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Article Title

Validity of the Extension of PTPN XIV's Cultivation Right over Customary Land: Reconstructing Legal Protection for Negeri Tananahu

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ABSTRACT

This study examines the validity of the extension of PTPN XIV's cultivation right where part of the land concerned lies within the customary territory of Negeri Tananahu. It analyzes the legal basis of the 2019 extension, assesses its validity in terms of authority, procedure, and substance, and reconstructs legal protection for Negeri Tananahu as an indigenous law community. This normative legal research applies statutory, conceptual, case, and historical approaches by analyzing legal materials and documents relating to the dispute. The analysis finds that the Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 constitutes a decision extending PTPN XIV's cultivation right. Its validity depends on ministerial authority, compliance with extension requirements, examination of land status and history, possession and use of individual parcels, boundary delineation, conformity with spatial planning, and examination by the Land Examination Committee B. Recognition of Negeri Tananahu strengthens its legal status in protecting its customary territory. Legal protection operates through careful land examination, public information disclosure, land case handling and resolution, administrative remedies, judicial proceedings, and administration and registration of land subject to customary rights after overlapping rights have been resolved.

Keywords: *Cultivation Right; Customary Land; Legal Protection; Negeri Tananahu; Validity of Decision.*

INTRODUCTION

Protection of indigenous law communities and their traditional rights forms part of the constitutional guarantees governing the management of agrarian resources. State authority to regulate the allocation and use of land is directed toward the greatest prosperity of the people while respecting communities that maintain intergenerational relationships with customary territories. Legal certainty concerning land administration decisions and substantive justice for indigenous law communities require a proportionate application of legal values in the control of agrarian resources (Radbruch, 1950). Protection of land controlled by indigenous law communities is also associated with agrarian justice and the fulfillment of economic, social, and cultural rights (Sumardjono, 2008). Liani and Winanti (2021) demonstrate that protection of cultural identity and traditional rights is an important element of relations among the state, corporations, and indigenous law communities.

Developments in national agrarian policy and investment activities have expanded the use of land for large-scale plantations. An extension of cultivation rights over territory associated with customary rights raises legal issues concerning land status, possession, use, parcel boundaries, and the protection of the interests of indigenous law communities. Ruswandi (2025) demonstrates that the use of land associated with customary rights must take account of the community's legal relationship with the land under applicable land law. Darmadi et al. (2023) also connect the use of traditional territories for plantation activities with community access to sources of livelihood. Legal certainty for business actors must therefore operate alongside protection for communities that maintain legal relationships with land subject to a cultivation right (Maulana et al., 2025).

These issues arise in the dispute between PT Perkebunan Nusantara XIV, subsequently operating as PTPN I Regional VIII Kebun Awaya, and Negeri Tananahu¹ in Central Maluku Regency. The previous cultivation right under Minister Decision Number SK.5/HGU/DA/82 and Cultivation Right Certificate Number 1 of 1982 had a term extending to December 31, 2012 (Cahyono et al., 2016). Sahetapy et al. (2025) record that Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 dated May 10, 2019 extended PTPN XIV's cultivation right over 8,830.84 hectares from an original area of approximately 10,000 hectares. An area of 1,169.16 hectares was not included in the extension. Meanwhile, approximately 3,458 hectares within the *petuanan*² territory of Negeri Tananahu constitute land disputed between Negeri Tananahu and the company (Tipak et al., 2021; MataMaluku, 2025). The distinction between the total cultivation-right area covered by the extension and the portion involved in the conflict requires the legal assessment to focus on the relationship between the extension decision and the parcels associated with the *petuanan* territory of Negeri Tananahu.

The administrative history of the extension began before the previous cultivation-right term expired. MataMaluku (2025) records the company's statement that the extension process had been initiated in 2010. Government Regulation Number 40 of 1996 governs the extension of cultivation rights and the applicable requirements and application process. Minister Regulation Number 7 of 2017 subsequently governs the requirements, examination, determination, and registration of an extension. Article 63 section (1) of the Regulation governs cultivation-right applications that had already been received and remained pending when the Regulation entered into force. The temporal relationship among the application, expiration of the original term, and the 2019 decision places the administrative action within the legal framework governing extension of a cultivation right.

This characterization determines the parameters of the validity assessment. Article 31 of Minister Regulation Number 7 of 2017 establishes extension requirements concerning the qualification of the right holder, use and cultivation of the land, spatial planning conformity, potentially abandoned land, and the legal condition of the land. Article 33 of the Regulation requires the exclusion of parcels involving use, utilization, ownership, or possession inconsistent with the purpose for which the cultivation right was granted. Article 34 further applies the stages and provisions governing the grant of a cultivation right *mutatis mutandis* to an extension. This legal structure makes the factual condition of each parcel relevant to determining the land that may remain subject to the extended right.

¹Negeri is a local legal term for a genealogical-territorial indigenous law community in Central Maluku Regency with territorial boundaries and authority derived from rights of origin and local customs.

²*Petuanan* Territory is terrestrial and marine territory that, under customary law in Central Maluku, falls under the customary authority of a Negeri.

Objections concerning the use of the land are documented in the development of the Negeri Tananahu conflict. Statement Letter of the Regional House of Representatives of Central Maluku Regency Number 170/11/2012 records opposition to the extension of the cultivation right, while Statement Letter of the Regent of Central Maluku Number 503.522/09/SP/2022 provides information concerning the regional government's position on the PTPN XIV cultivation-right process ([Liputan Malteng, 2026a, 2026b](#)). The relationship between Negeri Tananahu and its *petuanan* territory had also been documented in studies of the agrarian conflict before the 2019 decision was issued ([Cahyono et al., 2016; Tipak et al., 2021](#)). These circumstances make land status and history, physical possession, land use, third-party interests, and boundary delineation material elements in assessing the cultivation-right extension.

The validity of the 2019 decision is determined under the law governing administrative action when the decision was issued. Government Regulation Number 40 of 1996 and Minister Regulation Number 7 of 2017 provide the basis for assessing the requirements and process governing the 2019 extension. Government Regulation Number 18 of 2021 and Minister Regulation Number 18 of 2021 subsequently govern the land-law regime following the regulatory changes. This temporal distinction follows the principle that an act is governed by the law in force when it was performed (*tempus regit actum*) and maintains the distinction between rules governing the formation of an administrative decision and rules governing subsequent legal protection ([Azaria, 2024; Arifin, 2025; Sihombing & Widjojo, 2025; Syah et al., 2026; Wulandari, 2026](#)).

Previous studies of Negeri Tananahu approach the conflict from different perspectives. [Tipak et al. \(2021\)](#) examine the causes of the conflict and its socioeconomic effects on relations between the people of Negeri Tananahu and the company. [Siwalette \(2022\)](#) analyzes multi-party mediation and Saniri Negeri³ in conflict resolution. [Erupley \(2025\)](#) examines church advocacy for communities affected by the conflict from a theological perspective. These studies provide a basis for understanding the social dimension of the dispute. A land administrative law analysis develops this academic dialogue by distinguishing the validity of the cultivation-right extension, recognition of Negeri Tananahu as a legal subject, the legal status of the *petuanan* territory, and protection of customary land as the object of a legal relationship.

This study analyzes the validity of the 2019 extension of PTPN XIV's cultivation right in terms of authority, procedure, and substance. It further examines the implications of the Regent Decision of Central Maluku Number 189-601 of 2021 for the legal status of Negeri Tananahu and reconstructs preventive and remedial legal protection for customary land. Distinguishing the validity of the land administration decision, recognition of the legal subject, the status of the land, and the available

³Saniri Negeri is an institution within Negeri governance that performs representative, legislative, supervisory, and advisory functions.

protection mechanisms provides the analytical basis for resolving the dispute under Indonesian land law.

METHOD

This study uses normative, or doctrinal, legal research and treats legislation, legal principles, legal concepts, administrative decisions, court decisions, and legal documents as the principal materials for analysis (Qamar & Rezah, 2020). Deductive reasoning connects the general rules governing cultivation rights and public administration with the extension of PTPN XIV's cultivation right associated with the *petuanan* territory of Negeri Tananahu. This method is used to assess the authority of the issuing official, procedural compliance, substantive conformity, and the structure of legal protection.

The study applies statutory, conceptual, case, and historical approaches in an integrated manner (Irwansyah, 2020). The statutory approach analyzes the rules governing the extension of cultivation rights and the available legal protection mechanisms. The conceptual approach analyzes authority, procedure, substance, legal protection, cultivation rights, customary rights, customary land, and the legal status of an indigenous law community. The case approach examines the extension of PTPN XIV's cultivation right in relation to the *petuanan* territory of Negeri Tananahu. The historical approach traces the legal relationship from the 1982 cultivation right, the extension process, the 2019 decision, recognition of Negeri Tananahu in 2021, and subsequent developments in the conflict through 2026.

Primary legal materials primarily include the 1945 Constitution, Law Number 5 of 1960, Law Number 30 of 2014, Government Regulation Number 40 of 1996, Minister Regulation Number 7 of 2017, Minister Regulation Number 21 of 2020, Minister Regulation Number 14 of 2024, Regional Regulation of Central Maluku Regency Number 1 of 2006, Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019, Regent Decision of Central Maluku Number 189-601 of 2021, and other relevant primary legal materials. Secondary legal materials, consisting of books, scholarly articles, and official reports, are used as theoretical foundations and sources of academic dialogue. News reports and press releases are used to reconstruct the chronology of the conflict and identify the parties' positions (Sampara & Husen, 2016).

The validity assessment distinguishes three elements of administrative action: authority, procedure, and substance. The authority element assesses the relationship between the issuing official and the legal source of authority. The procedural element encompasses the extension process, examination of physical and juridical data, land status and history, third-party interests and possession, examination by Land Examination Committee B, and boundary delineation. The substantive element

assesses conformity of the decision with the extension requirements, the condition of the land subject to the cultivation right, spatial planning requirements, and obligations relating to use of the land. The analytical framework applies the theory of validity of administrative action and the parameters established by Law Number 30 of 2014.

Regional government documents are used according to their evidentiary function. The 2012 Statement Letter of the Regional House of Representatives of Central Maluku Regency identifies objections to the cultivation-right extension. The 2022 Statement Letter of the Regent of Central Maluku is used to analyze the regional government's position concerning the PTPN XIV cultivation-right process. The 2021 Decree of the Regent of Central Maluku is used to analyze the recognition of Negeri Tananahu as an indigenous law community. These documents are examined together with agrarian legal materials, the history of the *petuanan* territory, and literature concerning the Negeri Tananahu conflict through systematic and temporal interpretation.

RESULTS AND DISCUSSION

A. Legal Basis and Character of the 2019 Extension of PTPN XIV's Cultivation Right

PTPN XIV's cultivation right under Minister Decision Number SK.5/HGU/DA/82 and Cultivation Right Certificate Number 1 of 1982 had a term extending to December 31, 2012 (Cahyono et al., 2016). Before that term expired, the extension process had been initiated in 2010 (MataMaluku, 2025). The temporal relationship between the application and the term of the cultivation right provides the basis for characterizing the subsequent administrative action as an extension.

Government Regulation Number 40 of 1996 regulates the term, requirements, and application for an extension of a cultivation right. Article 8 of the Government Regulation permits an extension for a maximum additional period of 25 years. Article 9 connects an extension with continued proper cultivation of the land, fulfillment of the requirements governing the right, and continued qualification of the right holder. Article 10 regulates the filing of an extension application in relation to the expiration of the cultivation-right term. These provisions establish the normative basis for continuation of the right through an extension.

Minister Regulation Number 7 of 2017 provides more detailed parameters. Article 31 of the Regulation establishes the extension requirements, while Article 32 governs the filing period and the extended term. Article 32 section (2) of the Regulation provides that the extended term commences from the date on which the cultivation right expires. Article 63 section (1) governs cultivation-right

applications already received and still pending when the Regulation entered into force. Taken together, these provisions establish administrative continuity between an application already filed and the subsequent extension decision.

[Sahetapy et al. \(2025\)](#) record Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 dated May 10, 2019 as a decision extending the cultivation right held by PT Perkebunan Nusantara XIV (Persero). The decision covered 8,830.84 hectares of an original area of approximately 10,000 hectares, while 1,169.16 hectares were not included in the extension. The difference in area indicates that the extension involved determining which parcels were retained within the cultivation-right area.

The legal character of an extension directly affects the examination of the land. Article 31 of Minister Regulation Number 7 of 2017 requires continued use and cultivation of the land in accordance with the circumstances, nature, and purpose for which the right was granted and conformity with the Regional Spatial Plan. Article 33 of the Regulation requires parcels involving use, utilization, ownership, or possession inconsistent with the purpose of the cultivation right to be excluded from the extension application. These provisions examine each parcel as a substantive element in determining the boundaries of the extended right.

Article 34 of Minister Regulation Number 7 of 2017 applies the stages and provisions governing a grant of a cultivation right *mutatis mutandis* to an extension. The extension process therefore requires an examination capable of establishing land status, the history of possession, actual land use, third-party interests, and parcel boundaries. An extension is consequently not limited to an additional period but constitutes an administrative action requiring renewed assessment of the right holder and the land retained within the cultivation right.

The relationship between Negeri Tananahu and its *petuanan* territory forms part of the legal circumstances of the land under examination. Article 18B section (2) and Article 28I section (3) of the 1945 Constitution provide the basis for recognition of indigenous law communities and their traditional rights. Article 3 of Law Number 5 of 1960 recognizes customary rights subject to the requirements established by law. [Cahyono et al. \(2016\)](#) document the relationship between Negeri Tananahu and its territory, while [Wulandari \(2026\)](#) places protection of indigenous communities' rights within the legal issues arising from cultivation rights over customary land. These circumstances connect the extension assessment with accurate identification of the parcels subject to the administrative decision.

Physical possession and land use perform an evidentiary function in examining the land. [Sihombing and Widjojo \(2025\)](#) demonstrate the importance

of reconciling legal certainty in land records with factual possession. [Wijaya et al. \(2025\)](#) similarly emphasize the relationship among evidence of possession, land origin, and agrarian dispute resolution. In the extension of PTPN XIV's cultivation right, this examination determines whether the administrative description of the land corresponds to the legal and physical condition of the parcels involved in the dispute.

The principle that an act is governed by the law in force when it was performed (*tempus regit actum*) makes Government Regulation Number 40 of 1996 and Minister Regulation Number 7 of 2017 the legal basis for assessing the 2019 extension decision. Government Regulation Number 18 of 2021 and Minister Regulation Number 18 of 2021 govern the subsequent land-law regime. This distinction ensures that validity is assessed under the rules governing the decision's formation, while subsequent protective measures are governed by the rules applicable to those measures ([Adhipermana et al., 2022](#); [Azaria, 2024](#); [Arifin, 2025](#)).

B. Assessment of the Validity of PTPN XIV's Cultivation Right Extension

Authority constitutes the first element of the validity assessment. Article 59 section (1) of Minister Regulation Number 7 of 2017 allocates authority to determine cultivation rights according to land area. The Head of the Land Office has authority over areas up to 25 hectares, the Head of the Regional Office of the National Land Agency over areas exceeding 25 hectares and up to 250 hectares, and the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency over areas exceeding 250 hectares. Because the 2019 extension covered 8,830.84 hectares, Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 fell within the Minister's authority. Authority provides the formal basis for the decision and remains analytically distinct from procedural compliance and substantive conformity ([Hadjon, 1987](#)).

Procedural validity depends on careful examination of physical and juridical data. Ministerial Regulation Number 7 of 2017 assigns Land Examination Committee B a role in the cultivation-right examination process. The examination covers land status, land history, legal relationships between the applicant and the land, third-party interests, possession and use, physical condition, parcel boundaries, and spatial planning conformity. The findings are incorporated into the Land Examination Committee B Report. This examination corresponds to the principle of due care as part of the General Principles of Good Administration under Article 10 section (1) of Law Number 30 of 2014. Article 52 of the Law further connects the validity of an administrative decision with authority, procedure, and conformity of its substance with the subject matter of the decision.

Examination of third-party interests is particularly significant for parcels within the *petuanan* territory of Negeri Tananahu. Article 33 of Minister Regulation Number 7 of 2017 requires exclusion from an extension application of parcels involving use, utilization, ownership, or possession inconsistent with the purpose for which the cultivation right was granted. This provision is relevant to claims concerning community possession, settlements, public facilities, coconut plantations, and nutmeg plantations within parts of the disputed area. [Patalatu et al. \(2023\)](#) demonstrate the importance of protecting land controlled by indigenous law communities, while [Darmadi et al. \(2023\)](#) connect access to traditional land with community livelihoods. Boundary delineation must therefore reflect the legal status and actual use of each parcel.

The treatment of customary land in an extension follows the legal function of the provisions governing each land administration action. Article 8 of Minister Regulation Number 7 of 2017 governs the acquisition of customary land for a new grant of a cultivation right. In an extension, protection of customary relationships operates through examination of land status and history, legal relationships, third-party interests, possession, use, boundary delineation, and exclusion of parcels under Article 23, Article 33, and Article 34 of the Regulation. This differentiation places customary rights within the legal parameters applicable to an extension. [Kasmanedi \(2022\)](#) and [Fajrin \(2025\)](#) demonstrate the importance of identifying the legal subject, land concerned, and legal relationship when dealing with changes affecting customary land.

Objections expressed by the community and regional government constitute administrative facts relevant to the examination of interests and the condition of the land. Statement Letter of the Regional House of Representatives of Central Maluku Regency Number 170/11/2012 documents opposition to the cultivation-right extension. Statement Letter of the Regent of Central Maluku Number 503.522/09/SP/2022 provides information concerning the regional government's position on the PTPN XIV cultivation-right process ([Liputan Malteng, 2026a, 2026b](#)). These documents relate to the examination of land history, third-party interests, possession, land use, and the boundaries of the extension.

Spatial planning conformity forms part of the extension requirements. Article 31 of Minister Regulation Number 7 of 2017 requires land use to remain consistent with the Regional Spatial Plan. Examination by Land Examination Committee B also includes spatial planning conformity. Assessment of PTPN XIV's cultivation-right extension therefore connects parcel boundaries, actual land use, and designated land use through spatial data. [Arifin \(2025\)](#) demonstrates that overlap between a cultivation right and an area having a different legal designation may create legal issues concerning the land subject to the right. [Putri et al. \(2024\)](#)

also emphasize the importance of interagency coordination in resolving overlaps between land rights and legally designated areas.

The exercise of a cultivation right is also associated with duties concerning land function and environmental protection. The legal regime governing cultivation rights requires the holder to use the land in accordance with the purpose for which the right was granted, maintain soil fertility, prevent damage to natural resources, and preserve environmental capacity. [Istijab et al. \(2022\)](#) emphasize the relationship between the use of agrarian resources and environmental protection in territories associated with indigenous law communities. [Ismi and Hasanah \(2023\)](#) likewise demonstrate that plantation activities affecting indigenous territories require protection of land and the environment. These duties complement the assessment of whether the land is used consistently with the purpose of the cultivation right.

Under the three elements of validity, formal authority to issue Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 rested with the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency. Procedural and substantive validity depend on compliance with the extension requirements and the accuracy of the examination of land status and history, the applicant's legal relationship with the land, third-party interests, possession and use, parcel boundaries, spatial planning conformity, and physical and juridical data. The Land Examination Committee B Report and the land parcel map perform important functions in reconciling the administrative record with the condition of each parcel covered by the decision.

A cultivation-right certificate has evidentiary force within the land registration system. [Syah et al. \(2026\)](#) demonstrate the evidentiary function of land title certificates, while [Sihombing and Widjojo \(2025\)](#) and [Wijaya et al. \(2025\)](#) emphasize the relationship between formal evidence and factual possession. The evidentiary force of a certificate operates together with legal mechanisms for reviewing the underlying administrative decision and issuance process. This construction preserves legal certainty while allowing correction of administrative or legal defects.

C. Recognition of Negeri Tananahu and Reconstruction of Legal Protection for Customary Land

Regent Decision of Central Maluku Number 189-601 of 2021 recognizes the Indigenous Law Community of Negeri Tananahu in Teluk Elpaputih District. The recognition is based on the history of the Negeri, its customary territory, customary assets, and customary institutions or governance system. This status corresponds to Regional Regulation of Central Maluku Regency Number 1 of 2006, which

defines Negeri as a genealogical-territorial indigenous law community. [Pasaribu and Simamora \(2022\)](#) demonstrate the importance of regional governmental recognition in establishing legal certainty concerning the status of an indigenous law community as a legal subject.

Recognition of Negeri Tananahu as a legal subject performs a function distinct from authority to determine or annul a cultivation right. Authority over land rights remains within the national land administration system, while regional government functions include recognition of indigenous law communities, territorial administration, governmental coordination, and conflict resolution within the limits of its authority. [Azaria \(2024\)](#) demonstrates the relationship between regional recognition of indigenous law communities and the national land administration system. Constitutional Court Decision Number 35/PUU-X/2012 further reinforces the status of indigenous law communities as legal subjects in their relationship with customary territories and resources forming part of community life.

Regional Regulation of Central Maluku Regency Number 1 of 2006 gives the legal status of Negeri a territorial dimension. Article 1 point 26 defines *petuanan* territory as territory that, under customary law in Central Maluku, is under the authority of a Negeri and encompasses terrestrial and marine areas. Article 61 governs the determination of *petuanan* boundaries by taking into account rights of origin and local customary law. Article 63 further distinguishes governmental administrative boundaries from the legal status of *petuanan* territory and requires consideration from the Negeri holding the *petuanan* when administrative boundaries are determined within that territory. This legal relationship makes territorial boundaries an element of legal certainty in the land dispute.

Protection of customary land has constitutional and agrarian-law foundations. Article 18B section (2) of the 1945 Constitution recognizes and respects indigenous law communities and their traditional rights. Article 28I section (3) of the Constitution protects cultural identity and the rights of traditional communities. Article 3 of Law Number 5 of 1960 recognizes the exercise of customary rights insofar as they continue to exist in fact and conform to national interests and applicable laws and regulations. Customary rights constitute the legal relationship between an indigenous law community and its territory, while customary land constitutes the land subject to that relationship ([Liani & Winanti, 2021](#); [Wulandari, 2026](#)). Distinguishing the legal subject, legal relationship, and land concerned provides the basis for assessing the relationship between recognition of Negeri Tananahu and the cultivation right affecting the same territory.

Preventive legal protection in a cultivation-right extension depends on an examination capable of identifying Negeri Tananahu's interests before the boundaries of the right are determined. Examination of land status and history, legal relationships, possession, use, third-party interests, and exclusion of parcels under Article 33 of Minister Regulation Number 7 of 2017 provides a mechanism for protecting areas inconsistent with the purpose of the cultivation right. Article 34 connects an extension with the examination stages governing a grant *mutatis mutandis*. These mechanisms place the participation of Negeri Tananahu within the process of forming the data and assessment underlying the land administration decision.

Free, Prior, and Informed Consent (FPIC) provides a conceptual framework for assessing the quality of community participation in processes affecting customary territory. [Saly et al. \(2024\)](#) and [Jamrudin and Widowaty \(2026\)](#) identify freedom from coercion, participation before an action affecting community rights, and adequate information as central elements of FPIC. In assessing a cultivation-right extension, Indonesian land law provides the direct normative basis, while FPIC strengthens the analysis of the quality of community involvement in the examination and determination of the land concerned ([Kasmanedi, 2022](#)).

Public information disclosure strengthens preventive legal protection because meaningful participation requires access to information concerning the land and the relevant administrative decision. Law Number 14 of 2008 governs access to public information subject to applicable exemptions. Within the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, Minister Regulation Number 32 of 2021 governs information services, information classification, and consequence testing. These mechanisms provide access to information concerning the status, location, area, boundaries, and administration of a cultivation right in accordance with the applicable rules on disclosure. [Suharmawijaya et al. \(2022\)](#) demonstrate the importance of data transparency, coordination, and examination of physical possession in resolving problems in public land administration services.

Long-term protection of customary land is supported by Minister Regulation Number 14 of 2024. Land subject to customary rights under the Regulation concerns land within an indigenous law community's territory that continues to exist in fact and is not encumbered by another land right. Where a cultivation right affects the same land, resolving the status and boundaries of the overlapping rights precedes the administration and registration of land subject to customary rights. [Azaria \(2024\)](#) and [Wulandari \(2026\)](#) demonstrate the importance of land administration in strengthening legal certainty for territories associated with indigenous law communities.

The Government of Central Maluku Regency, the Land Office, and Negeri Tananahu perform complementary functions in preparing territorial information. Data concerning *petuanan* boundaries, the history of possession, land use, customary institutions, and the physical condition of parcels can be integrated to determine land associated with Negeri Tananahu. The provisions on *petuanan* boundaries under Regional Regulation Number 1 of 2006 provide the local legal basis for this territorial identification, while the national land administration system determines its legal consequences for registered land rights.

This structure of legal protection complements previous studies of the Negeri Tananahu conflict. [Tipak et al. \(2021\)](#) identify socioeconomic factors and land possession within the conflict. [Siwalette \(2022\)](#) emphasizes multi-party mediation and the role of Saniri Negeri. [Erupley \(2025\)](#) identifies the function of social and moral advocacy in assisting affected communities. Land administrative law adds a distinct dimension through assessment of the validity of the extension decision, recognition of Negeri Tananahu as a legal subject, legal certainty concerning *petuanan* boundaries, and protection of customary land. Clarity concerning these elements provides an ascertainable legal subject matter for mediation and other forms of social settlement.

Remedial legal protection operates through land case handling and resolution. Minister Regulation Number 21 of 2020 governs mechanisms for handling land disputes, conflicts, and cases. Article 35 of the Regulation includes procedural errors in issuing rights, measurement errors, errors in applying regulations, errors concerning the land subject to the decision, and overlapping rights among administrative or legal defects capable of supporting action against a land administration instrument. In the Negeri Tananahu dispute, the examination concerns Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019, the extension process, the Land Examination Committee B Report, the land parcel map, possession and use data, and the relationship between cultivation-right boundaries and the *petuanan* territory.

Proceedings before the State Administrative Courts provide a legal avenue for protection against government administrative decisions. Supreme Court Regulation Number 6 of 2018 connects administrative remedies with the filing of an administrative lawsuit. The type of decision, administrative remedies pursued, the time when the aggrieved party became aware of the decision, and the plaintiff's legal standing are relevant to the application of the procedural requirements. In the context of land-right transfers through court decisions, [Nuraini and Yunanto \(2023\)](#) demonstrate that final and binding judgments can provide legal certainty, while their enforcement requires coordination among the government, law

enforcement authorities, land agencies, and the parties. This structure accords with remedial legal protection as a mechanism for correcting administrative action while preserving procedural legal certainty ([Hadjon, 1987](#)).

Regional Regulation of Central Maluku Regency Number 1 of 2006 also provides for the resolution of *petuanan* disputes through Saniri Negeri or a customary council in accordance with local customary law, while regional government and law enforcement authorities may perform a mediating function. These local mechanisms address customary and social relations, while the validity and alteration of the legal status of a cultivation right remain governed by land law and administrative law. This division of functions allows customary dispute resolution, mediation, and administrative resolution to operate in a complementary manner ([Pellokila, 2021](#); [Rahman, 2022](#)).

Protection of customary land is also associated with human rights protection for residents of Negeri Tananahu. Article 6 of Law Number 39 of 1999 requires respect for the differences and needs of indigenous law communities in the enforcement of human rights. Developments in the conflict in 2026, including the shooting of Frans Adam and the detention of four residents, demonstrate the dimension of individual protection within the continuing land conflict ([Amnesty International Indonesia, 2026](#); [TitaStory, 2026](#)). [Tim Riset KPA \(2026\)](#) identifies the continuing structural character of agrarian conflicts in the plantation sector. [Rachman \(2025\)](#) places coordination, mediation, victim protection, and recovery within a human-rights-based framework for agrarian conflict resolution. Protection of residents and restoration of social relations therefore form part of conflict resolution without replacing determination of the legal status of the land.

CONCLUSIONS AND SUGGESTIONS

Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019 dated May 10, 2019 constitutes a decision extending PTPN XIV's cultivation right. The extension continued an administrative process initiated before the expiration of the previous cultivation-right term and was completed under the land-law regime governing the 2019 action. Formal authority rested with the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency because the 8,830.84-hectare extension exceeded the jurisdictional thresholds applicable to the Land Office and the Regional Office of the National Land Agency.

Procedural and substantive validity depend on compliance with the extension requirements and examination of land status and history, the applicant's legal relationship with the land, third-party interests, possession and use of individual

parcels, boundaries, spatial planning conformity, and physical and juridical data. Article 33 of Minister Regulation Number 7 of 2017 requires exclusion from the extension area of parcels involving use, utilization, ownership, or possession inconsistent with the purpose of the cultivation right. The legal status of Negeri Tananahu as an indigenous law community and its relationship with the *petuanan* territory constitute legal interests that must be reflected in the examination of the land and delineation of the cultivation-right boundaries.

Regent Decision of Central Maluku Number 189-601 of 2021 strengthens the legal status of Negeri Tananahu as a legal subject, while Regional Regulation of Central Maluku Regency Number 1 of 2006 provides the local legal basis for Negeri and its *petuanan* territory. Preventive legal protection operates through careful land examination, formation of territorial data reflecting the interests of Negeri Tananahu, public information disclosure, boundary delineation, and protection of parcels possessed or used by the community. FPIC supplements the assessment of the quality of participation, while the direct parameters governing the validity of the extension derive from Indonesian land law and government administrative law.

The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency should conduct land case handling and resolution by examining Minister Decision Number 41/HGU/KEM-ATR/BPN/V/2019, the extension process, the land book, the cultivation-right certificate, the land parcel map, the Land Examination Committee B Report, possession and use data, and the relationship between cultivation-right boundaries and the *petuanan* territory of Negeri Tananahu. Administrative or legal defects established through land case handling should be addressed through the applicable land administration mechanisms and the procedures governing government administrative disputes.

The Government of Central Maluku Regency, the Land Office, and Negeri Tananahu should integrate data concerning *petuanan* boundaries, the history of possession, land use, and customary institutions to strengthen legal certainty concerning the land. Administration and registration of land subject to customary rights under Minister Regulation Number 14 of 2024 should proceed after overlapping rights over the same land have been resolved. Resolution of the legal status of the land should be accompanied by protection of residents, cessation of violence, mediation, and restoration of social relations through a human-rights-based approach involving Saniri Negeri, the National Commission on Human Rights of the Republic of Indonesia, regional government, and land administration authorities.

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