

ABSTRACT

SYAMSUL RIJAL. *The Nature of Coastal Reclamation Acquisition of Land Rights* (supervised by **H. Sufirman Rahman, H. Syahrudin Nawi, and Ilham Abbas.**)

This comprehensive study sets out to thoroughly examine three primary areas: (1) pinpoint, scrutinize, and distill the essence of coastal reclamation in the process of land rights acquisition; (2) understand and analyze the procedural mechanisms for the registration and determination of rights over reclaimed coastal land; and (3) identify and analyze the influential factors in the acquisition of land rights for coastal reclamation. The methodology of this research is a hybrid of normative legal research and sociological or empirical legal research, indicating a balanced emphasis on both theoretical and practical perspectives on the law. This approach involves an analysis of primary and secondary data, which are qualitatively evaluated and descriptively reported.

The findings of this study reveal three principal points: Firstly, coastal reclamation is undertaken post-securing a location permit and an implementation permit as outlined in law number 1 of 2014, which amends law number 27 of 2007 and incorporates presidential regulation number 122 of 2012. Following the completion of reclamation, the executing party then registers the land at the ATR/BPN office to obtain rights to the reclaimed area. Secondly, the registration of rights to the reclaimed coastal land was executed by the reclamation party at the ATR/BPN office in accordance with the provisions of Government Regulation (PP) No. 24 of 1997. The ATR/BPN office is the competent authority that determines the rights to reclaimed coastal land, in compliance with PP Number 18 of 2021, producing documents in the form of land rights certificates. Thirdly, in the acquisition of rights to reclaimed coastal land, several factors play a significant role: legal substance, legal structure, legal culture, as well as facilities and infrastructure.

In light of these findings, the study recommends firstly, that the government, as the issuer of coastal reclamation permits and land rights for coastal reclamation, should consistently effectuate land law reforms. These reforms should align with the mandate of Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, necessitating a harmonization of agrarian policies. Secondly, the policy of granting land rights to applicants should strive to achieve its objectives as stated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Finally, the government should actively involve communities, traditional institutions, community organizations, and non-governmental organizations in supporting the policy of granting land rights to coastal reclamation in Indonesia.

