

Analysis of Land Ownership Rights by Foreign Companies in Indonesia

I Nyoman Gede Sugiarta¹, Loso Judijanto², Hamdani³,
Muhammad Bagus Adi Wicaksono⁴,
Aisyah⁵, & Mu'adil Faizin⁶

Abstract

This research analyzes legal policies related to foreign companies' ownership of land rights in Indonesia. Regarding globalization and foreign investment, many international companies are interested in investing in Indonesia, but land ownership regulations limit their investments. This study adopts a normative juridical approach by analyzing relevant laws and regulations, such as the Basic Agrarian Law and provisions governing foreign investment. The analysis reveals that while foreign companies are prohibited from holding land ownership rights, they are allowed to utilize land through Building Use Rights (HGB), Use Rights, and Business Use Rights (HGU). This study also discusses the impact of this policy on the foreign investment climate and provides recommendations for increasing legal certainty to support sustainable foreign investment in Indonesia. This research aims to analyze the legal framework regulating foreign companies' land ownership in Indonesia, especially regarding types of rights such as Business Use Rights (HGU) and Building Use Rights (HGB). The recommendation from the results of this research is that regular evaluation of agrarian policies is needed to maintain relevance to developing social and economic conditions and develop more effective and fair land dispute resolution mechanisms.

Keywords: Land Rights, Ownership, Foreign Companies.

Introduction

The background regarding land ownership by foreign companies in Indonesia is closely related to the legal framework regulated by the Basic Agrarian Law (UUPA) no. 5 of 1960. Based on the UUPA, land ownership rights in Indonesia are only reserved for Indonesian citizens (WNI), while foreign parties, including foreign companies, do not have the right to own land in Indonesia directly (Rachmayuni et al., 2021). However, some provisions allow foreign companies to control land through limited rights such as Building Use Rights (HGB) or Business Use Rights (HGU) (Y Hetharie, 2021). These rights give foreign companies the right to utilize land for a certain period, usually 30 to 70 years, depending on the type of right and land use (C Tresnoputri, 2023). This provision was created as a

¹ Universitas Warmadewa Denpasar Bali, Indonesia. Email:

Nyomansugiarta14@gmail.com

² IPOSS Jakarta, Indonesia. Email: losojudijantobumn@gmail.com

³ Universitas Tanjungpura, Indonesia. Email: hamdani@hukum.untan.ac.id

⁴ Universitas Sebelas Maret, Indonesia. Email: muhammadwicaksono96@gmail.com

⁵ Universitas Prima Indonesia. Email: aisyahsh888@gmail.com

⁶ Institut Agama Islam Negeri Metro, Indonesia. Email: muadilfaizin27@gmail.com

form of protection for land ownership by Indonesian citizens, as well as providing opportunities for foreign investment to support national economic development (A.Y et al., 2024).

Land ownership by foreign companies in Indonesia is a complex issue and affects various aspects of life, from economic to social and environmental (Komariah et al., 2022). The agrarian sector's openness to foreign investment has led many foreign companies to utilize land through Business Use Rights (HGU) and Building Use Rights (HGB) (NKT Srilaksmi, 2023). Even though foreign investment is considered essential to encourage economic development, the problems that arise on the ground show a gap between existing regulations and reality (Wahyono et al., 2023). First, one significant problem is the lack of empirical data on the direct economic impact of land ownership by foreign companies (Y et al., 2022). Although theoretically, foreign investment is expected to bring benefits in the form of job creation and infrastructure improvements, there is still little research that quantitatively measures how significant this impact is on local communities and the regional economy (Aswadi & Sarajudin, 2020). This lack of information regarding real benefits creates uncertainty about whether agricultural policies related to foreign companies genuinely benefit Indonesian society (Samun Ismaya, 2011). In addition, although the government has established strict environmental standards, such as mandatory Environmental Impact Analysis (AMDAL), implementation and monitoring of foreign companies' compliance with environmental regulations is often lacking (Boedi Harsono, 1999). In some regions, foreign companies, especially in the plantation and mining sectors, are often involved in activities that damage the environment, but monitoring and law enforcement efforts are still limited (A.P. Parlindungan, 1990). This shows a gap between the policies made and their implementation in the field, especially related to environmental protection (Melati & Wiryomartani, 2022).

Agrarian conflict is also a significant problem in land ownership by foreign companies (Andi Erza Ferniawan, 2023). Many indigenous or local communities with customary rights to their land are forced to deal with large companies that obtain land control permits from the government (Saraswati et al., 2021). These conflicts are often not appropriately resolved due to the lack of adequate resolution mechanisms and legal protection of the rights of indigenous peoples (Habib Adjie, 2023). Research on how foreign companies interact with local communities and how their rights are protected is still very limited. Furthermore, the effectiveness of agricultural reform policies is still a big question. Although this policy aims to improve the distribution of land ownership, its implementation is often not optimal (Hidayanti et al., 2021). This can be seen from the many agrarian conflicts that continue to occur, especially those involving foreign companies and local communities. The inefficiency in implementing this policy shows that there are problems related to the extent to which agrarian reform can accommodate the interests of various parties and reduce land ownership conflicts (Nisa, 2023).

Another problem is the lack of transparency in granting land use rights to foreign companies (Rahdania & Djaja, 2023). The process of granting permits is

often closed, and allegations of corrupt practices and collusion worsen land management (Samuel, 2022). This creates public distrust of the government and increases the potential for rural conflict. Further study is needed to explore how this process can be more transparent and accountable (Amin, 2023). Finally, the local government's role in monitoring foreign companies' land ownership is often not given adequate attention. While the central government has clear policies regarding land ownership, implementation at the regional level is usually weak (Sumanto, 2021). Local governments, which should be the primary parties in monitoring the activities of foreign companies, often lack the resources and capacity to carry out effective monitoring (Manan et al., 2021). A deeper study of the impact of land ownership by foreign companies, the protection of local community rights, the effectiveness of agricultural policies, and the government's role in supervision can significantly contribute to improving existing policies and practices in the field. These challenges underscore the need for thoughtful examination and actionable insights to address the complexities surrounding land ownership by foreign companies. Understanding the broader impact of such ownership, particularly on local communities, requires exploring how existing policies align with the realities on the ground. Questions around the effectiveness of agricultural regulations and the role of governments at both national and regional levels emerge as crucial points for consideration. Efforts to bridge the gap between policy and implementation could benefit from approaches that emphasize accountability and inclusivity, ensuring that local communities are not left marginalized. By focusing on sustainable management practices and equitable frameworks for oversight, there is potential to harmonize foreign investment with the interests and well-being of rural populations.

Methods

This study employs an empirical normative approach that integrates normative legal provisions (laws) with empirical aspects (legal occurrences in society/social elements). This method aims to analyze existing legal requirements and their application in the practice of land ownership by foreign entities, including their implications for local communities and the environment (Peter Mahmud Marzuki, 2005). This research began by reviewing various applicable laws and regulations, namely the Basic Agrarian Law No. 5 of 1960. This approach was taken to comprehensively understand the limitations and provisions governing the rights of foreign companies in controlling or utilizing land in Indonesia. In addition to analyzing laws, this study also applies a conceptual approach to explore the fundamental concepts of land ownership and use rights within Indonesian agrarian law. The research will theoretically examine Building Use Rights (HGB) and Business Use Rights (HGU), and the role of foreign companies in economic development through land use in Indonesia.

Discussion

Ownership of Land Rights by Foreign Companies

Law Number 5 of 1960 limits land ownership rights to only Indonesian citizens, while foreign companies cannot own land directly (Hartana, 2019). However, foreign companies can utilize land through Building Use Rights (HGB)

and Business Use Rights (HGU), limited rights for a specific period (Santoso Urip, 2015). HGB is usually granted for building or infrastructure development purposes, while HGU is often used by foreign companies in the agriculture, plantation, and forestry sectors (Maria Sumardjono, 2008). However, obtaining use rights requires strict administrative requirements, such as establishing a foreign investment business entity (PMA) that the Indonesian government recognizes (Roestandi Ardiwilaga, 1962).

Furthermore, this research identified that although regulations provide clear boundaries, their implementation in the field often gives rise to various problems, especially regarding the rights of local communities (Muhammad, 2019). In many cases, foreign companies that obtain HGU or HGB in rural areas often find that the land they acquire has been managed by local communities for generations, even though the community does not have an official certificate (Veronika & Winanti, 2021). This sparked significant agrarian conflict, where communities felt their traditional rights were being ignored by the government granting permits to foreign companies (Aslan Noor, 2003). Demonstrations, legal disputes, and the potential for violence in the field often characterize this conflict (Istijab & Ariesta, 2020). In this case, the government faces a dilemma between facilitating foreign investment, considered important for national economic growth, and protecting the rights of the people who have long inhabited the land (Muchsin, 2006).

In addition, in terms of legal implications, this research shows that although foreign companies only have use rights to land, in practice, they often have complete control over the use of that land. This control includes management of natural resources, utilization of land products, and infrastructure development that can change the social and economic landscape of the local area (Sumardjono, 2008). In this context, local communities often feel disadvantaged because the resulting economic profits flow more to foreign companies or the government. In contrast, local communities only receive the negative impacts of land exploitation (Carolina et al., 2022). For example, this research found that in several oil palm plantation areas managed by foreign companies, the community experienced decreased access to natural resources, such as clean water and fertile agricultural land, because the land had been converted for the company's interests (Hardana, 2023).

At the national level, foreign investment through HGU and HGB contributes to the Gross Domestic Product (GDP) growth. According to data from BKPM, the plantation sector, controlled mainly by foreign companies through HGU, contributes around 3-4% of Indonesia's total GDP (Arridho et al., 2022). Foreign investment that utilizes land with HGU and HGB can also increase regional income through taxes and levies. Foreign companies operating in the plantation or property sector must pay taxes to local governments, including Land and Building Tax (PBB), permit levies, and other contributions related to using natural resources or land (Al Hakim et al., 2021). Local governments can use this income for infrastructure development, education, and other public services.

In the labor sector, one of the direct impacts of foreign investment through HGU and HGB is the creation of jobs, especially in the agricultural, plantation, and

property sectors. Foreign companies that obtain HGU for large plantations, for example, in the palm oil sector, require many workers. According to data from the Investment Coordinating Board (BKPM), the palm oil plantation sector controlled by foreign companies can absorb thousands of workers for daily, seasonal, and permanent work (Boone, 2019). In the property sector, foreign companies that utilize HGB also play a role in increasing the growth of the construction and property sectors, which are some of the most significant contributors to national GDP (Briassoulis, 2019). At the local level, especially in areas where plantations or foreign property projects are located, there is an increase in economic activity. This can be seen from the rise in household income, local trade, and small businesses that support the operations of foreign companies.

However, there is a considerable gap between regions receiving direct economic benefits and regions that do not. Some areas whose land is controlled by foreign companies experience difficulties diversifying the local economy because the dominance of one sector (such as oil palm plantations) creates high economic dependence (Brondizio et al., 2021). Regions with abundant natural resources, such as Kalimantan and Sumatra, tend to earn more from foreign investment than less developed areas (Butar-Butar & Turisno, 2022). In addition, there are also concerns that some of this income is not always used effectively to improve local communities' welfare due to corruption or misappropriation of public funds (Dhiaulhaq & McCarthy, 2020).

Based on environmental regulations in Indonesia, such as Law no. 32 of 2009 concerning Environmental Protection and Management, companies that use land in Indonesia must comply with strict environmental standards, including conducting an environmental impact analysis (AMDAL) (Elman Simangunsong, 2019). The authority to handle complaints is in Article 63 Letter r, namely developing and implementing policies for managing public complaints, and Article 63 Letter aa, namely enforcing environmental law. Meanwhile, for supervision of permits, it is in article 71, this means that the Minister, Governor, or Regent/Mayor, within their respective authority, is required to oversee adherence to the provisions outlined in laws and regulations concerning environmental protection and management. Additionally, as stated in Article 72, they are also obligated to supervise compliance with environmental permits.

However, many foreign companies do not fully comply with these provisions (Carisa, 2023). For example, there are cases where foreign companies operating in the mining or large plantation sectors ignore their obligations to rehabilitate land after the exploitation period ends, which ultimately causes long-term environmental damage. These ecological impacts harm local ecosystems and affect the welfare of communities that depend on these natural resources (Roestamy Martin, 2011). Therefore, this research emphasizes the importance of increasing government supervision of foreign companies' environmental obligations so that they not only pursue economic profits but also maintain ecological sustainability and community rights.

On the other hand, the government's role in supervising and regulating land ownership by foreign companies still needs to be improved. Even though there are

government agencies tasked with regulating land management, such as the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) and the Ministry of Environment and Forestry (KLHK), there are still many weaknesses in terms of inter-agency coordination and law enforcement in the field (Usman Suparman, 2014). Many cases show that local governments often do not have sufficient capacity to supervise the activities of foreign companies, especially in remote areas far from the center of government (Gode et al., 2023). The lack of transparency in granting HGU or HGB permits is also a significant problem, where communities are often not involved in the decision-making process regarding land use in their area (Laksono et al., 2023).

Ownership of land rights by foreign companies in Indonesia is a complex problem involving various legal, social, economic, and environmental aspects. The government needs to strengthen regulations and supervision and involve the community more in the decision-making process regarding land management. Apart from that, foreign companies must be more responsible in carrying out their obligations regarding agricultural, environmental laws, and social responsibility towards local communities.

The Government's Role in Supervising Land Ownership by Foreign Companies in Indonesia

The government's role in monitoring land ownership by foreign companies in Indonesia is very important and complex. This is because land is a vital resource for the country, especially in the context of economic development, social welfare, and nation (Ellitan, 2020). Through various regulations and institutions, the Indonesian government is responsible for ensuring that land ownership by foreign entities is adequately regulated and does not harm national interests or local communities (H. Salim & Budi, 2008). One of the government's main roles in this matter is to grant permits related to land control by foreign companies. Article 2 of the Basic Agrarian Law (UUPA) No. 5 of 1960 clearly defines the state's authority over land, derived from the collective rights of the Indonesian people. Consequently, foreign companies are not permitted to own land but may be granted usage rights, such as Business Use Rights (HGU) or Building Use Rights (HGB). These rights permit foreign companies to use the land for a certain period, by applicable regulations (Khafifah et al., 2023). The process of granting these rights is closely monitored by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), which ensures that foreign companies comply with all relevant regulations (Fahmi & Armia, 2022).

Apart from that, the government also has a role in ensuring that land use by foreign companies does not violate the rights of local communities, including indigenous communities (Jakob et al., 70 C.E.). There are many cases where foreign companies obtain use rights to land already occupied by local or indigenous communities, triggering agrarian conflicts (Jonnalagadda et al., 2021). Research on conflict resolution mechanisms and the effectiveness of agricultural reform policies in protecting the rights of indigenous peoples is still lacking. Many land conflicts in

Indonesia are related to the overlap between the customary rights of indigenous communities and the use rights granted to foreign companies.

To avoid this, the government, through various regulations, such as Presidential Regulation no. 62 of 2023 concerning Agrarian Reform. Agrarian Reform is a program of economic equality through the equal distribution of the structure of control, ownership, use, and use of land and the resolution of agrarian conflicts to create a just economy (Mahendra & Yustiawan, 2023). As intended in Article 2 of Presidential Regulation no. 62 of 2023, accelerating the implementation of Agrarian Reform can be implemented through several strategies, including:

1. Legalization of Assets.
2. Redistribution of Land.
3. Economic Strengthening of Agrarian Reform Beneficiaries.
4. Institutions for Agrarian Reform.
5. Public Involvement.

In Agrarian Reform, the term TORA or Agrarian Reform Object Land is known, namely land controlled by the state and land owned, controlled, and utilized by the community for redistribution or legalization, which includes TORA from Forest Areas and non-forest Areas, and from the results of resolving the Agrarian Conflict. Presidential Regulation no. 62 of 2023 concerning Agrarian Reform has tried to strengthen the rights of indigenous communities and ensure that ulayat rights or collective rights of local communities are recognized and respected (Suartining & Djaja, 2023). Local governments also must mediate if conflicts arise between foreign companies and local communities and ensure that every decision made regarding land use is carried out transparently and involves all interested parties (Mailin et al., 2023).

Although the government has attempted agrarian reform policies to balance land distribution, especially between indigenous communities and large companies, research on the effectiveness of implementing this policy in the field is still limited. To what extent these policies can prevent agrarian conflict and protect the rights of indigenous peoples in the face of foreign company expansion is an issue that requires further research (Resosudarmo et al., 2019).

Apart from the legal aspect, government supervision of land ownership by foreign companies also includes an environmental dimension. Foreign companies that use land in Indonesia, especially in sectors such as mining, plantations, or forestry, must meet strict ecological standards (Mujiburohman et al., 2023). Law No. 32 of 2009 on Environmental Protection and Management mandates that any company utilizing land for industrial activities is required to conduct an Environmental Impact Assessment (AMDAL). Through the Ministry of Environment and Forestry (KLHK), the government is responsible for monitoring and supervising the implementation of AMDAL and ensuring that these companies do not damage the environment or cause pollution (Thakur et al., 2020). If violations are found, the government can impose sanctions, ranging from fines to revocation of business permits (Zainuddin, 2021).

Furthermore, supervision is also carried out on aspects of foreign investment in the land sector. In this case, the government, through the Investment Coordinating

Board (BKPM), regulates and supervises foreign investment in Indonesia, including those involving land use (Yubaidi et al., 2022). BKPM plays an important role in assessing whether the investment brings significant benefits to the national economy, creates jobs and supports infrastructure development (Wijayanti et al., 2021). This supervision is important so that land is controlled not only by foreign companies for business purposes but also has a positive impact on regional development and community welfare (Thamrin et al., 2021).

At the local level, local governments also play an essential role in monitoring land ownership by foreign companies. Many foreign companies operate in remote areas or areas rich in natural resources, such as Kalimantan and Papua (M. N. Salim et al., 2021). Here, local governments play a role in ensuring that applicable regulations run foreign company activities and do not cause negative impacts on regional communities. This supervision includes granting operating permits, monitoring environmental impacts, and protecting the rights of indigenous peoples (Hamid, 2023). However, in many cases, supervision at the local level is often weak due to limited resources or capacity of local governments, so problems such as land exploitation and violations of indigenous peoples' rights still frequently occur (Kan, 2021).

Apart from that, transparency and accountability are also essential parts of the government's role in monitoring land ownership by foreign companies (Williamson et al., 2019). The many cases of corruption and collusion involving government officials in granting land permits to foreign companies pose severe challenges to these monitoring efforts. Therefore, bureaucratic reform and the increase in the integrity of public officials are the government's main focus in improving the effectiveness of supervision. The government is trying to strengthen the monitoring system through audit mechanisms, transparency in the permit granting process, and community participation in foreign companies' monitoring of land use by foreign companies (Wadi, 2019).

Overall, the government's role in monitoring land ownership by foreign companies in Indonesia is very strategic to ensure that national and local community interests are maintained (Wardhani et al., 2022). With strict supervision, the government can ensure that land, as an essential resource, is used optimally to benefit national development without compromising community rights and environmental sustainability. Challenges in transparency, corruption, and agrarian conflicts still exist, but the government strives to improve monitoring mechanisms to make them more effective and efficient.

Conclusion

The Basic Agrarian Law (UUPA) No. 5 of 1960 grants the state authority over land to promote the prosperity of the people. While foreign companies are not allowed to hold direct ownership of land through Property Rights, they can utilize land in Indonesia under specific rights such as Building Use Rights (HGB), Use Rights, and Business Use Rights (HGU). This policy underscores the government's commitment to safeguarding land sovereignty while fostering a favorable

investment climate. To enhance legal certainty for foreign companies regarding land use, the government should provide clearer regulations. Effective coordination among agrarian institutions, investment bodies, and other relevant agencies is crucial to establishing an efficient and responsive land management system that balances investor interests with the welfare of the people.

Reference

- A.P. Parlindungan. (1990). *Komentar Atas Undang-Undang Pokok Agraria*.
- A.Y, M., F, A., & Karimuddin. (2024). Strengthening Sharia Economic Law In Indonesia: Challenges And Strategic Approaches Amidst Global Economic Dominance. *Mu'amalah: Jurnal Hukum Ekonomi Syariah*, 3(1), 1–18.
- Al Hakim, H., Aminah, P., Idham, I., Milanie, F., & Saifannur, A. S. (2021). Juridical Analysis of Rights Registration Process on Land and Ownership Status To Confirm Legal Assurance: Studyresearch In The Agency Office National Land Batam City. *International Journal of Educational Review, Law and Social Sciences (IJERLAS)*, 1(1), 10–25. <https://doi.org/https://doi.org/10.14710/jphi.v1i3.322-336>
- Amin, M. (2023). JUAL BELI DENGAN SISTEM ARISAN KABUPATEN KOTA WARINGIN TIMUR DESA SAMUDA. *Mu'amalah: Jurnal Hukum Ekonomi Syariah*, 2(1), 33–48.
- Andi Erza Ferniawan. (2023). Juridical Implications Of Foreign Citizens' Land Ownership Status Through Nominee Agreements Based On The Concept Of Legal Certainty. *TABELIUS Journal of Law*, 1(1), 1–18.
- Arridho, M., Ariesta, W., & Mashuri, M. (2022). Kedudukan Hukum Aset Desa Yang Berada Di Atas Tanah Yang Berstatus Pertahanan Dan Keamanan Nasional (Studi Di Desa Semedusari Kecamatan Lekok Kabupaten Pasuruan). *Yurijaya : Jurnal Ilmiah Hukum*, 4(1).
- Aslan Noor. (2003). *Konsepsi Hak Milik atas Tanah bagi Bangsa Indonesia Ditinjau dari Hak Asasi Manusia*.
- Aswadi, K., & Sarajudin, S. (2020). Kekuatan Pembuktian Perjanjian “Pinjam Nama” Antara Orang Asing dan WNI untuk Keperluan Pembelian Tanah. *Tinjauan Hukum Unizar (ULR)*, 3(1).
- Boedi Harsono. (1999). *Hukum Agraria Indonesia*.
- Boone, C. (2019). Legal empowerment of the poor through property rights reform: Tensions and trade-offs of land registration and titling in sub-Saharan Africa. *The Journal of Development Studies*, 55(3), 384–400.
- Briassoulis, H. (2019). Combating land degradation and desertification: The land-use planning quandary. *Land*, 8(2), 27.
- Brondízio, E. S., Aumeeruddy-Thomas, Y., Bates, P., Carino, J., Fernández-Llamazares, Á., Ferrari, M. F., Galvin, K., Reyes-García, V., McElwee, P., & Molnár, Z. (2021). Locally based, regionally manifested, and globally relevant: Indigenous and local knowledge, values, and practices for nature.

-
- Annual Review of Environment and Resources*, 46, 481–509.
- Butar-Butar, K. E., & Turisno, B. E. (2022). Juridic Review Of Granting Rights To Flat Units To Foreign Citizens Based On The Provisions Of Legislation In Indonesia. *Awang Long Law Review*, 4(2), 409–418.
- C Tresnoputri. (2023). Peranan Hukum Adat dalam Sistem Hukum Tata Negara Indonesia. *Archipelago: Jurnal Ilmu Sosial*, 10(5), 41.
- Carisa, M. (2023). PENGARUH EFEKTIVITAS DANA PIHAK KETIGA, RESIKO PEMBIAYAAN, RASIO EFISIENSI, DAN KECUKUPAN MODAL TERHADAP PROFIT DISTRIBUTION MANAGEMENT BANK UMUM SYARIAH DI INDONESIA PERIODE (2017-2020). *Mu'amalah: Jurnal Hukum Ekonomi Syariah*, 2(2), 243–254.
- Carolina, A. S., Mauludin, T. S., & Hafilda, M. (2022). Menakar Ukuran Ideal Pembatasan Hak Guna Usaha (HGU) Untuk Badan Hukum Sebagai Upaya Mengatasi K timpangan Penguasaan Lahan Perkebunan Kelapa Sawit di Indonesia. *Rawang Rencang : Jurnal Hukum Lex Generalis*, 3(9).
- Dhiaulhaq, A., & McCarthy, J. F. (2020). Indigenous rights and agrarian justice framings in forest land conflicts in Indonesia. *The Asia Pacific Journal of Anthropology*, 21(1), 34–54.
- Ellitan, L. (2020). Competing in the era of industrial revolution 4.0 and society 5.0. *Jurnal Maksipreneur: Manajemen, Koperasi, Dan Entrepreneurship*, 10(1), 1–12.
- Elman Simangunsong. (2019). Perlindungan Hukum Bagi Penanaman Modal Asing (PMA) di Indonesia. *Jurnal Rectum*, 1(1), 1–9.
- Fahmi, C., & Armia, M. S. (2022). Protecting Indigenous Collective Land Property in Indonesia under International Human Rights Norms. *Jseahr*, 6(1), 2022.
- Gode, S. L. D. P., Kurniawan, A. T., Rijanto, O. S., & Oey, V. V. H. S. (2023). Analisa Yuridis Hak Guna Bangunan di Atas Hak Pengelolaan yang Bisa Dijadikan Jaminan Utang. *UNES Law Review*, 5(4), 3202–3214.
- Habib Adjie. (2023). Land ownership in Indonesia for foreign citizens. *International Journal of Criminal Justice Science*, 1–11.
- Hamid, A. (2023). PRAKTIK KHIYAR PADA JUAL BELI TIKET TRANSPORTASI DALAM TINJAUAN HUKUM EKONOMI SYARIAH DI KAB. MANDAILING NATAL. *Mu'amalah: Jurnal Hukum Ekonomi Syariah*, 2(1), 105–124.
- Hardana, A. (2023). PERAN ZAKAT SEBAGAI PENDORONG MULTIPLIER EKONOMI. *Mu'amalah: Jurnal Hukum Ekonomi Syariah*, 2(1), 91–104.
- Hartana, I. G. (2019). Hukum Tanah Sebagai Bagian Dari Hukum Agraria Dalam Pembangunan Nasional Di Indonesia. *Jurnal Pendidikan Kewarganegaraan Undiksha*, 114–118.
- Hidayanti, S., Koswara, I., & Gunawan, Y. (2021). The Land Legal System in Indonesia and Land Rights According” to the Basic Agrarian Law (UUPA). *Legal Brief*, 11(1), 366–378.
- Istijab, & Ariesta, W. (2020). Hak Penguasaan Atas Tanah-Tanah dengan Hak Adat oleh Pemerintah Kota Pasuruan untuk Kepentingan Pembangunan dalam

- Tinjauan Undang-Undang No. 5 Tahun 1960. *Yurijaya : Jurnal Ilmiah Hukum*, 3(1).
- Jakob, M., Flachsland, C., Steckel, J. C., & Urpelainen, J. (70 C.E.). Actors, objectives, context: A framework of the political economy of energy and climate policy applied to India, Indonesia, and Vietnam. *Energy Research & Social Science*, 2020, 101775.
- Jonnalagadda, I., Stock, R., & Misquitta, K. (2021). Titling as a contested process: Conditional land rights and subaltern citizenship in South India. *International Journal of Urban and Regional Research*, 45(3), 458–476.
- Kan, K. (2021). Creating land markets for rural revitalization: Land transfer, property rights and gentrification in China. *Journal of Rural Studies*, 81, 68–77.
- Khafifah, N. R., Minanb, A., & Rusydi, M. (2023). ONRECHTMATIG OVERHEIDSDAAD BY THE GOVERNMENT ON THE LIABILITY OF THE GOVERNMENT REGULATION (CASE STUDY ON LAW NUMBER 18 OF 2017). *Jurnal Poros Hukum Padjajaran*, 5(1), 71–90.
- Komariah, R., Hasan, D., & Rodiah, S. (2022). Fraus legis in land ownership conducted by foreign citizen in perspective of Indonesian land law. *I-Latinnotary Journal: Internasional Journal of Latin Notary*, 3(1), 6–15.
- Laksono, M. A., Winarno, R., & Istijab. (2023). Tinjauan Yuridis Proses Peralihan Hak Guna Bangunan Menjadi Hak Milik Menurut Peraturan Pemerintah Republik Indonesia Nomor 18 Tahun 2021 Tentang Hak Pengelolaan, Hak Atas Tanah, Satuan Rumah Susun dan Pendaftaran Tanah. *YURIJAYA : Jurnal Ilmiah Hukum*, 5(2), 39–54.
- Mahendra, I. G. M. O., & Yustiawan, D. G. P. (2023). Legal Validity of Land Tenure by Foreigners Through Mixed Marriages Obtained From Inheritance From the Uupa Perspective. *Policy, Law, Notary and Regulatory Issues*, 2(2), 187–197.
- Mailin, M., Dalimunthe, M. A., & Zein, A. (2023). Exploring Intercultural Communication in Indonesia: Cultural Values, Challenges, and Strategies. *Journal of Namibian Studies: History Politics Culture*, 33, 2804–2816.
- Manan, B., Abdurahman, A., & Susanto, M. (2021). Tantangan, Pembangunan Hukum Nasional Yang Religius: Konsepsi dan Tantangan Dalam Negara Berdasarkan Pancasila. *Bina Mulia Hukum*, 5(2), 191.
- Maria Sumardjono. (2008). *Alternatif Kebijakan Pengaturan Hak Atas Tanah Beserta Bangunan Bagi Warga Negara Asing dan Badan Hukum Asing*.
- Melati, V., & Wiryomartani, W. (2022). Control of land rights by foreign nationals through nominee agreements in Bali. *Legal Brief*, 11(5), 3436–3442.
- Muchsin. (2006). *Kedudukan Tanah Ulayat Dalam Sistem Hukum Tanah Nasional*.
- Muhammad. (2019). Tinjauan Yuridis Tentang Hak Atas Tanah di Wilayah Negara Republik Indonesia. *Jurnal WASAKA HUKUM*, 7(2).
- Mujiburohman, D. A., Junarto, R., Salim, M. N., Pujiriyani, D. W., Utami, W., & Andari, D. T. W. (2023). The Issues of Land Tenure in Mixed Marriage. *Jurnal Ilmiah Peuradeun*, 11(1), 19–38.
- Nisa, A. F. (2023). Ownership of Land Rights With the Status of Property Rights

- by Foreign Nationals as Beneficiaries Using Indonesian Citizens. *Global Legal Review*, 3(1), 49–57.
- NKT Srilaksmi. (2023). Perjanjian Nominasi Perjanjian Kepemilikan Tanah Dalam Perspektif Tata Usaha Negara. *Pariksa : Jurnal Hukum Agama Hindu*, 6(2), 91–100.
- Peter Mahmud Marzuki. (2005). *Penelitian Hukum*. Kencana Prenada Media Group.
- Rachmayuni, R., Patawari, P., & Mery, L. (2021). Analisis Hukum Transaksi Jual Beli Tanah oleh Warga Negara Asing di Provinsi Bali Indonesia. *Petitum*, 9(2), 171–179.
- Rahdania, A. F., & Djaja, B. (2023). Implementation of Land Registration Procedures in Indonesia Based on Government Regulation No. 18 of 2021. *Journal of Social Research*, 2(7), 2562–2570.
- Resosudarmo, I. A. P., Tacconi, L., Sloan, S., Hamdani, F. A. U., Alviya, I., & Muttaqin, M. Z. (2019). No Title. *Forest Policy and Economics*, 108, 101903.
- Roestamy Martin. (2011). *Konsep-Konsep Hukum Kepemilikan Properti Bagi Asing Dihubungkan dengan Hukum Pertanahan*.
- Roestandi Ardiwilaga. (1962). *Hukum Agraria Indonesia*.
- Salim, H., & Budi, S. (2008). *Tinjauan Umum tentang Penanaman Modal Asing*.
- Salim, M. N., Wulan, D. R., & Pinuji, S. (2021). Reconciling community land and state forest claims in Indonesia: A case study of the Land Tenure Settlement Reconciliation Program in South Sumatra. *Forest and Society*, 5(1), 1–22.
- Samuel, J. (2022). Comparative Analysis on Ownership of Immovable Property by Foreigners and Its Implication on FDI: The Case of Ethiopia and Kenya's Land Policy. *Hawassa University Journal of Law (HUJL)*, 6, 154–176.
- Samun Ismaya. (2011). *Pengantar Hukum Agraria*. Graha Ilmu.
- Santoso Urip. (2015). *Perolehan Hak Atas Tanah*.
- Saraswati, P. S., Subawa, I. B. G., & Wiasta, I. W. (2021). Legal Review of Property Land Ownership by Foreign Citizens in Indonesia. *INTERNATIONAL CONFERENCE MAHASARASWATI DENPASAR UNIVERSITY FACULTY OF LAW : Law, Investment, Tourism And Local Wisdom*, 18(2), 136–145.
- Suartining, N. K., & Djaja, B. (2023). Land Rights in the Land Law System in Indonesia According to the Basic Agrarian Law Number 5 of 1960. *Journal of Social Research*, 2(6), 1775–1785.
- Sumanto, L. (2021). Controversy on Regulation of Foreigners Property Ownership in Indonesia. In *2nd International Conference on Business Law and Local Wisdom in Tourism (ICBLT 2021)*.
- Sumardjono, M. S. (2008). *Tanah Dalam Perspektif Hak Ekonomi, Sosial dan Budaya*.
- Thakur, V., Doja, M., Dwivedi, Y. K., Ahmad, T., & Khadanga, G. (2020). Land records on blockchain for implementation of land titling in India. *International Journal of Information Management*, 52, 101940.
- Thamrin, R. M., Harahap, E. P., Khoirunisa, A., Faturahman, A., & Zelina, K. (2021). Blockchain-based land certificate management in indonesia. *ADI*

Journal on Recent Innovation, 2(2), 232–252.

Usman Suparman. (2014). *Hukum Agraria di Indonesia*.

Veronika, T., & Winanti, A. (2021). Keberadaan Hak Atas Tanah Ulayat Masyarakat Hukum Adat Ditinjau dari Konsep Hak Menguasai oleh Negara. *Humani (Hukum Dan Masyarakat Madani)*, 11(2), 305–317.

Wadi, R. (2019). Land rights and climate change in Chile, Brazil. *Eureka Street*, 29(5), 20–22.

Wahyono, A., Zakaria, U., H, I. R., Bachri, H. I. F., Ahmad, B., & Rahmatullah, P. S. (2023). Kepemilikan Tanah oleh Orang Asing dalam Perjanjian Nominee untuk Memiliki Tanah di Indonesia. *Jurnal Ilmiah Multidisiplin*, 1(3), 26.

Wardhani, Listya, L. T. A., Noho, H, M. D., & Natalis, A. (2022). The adoption of various legal systems in Indonesia: an effort to initiate the prismatic Mixed Legal Systems. *Cogent Social Sciences*, 8(1).

Wijayanti, T., Muryanto, Taruno, Y., & Darori, M. I. (2021). Comparison of The Transfer of Land Rights to The Description Deed of Inheritance Rights. *Law Reform*, 17(1), 121–134.

Williamson, I., Enemark, S., Wallace, J., & Rajabifard, A. (2019). Land administration for sustainable development. *FIG Congress*.

Y Hetharie. (2021). Perjanjian Nominee Sebagai Sarana Penguasaan Hak Milik Atas Tanah Oleh Warga Negara Asing (WNA) Menurut KUHPerdara. *Sasi*, 25(1), 27–36.

Y, T. G. R., Sudharsana, A., & Purwanto, I. W. N. (2022). Perjanjian Nominee: Solusi Bagi Asing Menguasai Tanah Di Bali. *Jurnal Masalah Kebijakan, Hukum, Notaris Dan Regulasi (POLRI)*, 1(4).

Yubaidi, Survival, Mohamad, R., Mazliza, Aziz, A., & Nadia, S. (2022). Land acquisition acceleration in Indonesia: a lesson-learned guideline from land acquisition issues in Malaysia. *UUM Journal of Legal Studies*, 13(1), 155–174.

Zainuddin, Z. (2021). Right To Own Land By The State In The Frame Of Constitutional Law. *Randwick International Of Social Science Journal*, 2(2), 46–57.