitute constitutive proof of ownership. Rather, it functions as administrative evidence describing the history of possession or utilization of a parcel of land by a particular individual. This characteristic distinguishes the SKT from land certificates issued by the National Land Agency (*Badan Pertanahan Nasional / BPN*), which carry legal authority as formal proof of land rights (Adrian Sutedi, 2013). Accordingly, the SKT may only serve as preliminary evidence that can support the process of land registration and cannot independently establish legally recognized ownership.

In practice, however, many members of the public perceive the SKT as a document that sufficiently proves land ownership. From the perspective of agrarian law, legal certainty concerning land rights can only be obtained through a formal land registration process that culminates in the issuance of a land certificate as valid legal proof of ownership (A.P. Parlindungan, 2009). This difference in legal understanding frequently becomes a source of agrarian disputes, particularly in areas located within state forest territories.

The dispute between the community of Koto Pait Beringin Village and PT Riau Abadi Lestari represents a concrete example of such circumstances. The community based its claim on hereditary land possession supported by SKT documentation. Conversely, the company relied upon an official government permit authorizing the management and utilization of the forest area for industrial plantation activities. The disagreement arising from these competing claims eventually led to litigation proceedings and was ultimately examined at the cassation level by the Supreme Court of the Republic of Indonesia.

In Supreme Court Decision Number 1429 K/Pdt/2022, the panel of judges emphasized that forest areas constitute territory under the authority of the State and that their management may be delegated to particular parties through the issuance of official permits. The HTI permit granted to PT Riau Abadi Lestari was therefore recognized as a valid legal basis for the company's

management of the area. As long as such permits remain valid and have not been revoked or annulled, they continue to possess binding legal force.

The Court further held that the SKT documents held by members of the community merely function as administrative evidence and cannot be equated with land certificates as legal proof of ownership. The issuance of SKT by village authorities does not have the legal effect of altering or nullifying the status of forest areas that have been formally designated by the State. In its legal reasoning, the Court emphasized that long-standing physical possession of land does not automatically give rise to ownership rights when the land is situated within a state forest area.

On this basis, the court concluded that the community lacked a sufficiently strong legal foundation to claim ownership over the disputed land. This ruling was subsequently upheld by the Supreme Court, thereby attaining the status of a final and binding judgment (*inkracht van gewijsde*). Normatively, the decision demonstrates that the legal regime governing forestry possesses greater authority in determining the legal status of forest areas compared with claims of land control based solely on administrative evidence such as SKT.

From the perspective of legal certainty, the decision illustrates that legal protection for SKT holders within HTI areas is extremely limited. The SKT does not provide sufficient legal force to establish ownership rights, particularly when the land concerned forms part of the state forest estate. This view is consistent with the opinions of legal scholars who emphasize that legal certainty regarding land ownership can only be achieved through official land registration procedures culminating in the issuance of land certificates as strong legal evidence.

However, from a sociological perspective, long-standing community occupation of land prior to the designation of forest areas cannot simply be disregarded. Numerous studies indicate that agrarian conflicts frequently arise due to discrepancies between the factual control of land exercised by communities and the designation of forest territories by the State (Ahmad Nashih Luthfi, 2019). Such circumstances often create legal uncertainty and a perception of injustice among local communities, particularly for individuals whose livelihoods have long depended on the land in question.

Interviews conducted with residents of Koto Pait Beringin Village in 2025 revealed that many community members had occupied and managed the land long before the establishment of the forest designation. For these residents, the SKT represented recognition by village authorities of their existence and control over the land (Interview, 2025). Meanwhile, village officials explained that the issuance of SKT was intended solely as an administrative record of land possession and not as a formal grant of ownership rights.

On the other hand, PT Riau Abadi Lestari asserted that its operational activities were conducted on the basis of official government permits and within concession boundaries determined by the

relevant authorities. The company also stated that it had undertaken mediation efforts with local communities in order to reduce tensions and identify mutually acceptable solutions.

This situation reflects the broader tension between two legal regimes: agrarian law, which tends to recognize community land control based on possession and historical use, and forestry law, which emphasizes the authority of the State over forest territories. Several academic studies published in legal journals indicate that similar conflicts frequently arise in various regions of Indonesia, particularly in areas affected by the expansion of forest territories or the granting of industrial concessions (Rachmad Safa'at, 2020).

Normatively, the Supreme Court's decision provides legal certainty for HTI permit holders by affirming the legitimacy of corporate management rights over forest areas. However, from the perspective of community protection, the decision also demonstrates that the legal position of SKT holders remains weak, especially when the land they occupy is legally classified as state forest territory. This situation indicates that legal certainty in land matters is not determined solely by physical possession but is significantly influenced by the juridical status of land as determined by statutory regulations (Maria S.W. Sumardjono, 2011).

From a normative-critical perspective, this situation underscores the importance of harmonizing agrarian law with forestry regulations. Without such policy synchronization, agrarian conflicts are likely to persist and continue generating legal uncertainty for local communities. The State therefore plays a crucial role in ensuring that longstanding community land occupation can be considered through equitable mechanisms such as land tenure inventories, forest area release procedures, or social forestry programs (I Nyoman Nurjaya, 2018).

Accordingly, legal certainty for SKT holders within HTI areas remains highly limited from a juridical standpoint. Supreme Court Decision Number 1429 K/Pdt/2022 clearly establishes that the existence of an SKT cannot serve as valid legal proof of ownership over land located within a state forest area. Nevertheless, from a sociological perspective, the presence of communities that have long occupied and utilized the land should remain an important consideration in the formulation of legal policy. Legal approaches that rely exclusively on formal legality without taking into account social realities risk perpetuating agrarian conflicts. Consequently, the concept of legal certainty should not merely depend on formal legality but should also reflect broader principles of justice for all parties concerned.

4. Conclusion

In principle, a Land Statement Letter functions merely as an administrative document indicating the initial stage of physical control over a parcel of land. It does not possess the legal authority to establish ownership rights in the same manner as a land title certificate issued by the National Land Agency (BPN), which serves as formal proof of land ownership within the national land registration system. Where land controlled by members of the community is located within a

state forest area, particularly in regions that have been designated as Industrial Plantation Forest concessions, such land cannot legally be subject to individual ownership rights unless the forest status has first been released or altered through the legally prescribed procedures. Consequently, from the standpoint of formal land law, an SKT cannot serve as a valid legal basis for asserting ownership rights over land located within HTI concession areas. Nevertheless, from a sociological perspective, the control of such land has in many instances existed for a considerable period of time and has been passed down across generations within local communities. The decision affirms that the legality of HTI management permits granted to companies under forestry law possesses a stronger legal standing compared with the SKT documents held by members of the community. This situation indicates that such administrative documents cannot function as equivalent evidentiary instruments when confronted with official permits issued by the state. It further demonstrates that the national land law system continues to emphasize formal legality obtained through the land registration process as well as the state's authority in designating forest areas. As a consequence, communities who possess only SKT documents occupy a legally vulnerable position when confronted with claims made either by the state or by companies holding officially granted concession permits. Nevertheless, from the perspective of substantive justice, long-standing community control and utilization of land represent an important social reality that should not be disregarded in the formulation of policies aimed at resolving agrarian conflicts.

5. References

Books:

- A. P. Parlindungan. *Pendaftaran Tanah di Indonesia (Land Registration in Indonesia)*. Bandung: Mandar Maju, 2009.
- Adrian Sutedi. *Peralihan Hak atas Tanah dan Pendaftarannya (Transfer of Land Rights and Their Registration)*. Jakarta: Sinar Grafika, 2013.
- Adrian Sutedi. *Sertifikat Hak Atas Tanah (Land Title Certificates)*. Jakarta: Sinar Grafika, 2017.
- Boedi Harsono. *Hukum Agraria Indonesia: Himpunan Peraturan-Peraturan Hukum Tanah (Indonesian Agrarian Law: Compilation of Land Law Regulations)*. Jakarta: Djambatan, 2004.
- Boedi Harsono. *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya (Indonesian Agrarian Law: The Formation, Substance, and Implementation of the Basic Agrarian Law)*. Jakarta: Djambatan, 2008.
- Maria S. W. Sumardjono. *Kebijakan Pertanahan antara Regulasi dan Implementasi (Land Policy between Regulation and Implementation)*. Jakarta: Penerbit Buku Kompas, 2005.
- Supriadi. *Hukum Kehutanan dan Hukum Perkebunan di Indonesia (Forestry Law and Plantation Law in Indonesia)*. Jakarta: Sinar Grafika, 2010.

Urip Santoso. *Hak Atas Tanah, Hak Pengelolaan, dan Hak Milik atas Satuan Rumah Susun (Land Rights, Management Rights, and Ownership Rights of Apartment Units)*. Jakarta: Kencana, 2017.

Urip Santoso. *Hukum Agraria: Kajian Komprehensif (Agrarian Law: A Comprehensive Study)*. Jakarta: Kencana, 2012.

Journals:

Ahmad Nashih Luthfi. "Konflik Agraria dan Kepastian Hukum Hak Atas Tanah (Agrarian Conflicts and Legal Certainty of Land Rights)." *Jurnal Bhumi*, Vol. 5 No. 1, 2019.

Ahmad Redi. "Problematisasi Pendaftaran Tanah dalam Perspektif Hukum Agraria Nasional (Problems of Land Registration in the Perspective of National Agrarian Law)." *Jurnal RechtsVinding*, Vol. 6 No. 2, 2017.

Amiruddin. "Unsur Kepastian Hukum dalam Kebijakan Publik (Elements of Legal Certainty in Public Policy)." *De Jure: Jurnal Penelitian Hukum*, BPHN, 2020.

Arie Sukanti Hutagalung. "Administrasi Pertanahan dan Kepastian Hukum Hak atas Tanah (Land Administration and Legal Certainty of Land Rights)." *Jurnal Yuridika*, Vol. 29 No. 1, 2014.

Barita Sidabutar. "Legal Security of Land Ownership by the System Law in Indonesia and Judicial Practice." *Jurnal Gagasan Hukum*, Vol. 5 No. 1, 2023.

Fitrina Trinengsi Taolin et al. "Kesadaran Hukum Masyarakat dalam Pendaftaran Peralihan Hak Atas Tanah (Community Legal Awareness in the Registration of the Transfer of Land Rights)." *Tunas Agraria*, Vol. 7 No. 1, January 2024.

Gunawan Wiradi. "Reforma Agraria dan Penyelesaian Konflik Pertanahan (Agrarian Reform and the Resolution of Land Conflicts)." *Jurnal Bhumi*, Vol. 2 No. 1, 2016.

I Nyoman Nurjaya. "Konflik Tenurial di Kawasan Hutan dan Permasalahannya (Tenurial Conflicts in Forest Areas and Their Problems)." *Jurnal Arena Hukum*, Vol. 11 No. 3, 2018.

I Nyoman Nurjaya. "Pengakuan Hak Masyarakat dalam Konflik Agraria (Recognition of Community Rights in Agrarian Conflicts)." *Jurnal RechtsVinding*, Vol. 7 No. 2, 2018.

M. Ilham Arisaputra. "Penguasaan Tanah Tanpa Sertifikat dan Perlindungan Hukumnya (Land Possession without Certificate and Its Legal Protection)." *Jurnal Hukum & Pembangunan*, Vol. 48 No. 2, 2018.

Maria S. W. Sumardjono. "Kepastian Hukum dan Perlindungan Hak atas Tanah (Legal Certainty and Protection of Land Rights)." *Jurnal Hukum IUS QUIA IUSTUM*, Vol. 14 No. 3, 2007.

Maria S. W. Sumardjono. "Kepastian Hukum Hak Atas Tanah dalam Sistem Hukum Nasional (Legal Certainty of Land Rights in the National Legal System)." *Jurnal Hukum IUS QUIA IUSTUM*, Vol. 18 No. 1, 2011.

Nurhasan Ismail. "Peran Pendaftaran Tanah dalam Memberikan Jaminan Kepastian Hukum (The Role of Land Registration in Providing Legal Certainty)." *Jurnal Hukum Prioris*, Vol. 5 No. 1, 2016.

Rachmad Safa'at. "Dinamika Konflik Agraria dalam Kawasan Hutan (The Dynamics of Agrarian Conflicts in Forest Areas)." *Jurnal Arena Hukum*, Vol. 13 No. 2, 2020.

Rachmad Safa'at. "Konstruksi Hukum Penguasaan Tanah oleh Masyarakat dalam Perspektif Agraria (Legal Construction of Community Land Control in Agrarian Perspective)." *Jurnal Konstitusi*, Vol. 10 No. 4, 2013.

Waskito and Hadi Arnowo. "Urgensi Pendaftaran Tanah dalam Mencegah Sengketa Agraria (The Urgency of Land Registration in Preventing Agrarian Disputes)." *Jurnal Perspektif*, Vol. 23 No. 2, 2018.

Yamani et al. "Pendaftaran Tanah di Indonesia (Land Registration in Indonesia)." *CAUSA: Jurnal Hukum dan Kewarganegaraan*, 2024.

Legislation:

Government Regulation Number 24 of 1997.

Law Number 41 of 1999.

Law Number 5 of 1960.

Supreme Court Decision Number 1429 K/Pdt/2022.

The 1945 Constitution of the Republic of Indonesia.

Interviews:

Interview with a representative of PT Riau Abadi Lestari regarding the land status within the Industrial Plantation Forest (HTI) concession area, Bengkalis, 14 March 2025.

Interview with holders of *Surat Keterangan Tanah* (SKT), Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency, 10 March 2025.

Interview with the Head of Koto Pait Beringin Village regarding the history of the issuance of *Surat Keterangan Tanah* (SKT) and community land possession, Koto Pait Beringin Village, Talang Muandau District, Bengkalis Regency, 12 March 2025.

GALLEY



Law Development Journal
SINTA 2 Degree No. 0228/DTS/C3/DT.05.00/2026
ISSN: 2747-2604
Volume 8 No. 1, March 2026

Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

Zulfikri¹, Rodyahsriningsih² & Ridho Afriansyah³

¹Universitas Islam Riau, Indonesia, E-mail: Zulfikripohan@law.uir.ac.id

²Universitas Islam Riau, Indonesia, E-mail: rodyahsriningsih@student.uir.ac.id

³Universitas Islam Riau, Indonesia, E-mail: alfariansyahridho@gmail.com

Abstract. Land occupies a strategic position in social life and national development; consequently, its control and utilization must be regulated in a manner that ensures legal certainty. In practice, particularly in rural areas, communities frequently rely on a Land Statement Letter (Surat Keterangan Tanah/ SKT) as evidence of land possession. Legal issues emerge when land possessed by communities on the basis of an SKT is located within areas designated as Industrial Plantation Forests (Hutan Tanaman Industri / HTI), where the state has granted official management permits to corporate entities. Such circumstances give rise to competing claims between communities exercising de facto control over the land and companies holding formal legal authorization issued by the government. This study seeks to examine the legal status of community land possession based on SKT within HTI areas and to assess the extent to which legal certainty is ensured, with reference to Supreme Court Decision Number 1429 K/Pdt/2022. The research adopts an empirical legal method employing a descriptive-analytical approach. Primary data were obtained through interviews with SKT holders, village officials, and representatives of the relevant company, while secondary data were collected from statutory regulations, legal scholarship, and judicial decisions. The collected data were analyzed qualitatively through a juridical approach in order to understand the practice of land control and the scope of its legal protection. The findings indicate that an SKT does not possess evidentiary value equivalent to that of a land ownership certificate, which constitutes strong legal proof of title under Indonesian land law. In cases where the disputed land is situated within HTI areas, legal certainty tends to favor parties holding formal permits issued by the state. Hence, the existence of an SKT in itself does not provide sufficient legal protection for communities unless it is followed by formal land registration in accordance with applicable land law regulations.

Keywords: Industrial; Land; Plantation; Rights.



1. Introduction

Land constitutes a fundamental asset within society, as it is intrinsically linked to social interactions, economic activities, and the implementation of national development policies. Accordingly, the governance of land ownership, control, use, and utilization must be regulated in a manner that guarantees legal certainty, as mandated by Law Number 5 of 1960 concerning Basic Agrarian Regulations (Basic Agrarian Law / UUPA). One of the principal objectives underlying the enactment of the UUPA is to establish a legal framework that provides protection and certainty regarding land rights for the Indonesian people. In a legal system founded upon the rule of law, the principle of legal certainty plays a crucial role in ensuring clarity concerning the status of rights while simultaneously safeguarding the interests of land right holders (Boedi Harsono, 2008).

In practical terms, particularly within rural communities, a considerable number of individuals continue to exercise control over land on the basis of a Land Statement Letter (Surat Keterangan Tanah / SKT) issued by village authorities. This document essentially performs an administrative function by recording factual land possession. As such, its legal standing cannot be equated with a land title certificate obtained through the formal land registration mechanism, which constitutes authoritative evidence of land rights (Adrian Sutecki, 2013). Consequently, individuals who rely solely on an SKT frequently encounter legal vulnerability, particularly when disputes concerning land ownership arise (Urip Santoso, 2012).

Land registration therefore serves as a central instrument for securing legal certainty and legal protection for individuals or entities holding land rights. Through this mechanism, the state formally recognizes the identity of the right holder, determines the location and boundaries of the relevant parcel of land, and clarifies the legal status attached to it (A.P. Parilindungan, 2009). In the absence of formal registration, control over land generally reflects only factual possession in practice and does not yet receive full legal protection within the national land law system.

The complexity of land governance becomes more pronounced when land controlled by communities on the basis of an SKT is located within designated state forest areas, particularly those allocated for Industrial Plantation Forests (Hutan Tanaman Industri / HTI). Under Indonesian forestry law, forest areas fall under the authority and control of the state, and their utilization may only be conducted pursuant to official permits issued by the government. In reality, the establishment of HTI concessions often overlaps with land that has long been occupied and cultivated by local communities across generations, thereby generating conflicts between local residents and companies holding legally recognized forest management permits (Food and Agriculture Organization, 2011).



This situation is illustrated by a dispute involving residents of Koto Pait Beringin Village in Talang Muandau District, Bengkulu Regency, and a corporate entity holding an Industrial Plantation Forest concession. The dispute proceeded through several levels of judicial review and was ultimately resolved by the Supreme Court of the Republic of Indonesia. In Supreme Court Decision Number 1429 K/Pdt/2022, the Court concluded that the legal authority attached to the Industrial Plantation Forest management permit held by the company possessed stronger legal force than the Land Statement Letters (SKT) relied upon by members of the community (Supreme Court Decision Number 1429 K/Pdt/2022). This judicial determination demonstrates that legal certainty in such disputes tends to favor parties holding formal authorization issued by the state, thereby indicating that the existence of an SKT alone does not yet provide sufficiently robust legal protection for local communities.

In light of these circumstances, it becomes necessary to examine the legal status of community land control based on Land Statement Letters (SKT) within industrial plantation forest (HTI) areas. Furthermore, this research seeks to analyze the degree of legal certainty afforded to SKT holders by referring to Supreme Court Decision Number 1429 K/Pdt/2022, as part of broader efforts to strengthen the agrarian legal system while promoting greater protection of community land rights.

2. Research Methods

This research applies a normative-empirical approach by examining various regulations related to land control and ownership as well as the governance of forest areas, particularly those associated with the existence of Land Statement Letters (SKT) and Industrial Plantation Forest (HTI) areas, while simultaneously examining their implementation in practice through field research. This approach is employed to assess the conformity between land and forestry legal norms and the reality of land control by communities based on Land Statement Letters (SKT), particularly in the context of disputes between communities and companies holding HTI concession permits. The research was conducted in Koto Pait Beringin Village, Talang Muandau District, Bengkulu Regency.

3. Result and Discussion

3.1. Legal Status of Land Control Based on Land Statement Letters (SKT) within Industrial Plantation Forest (HTI) Areas

A Land Statement Letter (Surat Keterangan Tanah / SKT) is generally understood as an administrative document issued by village or sub-district authorities acknowledging that a particular individual exercises physical possession over a specific parcel of land. Such a document usually contains information concerning the identity of the land possessor, the location and boundaries of the land, and a



demonstrates that the legal position of SKT holders remains weak, especially when the land they occupy is legally classified as state forest territory. This situation indicates that legal certainty in land matters is not determined solely by physical possession but is significantly influenced by the juridical status of land as determined by statutory regulations (Maria S.W. Sumardjono, 2011).

From a normative-critical perspective, this situation underscores the importance of harmonizing agrarian law with forestry regulations. Without such policy synchronization, agrarian conflicts are likely to persist and continue generating legal uncertainty for local communities. The State therefore plays a crucial role in ensuring that longstanding community land occupation can be considered through equitable mechanisms such as land tenure inventories, forest area release procedures, or social forestry programs (Nyoman Nurjaya, 2018).

Accordingly, legal certainty for SKT holders within HTI areas remains highly limited from a juridical standpoint. Supreme Court Decision Number 1429 K/Pdt/2022 clearly establishes that the existence of an SKT cannot serve as valid legal proof of ownership over land located within a state forest area. Nevertheless, from a sociological perspective, the presence of communities that have long occupied and utilized the land should remain an important consideration in the formulation of legal policy. Legal approaches that rely exclusively on formal legality without taking into account social realities risk perpetuating agrarian conflicts. Consequently, the concept of legal certainty should not merely depend on formal legality but should also reflect broader principles of justice for all parties concerned.

4. Conclusion

In principle, a Land Statement Letter functions merely as an administrative document indicating the initial stage of physical control over a parcel of land. It does not possess the legal authority to establish ownership rights in the same manner as a land title certificate issued by the National Land Agency (BPN), which serves as formal proof of land ownership within the national land registration system. Where land controlled by members of the community is located within a state forest area, particularly in regions that have been designated as Industrial Plantation Forest concessions, such land cannot legally be subject to individual ownership rights unless the forest status has first been released or altered through the legally prescribed procedures. Consequently, from the standpoint of formal land law, an SKT cannot serve as a valid legal basis for asserting ownership rights over land located within HTI concession areas. Nevertheless, from a sociological perspective, the control of such land has in many instances existed for a considerable period of time and has been passed down across generations within local communities. The decision affirms that the legality of HTI management permits granted to companies under forestry law possesses a stronger legal standing compared with the SKT documents held by members of the community.



This situation indicates that such administrative documents cannot function as equivalent evidentiary instruments when confronted with official permits issued by the state. It further demonstrates that the national land law system continues to emphasize formal legality obtained through the land registration process as well as the state's authority in designating forest areas. As a consequence, communities who possess only SKT documents occupy a legally vulnerable position when confronted with claims made either by the state or by companies holding officially granted concession permits. Nevertheless, from the perspective of substantive justice, long-standing community control and utilization of land represent an important social reality that should not be disregarded in the formulation of policies aimed at resolving agrarian conflicts.

5. References

Books:

- A. P. Parlindungan. *Pendaftaran Tanah di Indonesia (Land Registration in Indonesia)*. Bandung: Mandar Maju, 2009.
- Adrian Sutedi. *Peralihan Hak atas Tanah dan Pendaftarannya (Transfer of Land Rights and Their Registration)*. Jakarta: Sinar Grafika, 2013.
- Adrian Sutedi. *Sertifikat Hak Atas Tanah (Land Title Certificates)*. Jakarta: Sinar Grafika, 2017.
- Boedi Harsono. *Hukum Agraria Indonesia: Himpunan Peraturan-Peraturan Hukum Tanah (Indonesian Agrarian Law: Compilation of Land Law Regulations)*. Jakarta: Djambatan, 2004.
- Boedi Harsono. *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya (Indonesian Agrarian Law: The Formation, Substance, and Implementation of the Basic Agrarian Law)*. Jakarta: Djambatan, 2008.
- Maria S. W. Sumardjono. *Kebijakan Pertanahan antara Regulasi dan Implementasi (Land Policy between Regulation and Implementation)*. Jakarta: Penerbit Buku Kompas, 2006.
- Supriadi. *Hukum Kehutanan dan Hukum Perkebunan di Indonesia (Forestry Law and Plantation Law in Indonesia)*. Jakarta: Sinar Grafika, 2010.
- Urip Santoso. *Hak Atas Tanah, Hak Pengelolaan, dan Hak Milik atas Satuan Rumah Susun (Land Rights, Management Rights, and Ownership Rights of Apartment Units)*. Jakarta: Kencana, 2017.
- Urip Santoso. *Hukum Agraria: Kajian Komprehensif (Agrarian Law: A Comprehensive Study)*. Jakarta: Kencana, 2012.

Journals:

- Ahmad Nashih Luthfi. "Konflik Agraria dan Kepastian Hukum Hak Atas Tanah (Agrarian Conflicts and Legal Certainty of Land Rights)." *Jurnal Bhumi*, Vol. 5 No. 1, 2019.

WEB PUBLISHING

Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)

Zulfikri Toguan, Rodyahsriningsih Rodyahsriningsih, Ridha Alfahriansyah

Abstract

Land occupies a strategic position in social life and national development; consequently, its control and utilization must be regulated in a manner that ensures legal certainty. In practice, particularly in rural areas, communities frequently rely on a Land Statement Letter (Surat Keterangan Tanah/ SKT) as evidence of land possession. Legal issues emerge when land possessed by communities on the basis of an SKT is located within areas designated as Industrial Plantation Forests (Hutan Tanaman Industri / HTI), where the state has granted official management permits to corporate entities. Such circumstances give rise to competing claims between communities exercising *de facto* control over the land and companies holding formal legal authorization issued by the government. This study seeks to examine the legal status of community land possession based on SKT within HTI areas and to assess the extent to which legal certainty is ensured, with reference to Supreme Court Decision Number 1429 K/Pdt/2022. The research adapts an empirical legal method employing a descriptive-analytical approach. Primary data were obtained through interviews with SKT holders, village officials, and representatives of the relevant company, while secondary data were collected from statutory regulations, legal scholarship, and judicial decisions. The collected data were analyzed qualitatively through a juridical approach in order to understand the practice of land control and the scope of its legal protection. The findings indicate that an SKT does not possess evidentiary value equivalent to that of a land ownership certificate, which constitutes strong legal proof of title under Indonesian land law. In cases where the disputed land is situated within HTI areas, legal certainty tends to favor parties holding formal permits issued by the state. Hence, the existence of an SKT in itself does not provide sufficient legal protection for communities unless it is followed by formal land registration in accordance with applicable land law regulations.

Keywords

Industrial; Land; Plantation; Rights.

Semarang, April 04, 2026

Number : 03/LDJ/MIH/IV/2026
Attachment : 1

STATEMENT LETTER

TURNITIN JOURNAL TEST RESULTS

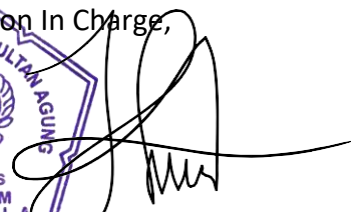
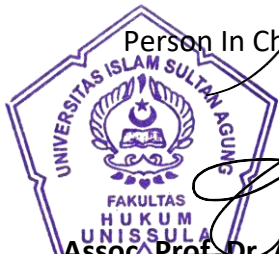
SINTA 2

Based on the similarity level test against the thesis file as follows:

Title : Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)
Author : Zulfikri Toguan, Rodyahsriningsih, & Ridho Alfahriansyah
DOI : [10.30659/ldj.8.1.163-177](https://doi.org/10.30659/ldj.8.1.163-177)
Affiliation : Universitas Islam Riau
Journal : Law Development Journal (LDJ)
Web : LDJ - <https://jurnal.unissula.ac.id/index.php/RH>
Publisher : Master of Law, UNISSULA
E-mail : Zulfikripohan@law.uir.ac.id

It is stated that the similarity level is **UNDER 22 %**. Based on these results, the manuscript is declared suitable for publication in our journal. This statement letter is made to be used as it should.

Thank you for your cooperation.

Person In Charge,


Assoc. Prof. Dr. Adv. Ong Argo Victoria, KBA.,
AWP, CSFT, ANT III, S.Tr. Tran., B.HS., S.Sy.,
S.Hum., M.H., M.Kn., M.M
NIDK : 8802111019

SIGNATION & LEGALITY

STATEMENT LETTER PUBLICATION JOURNAL RESULTS LAW DEVELOPMENT JOURNAL SINTA 2

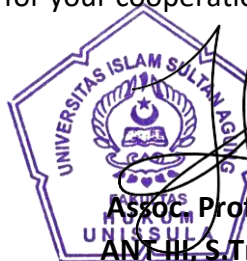
Based on measurements, procedures and methods of issuing documents as follows:

Title : Legal Certainty of Land Rights Based on Land Statement Letters within Industrial Plantation Forest Areas (A Study in Bengkalis Regency)
Author : Zulfikri Toguan, Rodyahsriningsih, & Ridho Alfahriansyah
DOI : [10.30659/l dj.8.1.163-177](https://doi.org/10.30659/l dj.8.1.163-177)
Affiliation : Universitas Islam Riau
Journal : Law Development Journal (LDJ)
Web : LDJ - <https://jurnal.unissula.ac.id/index.php/RH>
Publisher : Master of Law, UNISSULA
E-mail : Zulfikripohan@law.uir.ac.id

It is stated that the authors have followed the correspondence process according to the directions of the editor & reviewers and has sent the revised documents both in Open Journal System (OJS) and via the official e-mail. Based on these results, the manuscript is declared **SUITABLE** for publication in our journal.

This statement letter is made to be used as it should.

Thank you for your cooperation.



Person In Charge,

**Assoc. Prof. Dr. Adv. Ong Argo Victoria, KBA., AWP, CSFT,
ANT III, S.Tr. Tran., B.HS., S.Sy., S.Hum., M.H., M.Kn., M.M**

PENGUMUMAN NAIK SINTA 2



**KEMENTERIAN PENDIDIKAN TINGGI, SAINS,
DAN TEKNOLOGI**
DIREKTORAT JENDERAL RISET DAN PENGEMBANGAN

Jalan Jenderal Sudirman, Senayan, Jakarta 10270
Telepon (021) 57946104, Pusat Panggilan ULT DIKTI 126
Laman <https://kemdiktisaintek.go.id>

Nomor : 0110/C3/DT.05.00/2026 3 Februari 2026
Lampiran : 1 (satu) berkas
Hal : Pemberitahuan Hasil Reakreditasi Jurnal Ilmiah Periode 2 Tahun 2025

Yth.

1. Pimpinan Perguruan Tinggi
 2. Koordinator LLDikti I s.d. XVII
 3. Ketua Himpunan Profesi
 4. Pengelola Jurnal Ilmiah
- di seluruh Indonesia

142	Jurnal Pendidikan Terapan	29643171	Sakura Digital Nusantara	Akreditasi Baru Peringkat 2 mulai Volume 1 Nomor 2 Tahun 2023 sampai Volume 6 Nomor 1 Tahun 2028
143	International Journal of Educational Practice and Policy	29886716	PT. Lontara Digitech Indonesia	Akreditasi Baru Peringkat 2 mulai Volume 1 Nomor 1 Tahun 2023 sampai Volume 5 Nomor 2 Tahun 2027
144	Law Development Journal	27472604	Universitas Islam Sultan Agung	Akreditasi Naik Peringkat dari Peringkat 3 ke Peringkat 2 mulai Volume 7 Nomor 1 Tahun 2025 sampai Volume 11 Nomor 2 Tahun 2029
145	Al-Majaalis : Jurnal Dirasat Islamiyah	24778001	Sekolah Tinggi Dirasat Islamiyah Imam Syafii Jember	Akreditasi Naik Peringkat dari Peringkat 3 ke Peringkat 2 mulai Volume 13 Nomor 1 Tahun 2025 sampai Volume 17 Nomor 2 Tahun 2029
146	Indonesian Journal of Taxation and Accounting	29886422	PT. Global Research Collaboration	Akreditasi Baru Peringkat 2 mulai Volume 1 Nomor 1 Tahun 2023 sampai Volume 5 Nomor 2 Tahun 2027