

# OPTIMIZATION OF LAND OFFICE MEDIATION INSTITUTIONS IN LAND DISPUTE SETTLEMENT IN BULELENG DISTRICT

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## Abstract

This study aimed to: (1) find out the form of land disputes that can be resolved through the Land Office mediation agency in Buleleng Regency; and (2) knowing the optimization of the land office mediation agency in resolving land disputes in Buleleng Regency. The approach used in this study is a qualitative approach. The research instrument used the principle that researchers are the main instrument of research (human instrument). The object of research was the form of land disputes and the way to optimize the Land Office mediation institution in Buleleng Regency. The location and subject of this study were determined purposively in accordance with the focus of the problem and the needs of the research data. Data processing and analysis techniques were carried out qualitatively, categorizing and codifying, data reduction, presentation and classification of data as a whole based on their logical links, then interpreted in the overall context of the research. The results of the research were as follows: (1) Forms of land disputes that can be resolved through mediation agencies in the Land Office in Buleleng Regency were grouped into 10 types / typologies of disputes, namely land tenure without rights, boundary disputes, inheritance disputes, selling repeatedly, certificates double, substitute certificate, counterfeit Sale and Purchase Certificate, boundary error, overlapping land location, and court decision; (2) Optimization of the land office mediation institution in resolving land disputes in Buleleng Regency was not seen from the large number or minimum number of disputes that enter through mediation institutions but based on the criteria of determination in resolving land disputes and the package of dispute settlement activities starting from the receipt of complaints to the settlement of disputes.

*Keywords:* optimization, mediation institutions, land offices, land disputes.

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## 1. Introduction

Land is a very important element in sustaining human life and livelihood. In Hukum Per-tanahan, the term "land" is used as a juridical definition that is formally stated in Hukum Per-tanahan, the term "land" is used as a juridical meaning that is officially listed in [1] about Perat-uran Dasar Pokok-pokok Agraria (UUPA). Pasal 4 ayat (1) UUPA states that on the basis of the right to control the State, there are various types of rights on the surface of the earth, which are called land, which can be given to and owned by people. Thus, it is clear that land in a juridical

sense is the surface of the earth [2]. According to the Kamus Besar Bahasa Indonesia (1994), land is: (1) the surface of the earth or the upper layers of the earth; (2) the state of the earth somewhere; (3) the surface of the earth is bounded; (4) ingre-dients from the earth, earth as material (sand, rock, marl and so on). As with the will of the law, each person can own land rights, namely the right to authorize the right holder to use and / or take advantage of the land he hates. This can mean that land rights are used both for building and other purposes such as agriculture, fisheries, livestock, and plantations [3]. In relation to the

legal relationship between right holders and land rights, there are two types of principles namely the Accessie principle and the Horizontale Scheiding principle.

With increasing population growth, the human need for land is also increasing. On the other hand, the amount of land available is increasingly limited, so that with the existence of these two antinomies it is not impossible to create conflicts / disputes with land conflicts. As a priority program, the resolution of land cases has always been the concern of all levels of the Indonesian National Land Agency at the Central level, Provincial Regional Offices and Regency / City Land Offices throughout Indonesia. As of September 2013, the number of land cases reached 4,223 cases consisting of the remaining cases in 2012 totaling 1,888 cases and 2,335 new cases. The number of cases that have been completed reaches 2,014 cases or 47.69% which are spread in 33 provinces throughout Indonesia (Source: handling of land cases - PNG. Go.id)

In general, the motives and background for the emergence of various land conflicts include (1) the lack of orderly land administration in the past, (2) the condition of people who are increasingly aware of and understand their interests and rights, (3) Climate openness as one of the policies outlined by the government, (4) there are still many lands that do not have certificates, (5) land that is controlled by someone does not necessarily have ownership in the people who occupy, (6) the process of land inheritance is not determined through legal mechanisms, (7) there is still land communal mastery which at times can cause conflict, and (8) the existence of parties who use the opportunity to find material benefits improperly [4]. This condition raises a variety of land issues, such as disputes over the land certification process, land ownership disputes, disputes over land inheritance processes, efforts to abolish land execution, resistance to law enforcement decisions, and even to the fight against land executions carried out through physical fighting as happened in several regions in the Regency Buleleng [5].

To guarantee the legal certainty, the government through the Badan Pertanahan Nasional

(BPN) holds land registration in Indonesia under the provisions of article 19 of the UUPA. Land administration is carried out by considering the state and society, traffic and economy and other services such as the Minister of Agrarian and Spatial Planning. The form of legal certainty in registration is a land certificate. According to PP No.24 of 1997, land certificate is a proof of rights as referred to in article 19 paragraph (2) letter C of the UUPA for land rights, management rights, waqf land, ownership rights on units and mortgage rights that have been recorded in the respective land book.

Land certificates were published for the benefit of the relevant rights holders in accordance with the physical data and juridical data that have been registered in the land book. Physical data and juridical data contained in the certificate were accordance with the data contained in the measurement letter and the land book of the rights in question, so that the land certificate was a proof of right that applies as a strong evidentiary tool.

Based on Keppres No.26 of 1988, the main task of managing land rights is the duty of the Directorate of Land Rights Management under the deputy for land rights, Badan Pertanahan Nasional (BPN). In this case, the Directorate of Management of Land Rights has the following functions (Article 738 of Kepmendagri No.94 of 1975): (1) Taking care of granting, extension of time, renewal, termination and cancellation of land rights; (2) Take care of and supervise the implementation of granting permits for the transfer of land rights; (3) Accommodate and resolve legal disputes relating to land rights; (4) Researching, formulating and formulating technical guidelines / guidelines as a follow-up to various regulations in the field of agrarian, especially concerning the management of land rights, for the purposes of carrying out operational tasks.

One of the activities in the strategic program of the BPN RI is accelerating the resolution of land cases. Based on the Regulation of the BPN RI No. 3 of 2011 concerning Management of Land Case Study and Handling, land cases are disputes, conflicts and land cases, submitted to the National Land Agency of the Republic of Indonesia

to get treatment, settlement in accordance with laws and / or national land policies.

Some land issues, should be resolved properly by the Land office through "mediation". Mediation is a part of alternative dispute resolution (APS), in addition to negotiation, arbitration and court. However, during this time the legal culture of the people in Buleleng Regency is often related to land issues solved by litigation or directly through the court. This has an impact on the accumulation of land cases at the Singaraja Court Office. Based on the Singaraja District Court's monthly report to the Denpasar High Court, the average number of civil cases handled each month is 50 cases, dominated by land issues. For this reason, it is necessary to conduct an assessment related to the form of land disputes that can be resolved through the Land Office mediation agency in Buleleng Regency, and the optimization of the land office mediation agency in resolving land disputes in Buleleng Regency.

## 2. Literature Review

### 2.1. *An overview of the National Land Agency (BPN)*

The National Land Agency (BPN) is a non-ministerial government institution in Indonesia that has the task of carrying out governmental duties in the Land sector in accordance with the provisions of the legislation. BPN is regulated through PP Number 20 of 2015 [4]. BPN has the task of carrying out government duties in the land sector in accordance with the provisions of the legislation. Based on the provisions of article 3 it is stated that, in carrying out its duties, BPN organizes functions:

1. The preparation and stipulation of policies in the land sector;
2. Formulation and implementation of policies in the areas of survey, measurement and mapping;
3. Formulation and implementation of policies in the field of land rights determination, land registration, and community empowerment;
4. Formulation and implementation of policies in the field of regulation, arrangement and control of land policies;

5. Formulation and implementation of policies in the field of land acquisition;

6. Formulation and implementation of policies in the field of control and handling of disputes and land cases;

7. Supervision of the implementation of duties within the BPN;

8. Implementing coordination of duties, coaching, and providing administrative support to all organizational units within the BPN;

9. Implementation of data management information on sustainable food agricultural land and information in the land sector;

10. Conducting research and development in the field of land; and

11. Implementation of human resource development in the land sector

In carrying out the tasks and functions referred to above, the BPN is coordinated by the Ministry of Agrarian Affairs and Spatial Planning whose duties and functions are compatible. To carry out the duties and functions of BPN in the regions, BPN Regional Offices are established in the provinces and Land Offices in regencies / cities. The Land Office can be established in more than 1 (one) Land Office in each district / city. The duties, functions, organizational structure and work procedures of the BPN Regional Office and Land Office are determined by the Head after obtaining approval from the minister who carries out government affairs in the field of State apparatus.

### 2.2. *Mediation Institute*

Based on [6] concerning the Organization and Work Procedure of the Regional office Land Agency and the land Office, one of the organizational structures in the Land Office there was Dispute, Conflict and Case Section which has the task of preparing materials and handling disputes, conflicts and land matters activities. Based on pasal 76 [6] mentioned that, in carrying out the tasks of Conflict, Dispute, and Case Section has functions:

- a. Implementation of dispute, conflicts, and land cases handling
- b. Study of land issues, disputes, and conflicts

c. Preparing materials and handling land and non-legal land disputes and conflicts, handling and resolving cases, implementing alternative land dispute resolution and conflicts through mediation form, facilitation and others, proposals and recommendations for the implementation of judicial decision and recommendations for cancellation and termination of recommendations law between person, and/or legal entity with land.

d. Coordinating dispute disputes, conflicts, and land matters handling

e. Reporting on handling and resolving conflicts, disputes, and land cases

From these provisions, it was explicitly stated that one alternative to resolving disputes and conflicts over land can be done through mediation. Mediation is a way of resolving disputes outside the judiciary. In Mediation there is a neutral third party and functions as mediator or facilitates the mediation which is commonly called a mediator. These third parties may only provide suggestions that are suggestive, because basically those who decide to end the dispute are the parties. The third party must also be neutral so that it can provide objective suggestions and does not appear to favor one party [7].

The definition of mediation according to Priatna Abdurrasyid is a peaceful process in which the dispute parties submit the settlement to a mediator (someone who arranges a meeting between two or more parties who are in dispute) to achieve a fair end result, with no large costs but remain effective and fully accepted by both parties to the dispute.

Mediation is a compulsory procedure in the process of civil litigation, even in arbitration in which the judge or arbitrator is obliged to order the parties to carry out mediation and if the mediation fails then the case investigation continues. Not everyone can be a professional mediator because being able to become a mediator requires a special certification.

In a mediation process, there will be two or more parties to the dispute. Thus, there are elements that must be fulfilled as follows:

1. If there is only one disputing party in a mediation process, then the elements of the disputing

parties are not fulfilled.

2. There is an element of "Disputes" among the parties.

3. There is a "Mediator" who helps try to resolve disputes between the parties. The mediator must have the ability and expertise in relation to the disputed area / problem. The mediator must also not have a conflict of interest / affiliation with the parties in the disputed dispute.

The main purpose of conducting Mediation is to help find solutions / alternative solutions to disputes that arise between the parties agreed upon and can be accepted by the parties to the dispute. What is to be achieved is not to seek the truth and / or the legal basis applied but rather to solve the problem. In addition, through the mediation process, it is expected that better communication between the parties to the dispute is established and can make the parties who are dispute can hear; understand the reasons / arguments that are the basis / consideration of the other party.

With face-to-face meetings, it is expected to reduce anger / hostility between one party to another. Understanding each other's weaknesses / strengths / strengths, and this is expected to bring the perspective of the parties to the dispute closer, towards a compromise that can be accepted by the parties.

### *2.3. Land Dispute*

Land dispute is a process of interaction between two or more people or groups who each fight for their interests or the same object, namely land and other objects related to the land such as water, plants, mining, and the air that is on the boundary of the land concerned. There are several types of problems in a land dispute, including:

1. Problems related to priority can be determined as legal right holders of land with rights or land that has no rights.

2. The objection toward something rights or acquisition evidence that is used as the basis for the granting rights.

3. Mistakes or misrepresentation of rights caused by the rule of application which is incorrect.

4. Disputes or issues that contained social aspects.

In general, there are several theories about the occurrence of conflict among others according to Navastara, (2007):

a. Public Relation Theory

Assumed that conflict is caused by ongoing polarization, distrust, and hostility between different groups in a society.

b. Human Needs Theory

Assumed that rooted conflict is caused by the basic human needs (physical, mental and social that are not fulfilled or obstructed. The things that are often become the core of the discussion are security, participation and autonomy.

c. Negotiation Principal Theory

Assumed that conflict is caused by inconsistent positions and differences in views on conflict by parties who experience the conflict.

d. Identity Theory

Assumed that conflict is caused by threatened identity which is often rooted in the loss of something or suffering that was not resolved in the past.

e. Intercultural Misunderstanding Theory

Assumed that conflict is caused by incapability in the ways of communication between different cultures.

f. Transformation Conflict Theory

Assumed that conflict is caused by the problems of inequality and injustice that arise as social, cultural, and economic problems.

### 3. Research Method

Based on the focus of the research problem that have been described above, this research was used a qualitative empirical approach [8]. This research leads to types of field research. Rational selection of the approach is because to explore and formulate land disputes that can be resolved through the Land Office mediation agency in Buleleng Regency and optimization of the land office mediation institution in resolving land disputes in Buleleng Regency. Therefore, this study will begin from initial observation to determine the urgency

of the problem, conduct in-depth interviews, focus data and describe data in accordance with the flow of qualitative research. The location of this research is at the Land Office of Buleleng Regency. The selection and determination of the location and subject of this research were carried out purposively in accordance with the focus of the problem and the needs of the research data. In this study, the research instrument using the principle that researcher is the main instrument of research (human instrument). The study of the optimization of the land office mediation agency in resolving land disputes in Buleleng Regency was built and developed on the basis of a subjective subjective nature (Sugiono, 2007), but did not rule out rationality. The techniques used to collect data in this study are: (1) interviews, (2) observations, and (3) documentation studies. Data processing and analysis techniques are carried out qualitatively, categorizing and codifying, data reduction, presentation and classification of data as a whole based on their logical links, then interpreted in the overall context of the research.

### 4. Results

#### 4.1. *Forms of Resolved Land Disputes through the Land Office Mediation Institute in Buleleng Regency*

Considering the existence of a fixed land and the enormous human need for land ownership raises various problems or conflicts in the land sector. In the case of land, most of the conflicts that occur are open, where the parties to the dispute tend to experience obstacles in family settlement and lead to the settlement of disputes through litigation (court). Land disputes are not new in society. But along with the development of the economy, the dimension of conflict is increasingly widespread. Some of the causes of land disputes are [4]:

- a. Unbalanced and uneven land ownership / control.
- b. Incompatibility of agricultural land use and non-agricultural land.
- c. Lack of partiality for the economically weak.

d. Lack of recognition of the rights of indigenous peoples to land (ulayat rights).

e. The weak bargaining position of the people holding land rights in land acquisition for the public interest.

The emergence of a legal dispute concerning land is originated from a complaint from one party (person / legal entity) which contains objections and claims on land rights, both to the status of the land and the priority of ownership in the hope of obtaining an administrative settlement in accordance with applicable regulations. Therefore, the real reason for the ultimate goal of the land dispute is that there are parties who are more entitled to others over disputed land, so that the legal settlement of the land dispute depends on the nature of the problem being proposed and the process will require certain stages before being obtained something decision. Land has a strategic position in people's lives.

The form / typology of land cases that are submitted or complained and handled by the National Land Agency, there are broadly grouped into [9].

Land tenure without rights is the different perceptions, values or opinions, interests concern the status of control over certain lands that are not or have not been entrenched by rights (State land), or those that have been entrenched by certain parties. Boundary disputes is the different opinion, value of interests regarding the location, boundaries and size of the land area which is recognized by one party and determined by the National Land Agency of the Republic of Indonesia as well as those still in the process of determining boundaries. Inheritance disputes is the different perceptions, values or opinions, interests regarding the status of control over certain lands derived from inheritance. Selling many times is the different perceptions, values or opinions, interests regarding the status of control over certain land obtained from the sale and purchase of more than 1 person. Double certificates are the different perceptions, values or opinions, interests concern a particular land area with more than 1 land title. Substitute certificates are the different perceptions, values or opinions, interests concern-

ing a particular area of land that has been issued a certificate of title to the substitute land. Counterfeit Sale and Purchase Deeds are the different perceptions, values or opinions, interests regarding a particular land area because of a counterfeit Sale and Purchase Deed. Error in the designation of boundaries, namely differences of opinion, value of interests concerning the location, boundaries and area of land recognized by one party that has been determined by the National Land Agency of the Republic of Indonesia based on the designation of the wrong boundary. Overlapping is the differences of opinion, value of interests regarding the location, boundary and area of land that is recognized by one particular party because of the overlap of the land ownership limit. Court Decisions is the differences in perceptions, values or opinions, interests regarding the decision of the judiciary relating to the subject or object of land rights or regarding the procedure for issuing certain land rights.

By handling of the problem that is now being promoted by BPN in Buleleng regency namely with the mediation institution which is expected by the settlement of a dispute by means of mediation can speed up the settlement of disputes and the community can feel peace in its settlement and without any misunderstanding from both parties. The following can be seen from the types of disputes that have been successfully resolved through mediation institutions, namely counterfeit certificates, false rights bases, seizure of land ownership, boundary disputes, inheritance disputes, recurring sales, multiple certificates, miscalculation, misplacement, overlapping, execution of decisions, and AJB (Counterfeit Sale and Purchase).

According to the informant, that all disputes which is included in the dispute and conflict section are not all disputes resolved by mediation, because the mediation process must be agreed by all parties to the dispute and to speed up the handling and resolution of disputes and land conflicts are through a complete operation of the dispute and fingerprints of disputes because with this pattern with sufficient budget support can be carried out systematically, measured and timely.

#### *4.2. Mechanism of Land Dispute Settlement through Mediation Institutions in the Land Office*

Based on [6] about the Organization and Work Procedure of the Regional Office of the National Land Agency and the Land Office, one of the organizational structures contained in the Land Office are the Dispute, Conflict and Case Section which has the task of preparing materials and handling activities disputes, conflicts and land matters. According to Pasal 76 [6] states that in carrying out the tasks, the Conflict, Dispute and Case Section has functions:

Implementation of dispute handling, conflicts and land cases; Assessing of land issues, disputes and conflicts; Preparing materials and handling land and land conflicts legally and non-legally, handling and settling cases, implementing alternative dispute resolution and land conflicts through mediation, facilitation and others, proposals and recommendations for the implementation of judicial decisions and recommendations for cancellation and termination of legal relations between people, and / or legal entities with land; Coordinating dispute handling, conflicts and land cases; Reporting on handling and resolving conflicts, disputes and land cases.

From these provisions, it was explicitly stated that one alternative resolved disputed and conflicts over land could be done through meditation. Meditation was a way of resolved disputes outside the judiciary. In Meditation there was a neutral third party and functions as mediator or facilitates the mediation which was commonly called a mediator. These third parties may only provide the suggestions that was suggestive, because basically those who decided to end the dispute was the parties. The third party must also be neutral so that it could provide the objective suggestions and was not appeared to favor one party [7].

Handling the resolution of land disputes and conflicts could be carried out through routine handling, namely the handling of the mechanism carried out based on the decision by the head of National Land Agency of Indonesia No. 34 2007 concerned technical guidelines that become guidance for the land apparatus in handling conflicts dis-

putes and land cases.

To measure the deputy performance in the field of assessment and handling of disputes and conflicts in handling and resolving disputes and land cases, determine 5 criteria for the form of settlement, namely:

Criterion 1 (K1): Disputes was resolved through an official explanation of National Land Agency of Indonesia concerned the land status of the object of the dispute, the validity of the rights of each party. In the form of issuance of a settlement case notification and notification to all parties to the dispute.

Criterion 2 (K2): Disputes was resolved through an act of cancellation or issuance of land title, based on the court decision of “infract” or the reasons for administrative disability. In the form of issuance of a decree concerned the granting of land rights, cancellation of a land rights certificate, registration in a land book, or other legal act in accordance with a land settlement case notification letter.

Criterion 3 (K3): Disputes was resolved through BPN or other parties until the recommendations was resolved or completed with a win-win solution. In the form of a notification letter on the resolution of land cases that was followed up by mediation by BPN up to the agreement of reconciliation or other agreement agreed by the parties.

Criterion 4 (K4): Disputes was resolved by allowed the parties to take the court route, after the attempt of K1 to K3 was unsuccessful. In the form of a land settlement case notification letter which essentially stated that the resolution of the land case would went through a court process in court, because there was no agreement to make peace.

Criterion 5 (K5): Disputes was outside the authority of the BPN is delegated to other authorized institutions, such as the National Police or Regional Government. In the form of a land settlement case notification letter stating that the resolution of land cases that have been handled is not the authority of the BPN and is welcome to be resolved through other agencies.

In general, land dispute settlement procedures through this mediation institution are carried out

by both parties to the dispute by appointing BPN as a mediator and witnessed by witnesses. Mediators at the Buleleng Regency BPN are people who have expertise in the field of land; all of them are graduates of Law and D.IV land. With certain conditions to become a mediator, it is expected that resolving disputes can be carried out in accordance with the objectives and program of the Buleleng Regency BPN.

Dispute, Conflict and Case Section, where the task of this section is to prepare materials and carry out activities in handling disputes, conflicts and land cases. As referred to in Article 53 Decree of the Head of BPN No. 4 of 2006. At the time of carrying out the task, the Dispute, Conflict and Case Section has the following functions, as stipulated in Article 54 of KBPN Regulation No. 4 of 2006:

- a. Implementation of dispute handling, conflicts and land cases.
- b. Assessment of land issues, disputes and conflicts.
- c. Preparing materials and handling land disputes and conflicts legally and non-legally, handling and settling cases, implementing alternative solutions to land disputes and conflicts through mediation, facilities and others, proposals and recommendations for judicial decision decisions and recommendations for cancellation and termination of legal relations between person, and / or legal entity with land.
- d. Coordinating dispute handling, conflicts and land matters.
- e. Report on handling and resolving conflicts, disputes and land cases.

The mechanism for resolving land disputes through mediation institutions is a dispute complaint mechanism. Complaints that enter or are received at the complaints window of the Republic of Indonesia's national land agency (either Regional Office or Kantah) can be in the form of direct or written complaints (letters). The complaint is registered in the master register, then submitted to the head of the agency / deputy / regional office / director to divide the deputy / director / district / hierarchy down to learn the administrative completeness of the complaint in

question. The processing / sub-division staff performs juridical data as well as physical data, and if incomplete data needs to be coordinated with the relevant work units.

The processing / sub-division staff performed juridical data as well as physical data, and if incomplete data needed to be coordinated with the relevant work units. From the juridical data and physical data, then analyzed both juridically, economically and socially, then the results of the analysis were submitted to the higher leadership to get guidance.

Furthermore, to obtain a broader picture and optimal results in resolving land disputes and conflicts, it was necessary to have a case (as a presentation of the problem) by involving relevant work unit elements (deputy/directorate (center), field (regional office), section (office) and relevant agencies and the parties who dispute. After all the files were correct, the BPN invited the relevant parties to offer a mediation process or court.

The roles of the mediator at the time of mediation were: leading the discussion, maintaining the rules of law, encouraging the parties to express their concerns and interests openly, encouraging the parties to realize that disputes were not battles that must be won but resolved, heard, recorded and asked questions, help the parties reach the agreement.

After the mediation was completed, if there was peace during the mediation process between the parties as outlined in the minutes of meeting, then it was used as evidence for further resolution of the steps taken. Because basically the agreement between the two parties was an agreement between them made legally and becomes a law for those who make it.

If there was no peace in the mediation process, then the minutes of the meeting were still made, and it is recommended to take legal action. From the implementation, the final result of the mediation was either reconciled or not, so the handling of land disputes and conflicts is considered to have been handled by Badan Pertanahan Nasional, and the problem was crossed out from the complaint register book.

#### 4.3. *Optimization of the Mediation Office of Land Office in Resolving Land Disputes in Buleleng Regency*

Settlement of land disputes including through mediation by Badan Pertanahan Nasional needed to be based on legitimate authority based on legislation. This was important as a basis for BPN to be a mediator in resolving land disputes, because land was influenced by aspects of public law and private law, not all land disputes can be resolved through mediation institutions. Only land disputes were within the full authority of the rights holders that can be resolved through mediation institutions. Therefore, the agreement for the settlement of disputes through mediation was carried out restrictions. This was so that the mediation decision did not violate the law and can be implemented effectively in the field.

With the determination of the Five Criteria, the BPN was able to resolve each land dispute case that was complained by the parties to the dispute in a non-protracted time (There were no cases of dispute that were not resolved by the BPN). BPN could explain that the non-completion of the dispute was not due to the incompetence of the BPN, but because it was outside the authority of the BPN to resolve it.

With these Five Criteria, the performance of BPN in resolving land disputes was not measured by how many disputes have been successfully resolved by the BPN, but to the package of the process of resolving disputes starting from the receipt of a dispute to the dispute resolution through one of these criteria. Through the settlement mechanism through the Five Criteria, there were no more land dispute types that cannot be resolved for decades by Badan Pertanahan Nasional, but as a consequence, the number of reports of disputes increased due to re-reports of old land disputes that have been recorded in the Register of disputes at Badan Pertanahan Nasional.

In principle, some land issues, should be resolved properly by the Land office through "mediation". But the obstacle that was often faced by the Land Office was the legal culture of the people in Buleleng Regency who still assume that land related problems can only be solved by litigation

or directly through the court line. Therefore, a systemic and sustainable effort was needed to socialize the land dispute resolution model through mediation institutions at the Buleleng Regency Land Office. With the mediation institutions provided by the Buleleng Regency BPN, the parties who use the institutions in the dispute resolution process can express their will and will be brought together to find the best solution through negotiations so as to produce a settlement agreement that can be accepted by both parties, and equally important was the cost that must be incurred by the parties in resolving the dispute was relatively cheap and the process was fast.

#### 5. Conclusion

Forms of land disputes that can be resolved through the Land Office's mediation agency in Buleleng Regency are grouped into 10 types / typology of disputes namely land tenure without rights, boundary disputes, inheritance disputes, repeated selling, multiple certificates, substitute certificates, counterfeit Sale and Purchase Deeds, boundary error, overlapping land boundaries, and court decisions.

Optimization of the land office mediation agency in resolving land disputes in Buleleng Regency as stipulated in the Regulation of [6] is not seen from the number or the minimum number of disputes that enter through mediation institutions but through the determination criteria in resolving land disputes and process packages settling disputes from receipt of a complaint to the settlement of a dispute

More intense socialization by the local Land Office needs to be carried out to the community in order to improve the optimization of mediation institutions as mediators which aim to facilitate information exchange, encourage discussion on differences in interests, perceptions, interpretations of the situation and problems in the land sector.

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