



The Implementation of Justice Value in the Use of Electronic Certificate Data

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Abstract

Land-related problems are found widely in Indonesia today, particularly related to the National Land Affairs Agency's data of land unregistered and with no deed or double deed. Thus, government should solve them first to obtain the number of land because the data is different from the actual fact. It is related to the certificate inconsistent with dimension or the object of dispute in the Court. It means that the land deed or certificate no longer guarantees law certainty to the people. Minister of Agrarian Affairs and Spatial Planning/Chairperson of Land Affairs Agency's Regulation Number 1 of 2021 concerns Electronic Certificate. The result of discussion shows that the electronic system-based land registration will yield electronic document as the output, i.e. electronic certificate that will benefit the people through providing easy access to digital data, evidence of land ownership, and foundation of law certainty guaranty over land ownership right, and freedom from land certificate falsification, legitimate legal evidence, and the expansion of legitimate evidence corresponding to procedural law enacted in Indonesia, constituting the foundation of justice, law certainty, and benefit guaranty to Indonesians.

Keywords: Electronic Data of Electronic Certificate; Justice Value.

I. Introduction

Indonesia is a constitutional state based on the principle of Welfare State system and in its implementation there are state's role and function: governing, forcing, and protecting. The word *regulating* here means the state develops a regulation serving guidelines for all citizens, including technical officials and implementers, and people; thus, law can live and develop in Indonesian society.

This modern and digital age development requires us to keep moving forward to find and to explore the sources of new knowledge. A dynamic social condition plays an important part in an individual or a group of individuals' life. Modern and digital age development also contributes to more sophisticated technology and information. Internet development also affects government and service systems in Indonesia. The development of service information through rapid, dynamic, and broad digital system is supported by technological and information advance in any areas. This encourages the transformation of traditional community into digitalis informative one.

State has "forcing" function, in which through each of regulations the state gives command in the form of imperative obligation forcing the citizens to be subjected to the

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state's will. Through regulation, the state enacts sanction compulsively against the offenders aiming to make the people obedient and to maintain their welfare well.

Information and technology system has been a very important component of a successful business and organization, particularly the organization in Land Affairs Agency of Semarang Regency. The paradigmatic change of manual system service into a technology-based service is the people's obligation and requirement in addressing service acceleration and transparency in land affairs. It is regardless the range of age because each of its members is obliged to be able to operate internet and computer set.

Certificate is the evidence of right that is bound and published by Land Affairs Office. Article 19 clauses 1 and 2 of Law Number 5 of 1960 about Basic Regulations on Agrarian Principles is enacted to govern the strong authentication instrument concerning physical data and juridical data contained within it, in which the data corresponding to the data contained in corresponding survey certificate and land book.

Industrial era 4.0 is an age in which all activities in governmental and public service sector uses a rapidly, easily, and effectively connected electronic system corresponding to the provision in Government Regulation (PP) Number 71 of 2019 about the Implementation of Electronic System and Transaction for Governmental System gradually. In line with the system, National Land Affairs have used electronic system corresponding to the beginning of the existence of regulation about electronic transaction, Law Number 11 of 2008 that has been amended with Law Number 19 of 2016 about Electronic Transaction Information (ETI) that has been originally recognized the presence of other electronic certificate than conventional certificate explaining that electronic certificate is the certificate that is electronic in nature containing electronic signature and identity indicating the legal subject status of parties in the Electronic Transaction issued by Electronic Certifier.¹

Land affairs issues in Indonesia can be found widely in Indonesia nowadays, particularly related to the data of land issued by National Agency of Land Affairs in which 82 millions out of 120 million land plots have been registered or only 30 percents having not been

¹ Republik Indonesia, Peraturan Pemerintah Nomor 71 Tahun 2019 tentang Penyelenggaraan Sistem dan Transaksi Elektronik, Pasal 1 angka 20 [Republic of Indonesia, Government Regulation Number 71 of 2019 about the Implementation of Electronic System and Transaction, Article 1 Number 20].

registered and having no land certificate and having double certificate. Thus, government should solve the problem first to find out the actual number of land plots. Some certificates are not consistent with the dimension and some others are still disputed in the Court.²

Land is very important to human beings, because it is on which the human beings rely for their life and death. Land becomes an ever increasing need for many purposes. Land has importance not only to human beings or community, but also to private or public corporation.³ The increasing need for land makes its availability reduced leading to its ever increasing economic value. The more limited land availability for various purposes leads to dispute of right to land frequently, the resolution of which often involves court, with the verdict making one of parties the winner.

Considering the background, the author conducts a research entitled: The Implementation of Justice Value to the use of Electronic Certificate Data.

II. Discussion

A. Land Certificate as the Guarantee of Constitutional Right

Technology and science develop so rapidly from year to year that the government should follow time development in order not to be out of date. In digital era, the government keeps transforming from conventional to digital one to facilitate its people to run governmental administration. It is intended to facilitate the people and to improve the efficiency of public service implemented by the government. It is the government's attempt of transforming public service from conventional to digital one for the better future of Indonesia.

Land certificate or deed is a product of governmental decision based on procedure and requirement specified in legislations. Land certificate can give law protection normatively to its holder. However, in fact, land deed has not provided strong law protection guarantee yet, because the characteristic of land registration uses negative-tending-to positive system. As a product of land registration, according to Muchtar

² Arif Rahman Hakim and Muammar Alay Idrus, *Prosedur Penerbitan Sertifikat Elektronik Sebagai Bukti Autentik Penguasaan Hak Atas Tanah*, (Juridika : Volume 3, Number 1, November 2021), p..5

³ Abdul Haris Hakim, *Negara Hukum Dan Demokrasi* (Yogyakarta: Pustaka Pelajar, 2011).

Wahid, land certificate fulfils normative rule of law only as the instruction of law and has not guaranteed law certainty yet.⁴

Philipus M. Hadjon states that there are 2 (two) types of law protection: preventive and repressive. In the preventive law protection, the law prevents any dispute from occurring, while the repressive one aims to settle the dispute.⁵ Internal law protection is essentially the one packaged by the parties themselves during entering into an agreement, in which the parties want to accommodate their interests based on the agreement. Meanwhile, external law protection is the one made by the ruler through some regulations for the interest of weak party that should obligatorily get equal law protection earlier against another party, corresponding to the essence of legislation that should be impartial.⁶

Land registration in Indonesia is intended to give law certainty guarantee (*rechts kadaster*) of the right to land and law protection of land ownership. Comparatively, South Korea, through Korea Institution's Land Information System has implemented electronic land certificate since 1998. Malaysia has begun a process of digitalizing land affairs data since 2018 in the presence of such land affairs application as *e-Tanah*, *e-Kadaster*, and MyGeoName. Similarly, Singapore and Philippines have applied electronic land certificate to the authentication of the right to land ownership. It can be said that Indonesia is left behind in the term of electronic land certificate. Technology indeed has encouraged the process of providing service quickly, easily, and practically.⁷

The strength of electronic certificate involves some matters and some problems occurring so far. The development of electronic certificate departs from the wish to provide land registration efficiency, law certainty, and law protection, to minimize land affairs-related dispute, conflict, and legal case, and to increase the property registering value in the attempt of improving the *Ease of Doing Business* (EoDB).⁸

⁴ Muchtar Wachid, *Memaknai Kepastian Hukum Hak Milik Atas Tanah* (Jakarta: Republika, 2009).

⁵ Philipus Hadjon, *Pengkajian Ilmu Dogmatik (Normatif)* (Surabaya: Fakultas Hukum Universitas Airlangga, 1994).

⁶ Muh Isnaeni, *Pengantar Jaminan Kebendaan* (Surabaya: Revka Petra Media, 2016).

⁷ AAn Silviana, "Urgensi Sertipikat Tanah Elektronik Dalam Sistem Hukum Pendaftaran Tanah Di Indonesia," *Administrative Law & Governance Journal* 4, no. 1 (2021).

⁸ Liputan6.com, *Ternyata Ini Alasan Pemerintah Terapkan Sertifikat Tanah Elektronik Mulai 2021*, (<https://www.liputan6.com/bisnis/read/4474588/ternyata-ini-alasan-pemerintah-terapkan-sertifikat-tanah-elektronik-mulai-2021>), retrieved on April 27, 2022. at 01.47 p.m. Western Indonesian Time.

Such strength can improve the efficiency in both input and output hub processes. The security of certification is prioritized primarily. That is why electronic certificate is launched as the attempt of improving security, because through electronic system, falsification and denial can be avoided. To electronic certificate the electronic signature is applied as well. During digital signing, cryptographic operation embeds digital certificate and document to be signed in a unique code.⁹

Electronic certificate is known for the presence of electronic or digital signature as the substitute for manual signature that is electronic in nature and functions similarly to the manual signature does. Electronic signature is a connecting structure created by establishing electronic communication in the field intended, in this case National Agency of Land Affairs. The provision of Article 1 number 12 of Law Number 11 of 2008 jo. Law Number 19 of 2016 about Electronic Transaction and Information mentions that electronic signature is defined as the one consisting of embedded electronic information associated with or linked to other Electronic information used as verification or authentication tool. The word *associated* means that the electronic information to be signed becomes the data of electronic signature making, so that there is a close relationship between electronic signature and electronic information signed, just like the function of paper. Electronic signature can be used for the purpose as same as the conventional or manual signature, indicating receipt, agreement, or information security.¹⁰

The weakness of land registration system based on negative-tending-to-positive system results in an opportunity of lawsuit against the holder of land certificate leading to the annulment of land certificate, as long as it can be authenticated otherwise. This fact implies that the certificate authenticating the right to land has not been able to give strong law protection guarantee to its holder. It is associated with the less orderly land affair administration at village/*kelurahan* level. It is primarily because of no records of gain transfer, and change of land right ownership in the land book in the village/*kelurahan*.

⁹ *Ibid*

¹⁰ A. G. P. Suratma and A. Azis, "Techno , ISSN 1410 - 8607 Tanda Tangan Digital Menggunakan Qr Code Dengan Metode Advanced Encryption Standard Digital Signature Using QR Code By Advanced Encryption Standard Method Abdul Gani Putra Suratma, Abdul Azis," vol. 18, no. 1, pp. 59– 68, 2017.

Orderly land affair administration at village/*kelurahan* has a strong impact on the power of certificate as the evidence of land ownership.¹¹

The orderly land affair administration at village/*kelurahan* is very important, because it is the first juridical and physical data source of a plot of land for which the certificate is applied for. The non-orderly land affair administration at village/*kelurahan* level potentially results in non-orderly data of land. The facts about the publication of double certificates for a plot of land, location written on certificate different from the actual location, certificate without a plot of land, etc are the consequence of non-orderly land affair administration at village/*kelurahan* level.

The protection of right to land not accommodated well will end up with injustice. Therefore, a well-managed, effective, and efficient land registration system is required to give justice for all and to protect vulnerable persons.

B. Legality of E-Data Electronic Certificate

Land registration is a series of activities conducted continuously and regularly by State/Government, including collecting certain information or data on certain lands existing in certain regions, physical and juridical data processing, bookkeeping, presentation, and maintenance in the form of map and register concerning plots of land and flats, including providing certificate as the evidence of rights to plots of land and proprietary rights to flat units and certain rights imposing them.¹²

“The law applying to a community regulates the order of community and is based on the rule existing within the community”, Bellefroid said as cited in Ade Saptomo¹³. In other words, in the presence of law, the community’s life becomes more orderly, regulated, and directed, because there is law certainty, aiming to prevent the people from being confused with a rule of law, in the term of both regulation and law enforcement, law certainty closely related to legality making the law the crown to the seekers of justice later.

¹¹ Arie Hutagalung, *Tebaran Pemikiran Hukum Tanah* (Jakarta: Lembaga Pemberdayaan Hukum Indonesia, 2005).

¹² Boedi Harsono, *Hukum Agraria Indonesia, Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi dan Pelaksanaannya, Hukum Tanah Nasional*, (Jakarta: Jambatan, 2002), p. 72.

¹³ Ade Saptomo, *Budaya Hukum & Kearifan Lokal Sebuah Perspektif Perbandingan*, (Jakarta : Universitas Pancasila, 2019), p. 31

Recently, technology development leads to the use of electronic information technology based on data efficiency, effectiveness, and accuracy. Therefore, it is important to document certificate as electronic data. Based on Article 1 Number 1 of Law Number 19 of 2016 about the Amendment to Law Number 11 of 2016 about Electronic Transaction and Information, what Electronic Document means is any Electronic information made, forwarded, sent, received, or stored in analog, digital, electromagnetic, optical or similar forms, that are visible, displayable, and/or listenable through computer or Electronic System, including but not limited to writing, voice, image, map, design, photograph or the similar, letter, sign, figure, access code, symbol or perforation that has meaning or is understandable to those who can understand.

The implementation of electronic certificate is likely burdensome when not all people understand technology, moreover in this case positive law is still required to protect personal data of citizens. However, based on *sociological jurisprudence* theory, raising the function of law as *social engineering*, it is the time to utilize e-data as the part of facilities to the people protected by the Law.¹⁴ Law should be progressive in relation to time development without ignoring human interests.¹⁵

Minister of Agrarian Affairs and Spatial Planning/Chairperson of National Agency of Land Affairs' Regulation Number 7 of 2019 about the Second Amendment to the Minister of Agrarian Affairs and Spatial Planning/Chairperson of National Agency of Land Affairs' Regulation Number 3 of 1998 in Article 163 states that: "Land Book is stored electronically in the form of database in Electronic System and can be printed using Land Book's Table of Content. Article 178A also mentions that certificate can be printed in the form of Electronic Document through Electronic System. The Certificate in Electronic Document form is legalized by Electronic Signature, corresponding to the provision of legislations. Certificate in Electronic Document can be printed as the copy of Electronic Document to be given to the holder of right. Form, content, and procedure of filling Certificate in Electronic Document form are specified by the Minister. It means that the legislation concerning land registration has begun to move toward digitalization system.

¹⁴ Bernard L Tanya and Yovita A Mangesti, *Moralitas Hukum* (Yogyakarta, 2014).

¹⁵ Satjipto Rahardjo, *Hukum Progresif (Sebuah Sintesa Hukum Indonesia)* (Yogyakarta: Genta Publishing, 2009).

The Minister Agrarian Affairs and Spatial Planning/Chairperson of National Agency of Land Affairs' Regulation Number 1 of 2021 about Electronic Certificate generates misconception within community. Article 16 clause 3 of the Regulation states that physical document of land certificate that will be withdrawn by the Chairperson of Local BPN, following the change of certificate into the electronic one. Then, the document will not be withdrawn but will be stamped by local BPN indicating that it has been transferred into electronic certificate.¹⁶

Electronic certificate is the one that is electronic in nature, containing electronic signature and identity and legalized with electronic signature issued by the Electronic Certifier. Electronic signature is the one consisting of embedded electronic information associated with or linked to other Electronic information used as verification or authentication tool. In the context of land affairs, the Minister of Agrarian Affairs' Regulation Number 3 of 2019 about the Application of Electronic Signature mentions that Electronic signature is the one consisting of embedded electronic information associated with or linked to other Electronic information used as verification or authentication tool.

Furthermore, it also states that Electronic Information is a set of electronic data not limited to writing, voice, image, map, design, photograph, electronic data interchange, electronic mail, telegram, telex, teletype or the similar, letter, sign, number, access code, symbol, or perforation processed having meaning or can be understandable to those understanding.

The provision presupposes that justice can be achieved by the presence of information absorbed certainly by the people that is provided by government and electronic certifier, so that people will not be reluctant to provide their data of land completely.

Electronic certifier is a corporation functioning to be a reliable party that provides and audit electronic certificate. The credible Certification Institution is an independent one established by professionals that is recognized, legalized, and supervised by the government with the authority of auditing and issuing credible certificate in Electronic Transaction. This institution will examine whether or not the electronic signature in the

¹⁶ <https://www.suara.com/bisnis/2021/03/22/135751/ada-sertifikat-tanah-elektronik-bagaimana-keabsahan-yang-fisik>, retrieved on May 5, 2022, at 03.42 P.M. Western Indonesian Time

certificate along with its accompanying document has been signed by the competent legal subject, and check the truth of information issued by the corporate institution functioning as the credible party that provides and audit Electronic Certificate.

The prevention of arbitrary electronic signature use in the certificate should be guaranteed as well. State should ensure that the control is under the certified certifier only. Land Affairs Agency should be certified and accredited as the electronic certifier. Nevertheless, potential criminalization may occur related to this electronic certification. It is governed in new *Undang-Undang ITE* (Electronic Transaction and Information Law), Law Number 19 of 2016. This Law is based on the virtual characteristic of cyber space allowing for illegal content.¹⁷ Particularly in the context of land affairs, illegal content includes any documents of exploitation and/or threat, hoax dissemination leading to the people's loss, posing violence threat or frightening intended to be accessible personally, distributed, transmitted, copied, and stored to be re-disseminated from anywhere and anytime.

The state in the context of welfare state is present in the form of regulation governing electronic certificate, but personal data protection is still required that ends up with the protection of public interest from any disruption as the result of land electronic data misuse.

In relation to the certificate checking through both direct checking system in land affairs office and electronic checking system, the Local Land Affairs Agency (BPN) institution as the one processing land registration can provide accurate information corresponding to the list of data existing in the local land affairs office, concerning physical and juridical data. In fact, in the presence of electronic checking system for checking certificate, the law certainty for the rights to land becomes obscure. The result of electronic checking system in the term of data validity still indicates incompatibility of data information provided that will have an impact on the local Land Title Registrar in particular and on the public in general.

Transparency system or publicity system is very desirable in the legal traffic to get law certainty on subject and object of the rights to land. Law certainty is a product of law or

¹⁷ Didik Arief Mansur and Gulton Elisatris, *Cyber Law : Aspek Hukum Teknologi Informasi* (Bandung: Refika Aditama, 2005).

more specifically, legislation. When the law exists and is enforced, law certainty will come for the people or community.

C. Justice Value Implementation

Indonesia is a constitutional state upholding legal values and norms such as certainty, justice, and legal benefit to achieve people and state welfare, as included so far into the provision of Republic of Indonesia's 1945 Constitution, in Article 33 clause (3), stating that: The land, the waters and the natural resources within shall be under the powers of the State and shall be used to the greatest benefit of the people".¹⁸

Welfare state, in practice, plays some roles and functions with the ratification and the enactment of land-related regulation as regulated in Law Number 5 of 1960 about Basic Regulations on Agrarian Principles putting the most important element to ensure the form of land ownership aiming to achieve progress in land affairs administration nationally.

Science and technology development is no longer considered as something neutral, but it also contributes to the development of new law. Law should be responsive to time development.¹⁹ The process of establishing Environmental Law (including its law enforcement) keeps growing and developing to anticipate the development of science and technology. Law should indeed have responsive and futuristic dimensions. Land authentication system with negative-tending-to-positive characteristics prioritizes formal authentication. Meanwhile, it requires the local apparatuses to register the land precisely. National Agency of Land Affairs (Indonesian: *Badan Pertanahan Nasional*, thereafter called BPN) should utilize e-data technology precisely along with the time to yield an integral and integrated registration.

Agrarian Affairs and Spatial Planning/National Agency of Land affairs, through Land Affairs, Spatial Planning and Sustainable Food Farm Land Data Center (Pusdatin), socializes the updating of Land Affairs Activity Computerization application to regional offices and land affairs offices throughout Indonesia. It is intended to make the

¹⁸ Republik Indonesia, Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 Pasal 33 ayat (3)

¹⁹ Rahardjo, *Hukum Progresif (Sebuah Sintesa Hukum Indonesia)*. Yogyakarta: Genta Publishing, 2009

socialization of electronic certificate down to earth and implementable to all members of community, for national data interest.

To achieve justice value, the measure taken is to reconstitute legislation that change the negative-tending-to-positive publication system into the positive one through socialization, education, or normative legislation by providing legal aid specifically for land affairs particularly in rural, industrial, and tourism areas.

Electronic system may not ignore justice because basically law is the problem of access that is enjoyable to everyone, in the form of state protection. National land affairs is the starting point of the issuance of Minister's Regulation concerning the spatial planning by Chairperson of National Land Affairs through the Minister of Agrarian Affairs and Spatial Planning/Chairperson of National Land Affairs Agency's Regulation Number 1 of 2021 about Electronic Certificate or e-Certificate.

Land title or certificate prevails as the strong evidence of a plot of land holding. The Land Title or certificate is not the only absolute evidence. So, land title or certificate, according land registration system as included into Basic Law on Agrarian Principles, still can be voided as long as it can be authenticated before the law that the land title is not true. The authentication is made using authentic writing and underhand writing as mentioned in the explanation of article 1867 BW that there are two types of deed: authentic and underhand deeds, but the letter as written evidence includes (authentic and underhand) deed and non-deed or other letters than deeds.

This authentication is the events toward relevant truth according to the law. The authentication is intended to establish the legal relation between the parties in the Court to provide certainty and conviction to the judges on the proposition along with the evidence posed to the Court; in this stage, the Court can consider case verdict that can provide truth with law certainty and justice values.²⁰ The process of authenticating right in civil case of a deed making is based on the provision of Law, the making of which is conducted by testimony, in which the one authorized to do so is positioned in the place where the deed is made according to the provision of Article 1868 BW in relation to Article 165 HIR, then according to Sbt.1941 Number 44 (HIR) and KUHP BW. Based on Articles 164 HIR and 1866 BW, the written evidence or letter or further information on

²⁰ Teguh Samudra, *Hukum Pembuktian dalam Acara Perdata*, Bandung, Alumni, 2012, hal. 22

the evidence is explained in Articles 138, 165 and 167 HIR/ 164, 285 and 306 RBg/Stb 1867 and Articles 1867 to 1894 BW.

Although positive system is not used, in land registration system according to the Law of Agrarian Principles, the government as the land registration implementing officer is not passive, as mentioned in Article 19 Jo. Article 23 of the Law of Agrarian Principles that certificate and registration are strong evidence. However, the government does not guarantee that the information presented in the certificate is surely true; therefore the system held can be said as negative system with positive elements.²¹

The Law of Agrarian Principles as the main of the authentication of right to land, particularly the provision of Article 19 clause (2) letter C about Certificate, is the strong evidence and the provision of Article 30 of the Government Regulation Number 24 of 1997 about Land Registration states that evidence is the proof of the mastery of right to land including Survey Certificate, land plot map, and land title or certificate that can be a legitimate evidence according to the civil procedural law.

Article 1 number 8 of Minister of Agrarian Affairs and Spatial Planning/National Agency of Land Affairs' Regulation Number 1 of 2021 explains electronic certificate as a written proprietary right that is published using electronic system in the form of systemized document. In relation to the strength of electronic system, the Law Number 11 of 2008 jo. Law Number 19 of 2016 about Electronic Transaction and Information, in Article 5 clause (2), states that electronic system is a valid evidence of ownership based on the legitimate procedural legal provision in Indonesia. In line with Article 8, Article 5 clause (2) of Electronic Transaction and Information Law states that Electronic document is the expansion of legitimate evidence. It is also confirmed by the Republic of Indonesia Minister of Agrarian Affairs and Spatial Planning/Chairperson of National Land Affairs Agency's Regulation Number 1 of 2021 about Electronic Certificate.

In practice, many events have not been regulated yet in law or legislation or have been regulated incompletely and vaguely. Indeed, there is no very completed or as clear as possible law or legislation. The function of law is to protect human interest by means of organizing human activities. Meanwhile, human beings have so many and infinite

²¹ Boedi Harsono, *Hukum Agraria Indonesia, Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi dan Pelaksanaannya*, Jilid 1 Hukum Tanah, p.21

interests. In addition, human interest will keep developing along the time. Therefore, the unobvious legislation should be clarified, and the less completed should be completed by means of finding the law to make the rule of law applicable to the event. The always open and dynamic characteristics of law following the dynamic change of community needs are expected to address the need for law certainty.²²

As such, all cases, particularly related to the implementation of electronic certificate e-data need the law finding method through interpretation to make the rule of law applicable appropriately to the event, in order to realize the idealized legal verdict, containing justice, law certainty, and benefit aspects for entire people.

III. Conclusion

The use of Electronic Land Certificate in land registration service is an innovative measure taken by National Agency of Land Affairs to improve the role of public service. For this objective to be acceptable to the public, the socialization about electronic land certificate should remain to be improved to grow the public's awareness of the function and benefit of electronic land certificate as the evidence of land proprietary right and the basic guarantee of law certainty for the ownership of land right. Administrative defect still occurs frequently in the publication of land certificate. Therefore, the reconstruction of negative publication to the positive one is required to make the real condition of land actually recorded in an integral and integrated system. Land affairs office as the land registration executor always applies precision, carefulness and thoroughness principles in collecting data of land registration. Thus, the document yielded actually give law certainty guarantee of the rights to land and thereby provide justice to the people holistically. Electronic land certificate is the legitimate legal evidence and the expansion of legitimate evidence, corresponding to the procedural law prevailing in Indonesia.

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²² De Rooy, O. R., Salmon, H., & Nendissa, R. H. (2021). Hak Atas Tanah Pada Kawasan Konservasi. *PAMALI: Pattimura Magister Law Review*, 1(1), 40-54.

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Republik Indonesia, Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 Pasal 33 ayat (3) [Republic of Indonesia, Article 33 clause (3) of Republic of Indonesia's 1945 Constitution]

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