



Juridical Study of Forest Area Conversion into Agricultural Land in Tamt Village

Kajian Yuridis Perubahan Fungsi Kawasan Hutan Menjadi Lahan Pertanian di Desa Tamit

Handipan H. Ali¹, Dolot Alhasni Bakung², Fitran Amrain³

¹⁻³ Universitas Negeri Gorontalo Indonesia

Article Info

Corresponding Author:

Handipan H. Ali

✉ mohdhypanaliipan@gmail.com

History:

Submitted: 29-04-2026

Revised: 29-05-2026

Accepted: 30-05-2026

Keyword:

*Agricultural Land; Forest Area; Land
Conversion; Legal Certainty; Tamit Village.*

Kata Kunci:

*Alih fungsi lahan; kawasan hutan; lahan
pertanian; kepastian hukum; Desa Tamit.*

Abstract

This study analyzed the juridical changes in the function of forest areas into agricultural land in the village of Tamit, Bunobogu District. The research uses empirical legal methods with a socio-legal approach through observation, interviews, and literature studies. The results showed that land use by the community obtained a legal basis after the area of Tamit village was designated as another Use Area (APL) based on SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021. Legal certainty is strengthened through land certification, especially PTSL programs, which transform factual control into juridical rights. However, Forestry supervision is still needed so that land use does not exceed APL limits. The synchronization of forest, land, and community participation laws is the key to legal protection.

Abstrak

Penelitian ini menganalisis secara yuridis perubahan fungsi kawasan hutan menjadi lahan pertanian di Desa Tamit, Kecamatan Bunobogu. Penelitian menggunakan metode hukum empiris dengan pendekatan sosio-legal melalui observasi, wawancara, dan studi pustaka. Hasil penelitian menunjukkan bahwa pemanfaatan lahan oleh masyarakat memperoleh dasar hukum setelah wilayah Desa Tamit ditetapkan sebagai Area Penggunaan Lain (APL) berdasarkan SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021. Kepastian hukum diperkuat melalui sertifikasi tanah, khususnya program PTSL, yang mengubah penguasaan faktual menjadi hak yuridis. Namun, pengawasan kehutanan tetap diperlukan agar pemanfaatan lahan tidak melampaui batas APL. Sinkronisasi hukum kehutanan, pertanahan, dan partisipasi masyarakat menjadi kunci perlindungan hukum.



Copyright © 2026 by Journal of
Law, Human Rights, Immigration,
and Corrections.

Copyright: © 2026 by the authors. Submitted
for possible open access publication under
the terms and conditions of the Creative
Commons Attribution (CC BY SA).

 <https://doi.org/10.65101/lawric.v1i3.321>

A. INTRODUCTION

1. Background

The existence of forests plays a crucial role in human life, especially as a supporter of ecosystem balance and a protector against various disaster risks.¹ From a legal perspective, forest management in Indonesia is based on the provisions of Article 33, paragraph (3), of the 1945 Constitution of the Republic of Indonesia.² The constitutional provision mandates the state to control and manage natural resources for the greatest prosperity of the people.³

As a strategic resource, forests provide fundamental ecosystem benefits and financial potential for life. However, destructive management practices can result in the permanent loss of tree cover. Land use change reflects a shift in the primary function of the land, which adversely affects environmental capabilities and ecological balance.⁴ This change in land use, demographic pressures, and the demand to meet society's ever-growing needs motivate this change in land use. This change in land use, demographic pressures, and the demand to meet society's ever-growing needs drive this change in land use. This change in land use is caused by changes in how people live, the need to meet society's growing needs, and changes in how land is used.⁵ The factors driving this change include demographic pressures and the demand to meet society's ever-growing needs.

Functionally, a forest can be understood as an area of land dominated by trees and playing an important role in maintaining ecosystem balance and the preservation of biodiversity.⁶ The conversion of forest areas indicates a change in land use from forestry functions to non-forestry functions, such as settlements, agriculture, and livestock

¹ Deby Nurmaya Sari dkk., "Keseimbangan Ekonomi Dan Lingkungan Dalam Pengelolaan Hutan Berkelanjutan: Konservasi Keanekaragaman Hayati Sebagai Aset Ekonomi," *Jurnal Akuntansi, Manajemen dan Ekonomi* 3, no. 2 (2024): 11–19, <https://doi.org/https://doi.org/10.56248/jamane.v3i2.99>.

² Muhammad Risky Surya Pratama dkk., "Pemenuhan hak bagi masyarakat adat oleh negara di bidang hutan adat," *Jurnal Hukum Ius Quia Iustum* 29, no. 1 (2022): 189–210, <https://doi.org/https://doi.org/10.20885/iustum.vol29.iss1.art9>.

³ Abdul Karim Adam dkk., "Mekanisme Pemberian Hak Pengelolaan dan Penguasaan Tanah Sempadan Sungai Bone: Perspektif Hukum Agraria dan Perlindungan Ekosistem Sungai," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 5 (2025): 7963–81, <https://doi.org/https://doi.org/10.61104/alz.v3i5.2455>.

⁴ Muhammad Adam Suni dkk., "Analisis dan Pemodelan Spasial Perubahan Tutupan Lahan di Hutan Produksi Terbatas Kecamatan Kulawi Kabupaten Sigi," *JTSL (Jurnal Tanah dan Sumberdaya Lahan)* 10, no. 2 (2023): 273–84, <https://doi.org/https://doi.org/10.21776/ub.jtsl.2023.010.2.11>.

⁵ Suni dkk., "Analisis dan Pemodelan Spasial Perubahan Tutupan Lahan di Hutan Produksi Terbatas Kecamatan Kulawi Kabupaten Sigi."

⁶ Danial Danial dkk., "SISTEM PENGETAHUAN EKOLOGI TRADISIONAL MASYARAKAT TOLAKI DALAM KLASIFIKASI DAN PENGELOLAAN HUTAN DI DESA PAMANDATI, KONAWE SELATAN, SULAWESI TENGGARA," *SENGKUNI Journal (Social Science and Humanities Studies)* 6, no. 1 (2025): 35–48, <https://doi.org/https://doi.org/10.37638/sengkuni.6.1.35-48>.

farming. This condition is increasingly concerning because it can reduce various important forest functions that directly affect the sustainability and stability of the environment.⁷

Land use change represents a significant alteration in land use patterns that has widespread impacts on ecological, social, and macro-financial dimensions.⁸ Suboptimal spatial planning is often caused by poor spatial planning, poor administrative governance, unclear administrative boundary delineation, and agricultural resource use practices that don't follow sustainability principles.⁹ These irregularities ultimately create vulnerabilities to food security and ecosystem balance.

Communities tend to rely on forest areas as instruments for fulfilling food and income needs, particularly through the agricultural sector, in line with the increasing population growth. This utilization is chosen because forest areas offer quick access and the potential for instant financial gains for the community. Nevertheless, these utilization practices often overlook legal aspects and carry a significant risk of environmental damage.

Law Number 18 of 2013 on the Prevention and Eradication of Forest Destruction (Law P3H) establishes the obligation for every legal subject to obtain Forest Area Use Approval (PPKH) before transforming forest functions into plantation, mining, or other uses.¹⁰ The absence of formal legality constructs the activity of land conversion as an unlawful act that contradicts existing regulations.

Specifically, authorities are prohibited from issuing land rights certificates in Limited Production Forest Areas (HPT) due to their status as state domains with restricted use.¹¹ Violations of this norm result in the imposition of criminal sanctions and administrative fines in accordance with the law. In addition, the government implements Government Regulation Number 43 of 2021 as a legal instrument to resolve the disharmony between spatial planning, permits, and land rights.

⁷ Husnul Muna Bella dan Sri Rahayu, "Alih Fungsi Lahan Hutan Menjadi Lahan Pertanian Di Desa Berawang, Kecamatan Ketol, Kabupaten Aceh Tengah," 2, no. 1 (2021): 88–91.

⁸ M. Al Hidayat, *Analisis Alih Fungsi Lahan menjadi Permukiman dan Dampaknya terhadap Stok Karbon di Kecamatan Labuapi Kabupaten Lombok Barat*, 2025, <https://doi.org/dspace.uui.ac.id/123456789/58479>.

⁹ Indriana Diani Putri dkk., "Pengaruh alih fungsi lahan terhadap ketahanan pangan, lingkungan, dan keberlanjutan pertanian di Kabupaten Sleman," *Widya Bhumi* 4, no. 2 (2024): 192–211, <https://doi.org/https://doi.org/10.31292/wb.v4i2.108>.

¹⁰ Muhammad Jufri Dewa dkk., "Kajian Hukum Perubahan Fungsi Penggunaan Kawasan Hutan untuk Usaha Pertambangan," *Halu Oleo Legal Research* 5, no. 1 (2023): 352–68.

¹¹ Ja Posman Napitu dkk., "Mekanisme akses pada hak kepemilikan di kesatuan pengelolaan hutan produksi meranti, Sumatera Selatan," *J. Penelit. Sos. dan Ekon. Kehutan* 14, no. 2 (2017): 101–18, <https://doi.org/http://dx.doi.org/10.20886/jpsek.2017.14.2>.

The implementation of legal instruments often encounters complex issues, especially in rural areas where the forestry sector serves as the main livelihood for the community. In Tamit Village, the local community has long converted forest areas into agricultural land, which empirically reflects this phenomenon. In Tamit Village, the local community has been converting forest areas into agricultural land for an extended period. The practice of land control is carried out *de facto* without being supported by legal certainty or legitimate land rights according to the laws and regulations. Factually, this land control practice occurs individually without going through standard legal processes, particularly regarding changes in area designation and legalization of land rights. The implication is that the transfer of forest land rights is carried out without changes in zoning status and the absence of authentic legal documents. This phenomenon contradicts the principles of clarity and legal protection, which are the main pillars in civil law provisions.

The researcher observed that the land-use change case in Tamit Village began with traditional ownership claims over forest land, which was managed independently by the community. The process of transferring land control is then carried out through a sale transaction with a receipt as the only proof of agreement between the parties. The situation in Tamit Village provides a clear picture that the conversion of forest land is carried out without a valid legal basis and is followed by the transfer of rights that do not meet the standard land administration requirements.

Several previous studies have discussed land use change, forest areas, and land tenure certainty from different perspectives. Suni et al. emphasize land cover changes in limited production forest areas through a spatial approach, while Bella and Rahayu describe the conversion of forest functions into agricultural land as a socio-ecological phenomenon. Dewa et al. discuss the change in the function of forest areas in the context of mining activities, while Putri et al. show that land use change affects food security, the environment, and agricultural sustainability. Ramadhani then emphasized that land registration plays a crucial role in providing legal certainty regarding land rights. However, these studies have not specifically examined the relationship between the change in status of forest areas to Other Use Areas (APL), the land control practices of village communities, and the certification mechanisms through the Complete Systematic Land Registration (PTSL) within a single framework of empirical legal study. The novelty of this research lies in the empirical analysis of the change in status of the Tamit Village

area to Other Use Areas (APL) and its implications for land control legality, legal protection for the community, and orderly land administration. This research does not only view the conversion of forest areas as an ecological or administrative issue but also as a legal certainty problem arising from the intersection of forestry law, land law, traditional land claims, and village administration practices. Initial research findings indicate that the APL status provides a legal basis for agricultural land use by the community, but legal certainty over land control only becomes strong when factual control is converted into legal rights through land certification and remains regulated through boundary area supervision.

2. Problem Formulation

The change in the status of forest areas to Other Use Areas (APL) in Tamit Village has legal consequences for the legality of agricultural land use and the certainty of land rights controlled by the community. This condition requires an analysis of the relationship between the change in area status, land control by the community, and the application of forestry and agrarian law. Based on these issues, this research examines the legal analysis of the change in function of forest areas to agricultural land in Tamit Village.

3. Research Methodology

This research applies the empirical legal research method with a socio-legal approach. This approach is used to analyze the implementation of law within the dynamics of social reality and to examine the influence of norms on the factual behavior patterns of society. The data in this study are classified into two main categories: (1) primary data obtained directly by the researcher through observation instruments and in-depth interviews, and (2) secondary data that include literature study results to strengthen and validate the field data findings.

The researcher designated Tamit Village in Bunobogu District, Buol Regency, as the research location because the area represents the locus of the factual phenomenon of forest area conversion. The population in this study includes all stakeholders involved in the land conversion process in the relevant area. Sampling was conducted on ten informants, consisting of one representative from the Buol District Land Office, one village official, and eight community members. This study applies qualitative data analysis techniques to obtain a comprehensive understanding through in-depth data interpretation to produce a complete picture of the research subjects.

B. DISCUSSION

1. The Legal Status of the Tamit Village Area and the Juridical Basis for the Transformation of the Area's Function

The formation and implementation of agrarian law have a fundamental connection with the philosophical orientation of the law itself. The triad of legal axiology according to Gustav Radbruch, which includes the aspects of justice (*Gerechtigkeit*), legal certainty (*Rechtssicherheit*), and utility (*Zweckmäßigkeit*), becomes the main normative parameters in evaluating the quality of a regulation.¹² An ideal legal system necessitates a proportional integration of these three values to ensure stability while simultaneously protecting the rights of the community. John Rawls conceptualized justice as a point of balance between individual freedom and the equitable distribution of social benefits through the principle of justice as fairness. Therefore, every legal policy related to governance and the transformation of regional status must embody a balance between legal certainty, substantive justice, and social utility for the public.¹³

The legal status of the Tamit Village area is currently formally designated as an Other Use Area (APL) based on SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021; thus, it is no longer part of the state forest area. This legal certainty was obtained through interviews with sources who stated that the change in status had undergone valid cross-sectoral coordination procedures. This administrative legitimacy removes the qualification of forestry law violations against agricultural activities carried out by the local community. Thus, land use in Tamit Village has legal protection as long as the activities remain within the established APL delineation boundaries.¹⁴

Table 1. Legal Status of the Region and Juridical Implications

Aspect	Before the Designation as Other Use Area (APL)	After Ministerial Decree No. 6624/MENLHK-PKTL/KUH/PLA.2/10/2021	Juridical Implications
--------	--	---	------------------------

¹² Muhammad Bintang Firdaus, "Dialektika Keadilan, Kepastian, Kemanfaatan Hukum dalam Perspektif Gustav Radbruch pada Hukum Indonesia," *Jurnal Kajian Hukum Dan Kebijakan Publik* | E-ISSN: 3031-8882 3, no. 1 (2025): 357–67, <https://doi.org/10.62379/qy4b6z80>.

¹³ SH Nasrudin dkk., *BUKU PENGANTAR ILMU HUKUM (MEMBEDAH LOGIKA DAN ETIKA KEADILAN)* (Penerbit Widina, 2025).

¹⁴ Abdillah, "Wawancara bersama Staf UPT KPH Pogogul," (Kantor UPT KPH Pogogul), 29 Januari 2026.

Area Status	Potentially regarded as part of the state forest area.	Officially designated as an Other Use Area (APL).	Agricultural land use obtains a legal basis, provided it remains within the designated APL boundaries.
Form of Land Tenure	De facto land possession based on land clearing history, inheritance, village certificates, or sale receipts.	Land tenure may be legalized through the land administration system.	A transition occurs from factual (de facto) possession to legally recognized (de jure) rights.
Legal Risk	Potentially regarded as unauthorized occupation of forest land without a strong legal basis.	Legal risks are reduced as long as land use complies with APL boundaries and land administration procedures.	Legal certainty is strengthened, although continuous boundary supervision remains necessary.
Institutional Authority	Forestry authorities predominantly exercised jurisdiction because the legal status of the area had not been clearly established.	Land administration authorities become responsible for the land certification process.	Coordination among forestry agencies, land administration authorities, and the village government is required.
Monitoring	Unclear forest boundaries potentially created uncertainty among local communities.	Boundary markers are periodically verified and maintained.	Continuous monitoring prevents the expansion of land use beyond the designated APL boundaries.

Field facts show that land control in Tamit Village is rooted in land clearing practices since 1962, classified as communal land based on the traditional inheritance system. As an effort for administrative standardization, the village government facilitates the issuance of certificates of transfer of rights to provide an initial basis for the community to obtain ownership certainty through land certification. A review of the theory of legal certainty emphasizes that the law must articulate clear norms and provide protection guarantees for citizens to achieve legal order and prevent the abuse of authority by state officials.¹⁵

¹⁵ Saprudin, "Wawancara bersama Sekretaris Desa," (Kantor Desa Tamit), 9 Februari 2026.

The legal facts related to the transformation of the status of Tamit Village into an Other Use Area (APL) through the decree of the minister of environment and forestry reflect the state's commitment to achieving comprehensive legal certainty in the region. That formal mechanism serves as a fundamental basis for the community to obtain legitimacy over land control in accordance with the law. Theoretically, the conversion of the area status to APL embodies the real implementation of the legal certainty pillar in Tamit Village. The policy provides regulatory clarity regarding the transition of land use, from forest areas that are restrictive in nature to productive land with the potential for private ownership.

Theoretically, the State Control Right (HMN) encompasses public authority to regulate the utilization of natural resources to achieve community welfare as stipulated in the constitution and agrarian law. Field data from UPT KPH Pogogul confirms that the Tamit Village area is currently classified as an Other Use Area (APL) through the legitimacy of the Minister of Environment and Forestry Decree Number 6624/MENLHK-PKTL/KUH/PLA.2/10/2021. The transformation of the area's status serves as a legal protection instrument that guarantees the legality of land use by local residents. The researchers concluded that the designation of APL status in Tamit Village reflects a fundamental balance between legal aspects, a sense of justice, and social utility.

2. Legal Certainty in the Process of Issuing Land Title Certificates

Law Number 5 of 1960 on the Basic Agrarian Law (UUPA) establishes a classification of primary land rights, which includes Ownership Rights, Cultivation Rights (HGU), Building Use Rights (HGB), and Use Rights (HP).¹⁶ The rights holder obtains a strong legal certainty guarantee through the procedure of registering those rights at the National Land Agency (BPN) office to obtain an authentic deed as valid proof. Along with the escalation of economic activities involving land objects, such as buying and selling transactions and rentals, strengthening the guaranty of legal certainty in the agrarian sector has become a fundamental necessity.¹⁷

¹⁶ GIBRAN MUHAMMAD FARHAN, *PEMBERIAN HAK GUNA USAHA DI IBU KOTA NUSANTARA DALAM PERSPEKTIF UNDANG UNDANG POKOK AGRARIA DAN PEMBANGUNAN EKONOMI NASIONAL*, 2025, <http://digilib.unila.ac.id/id/eprint/88919>.

¹⁷ Rahmat Ramadhani, "Pendaftaran tanah sebagai langkah untuk mendapatkan kepastian hukum terhadap hak atas tanah," *SOSEK: Jurnal Sosial dan Ekonomi* 2, no. 1 (2021): 31–40, <https://doi.org/https://doi.org/10.55357/sosek.v2i1.119>.

Legally, unregistered land still holds the status of state land physically controlled by the applicant based on the explanation from the encountered informant.¹⁸ Land title certificates are an essential prerequisite for transferring factual control to legal control that has legal legitimacy. The effort to legalize assets through the certification procedure reflects the implementation of the principle of legal certainty for the community in the Tamit Village area.

The land certification process necessitates the fulfillment of the clear and clean principle to ensure that the land object is free from disputes and has a valid legal basis according to the explanation from the source. In this context, the authorities of Tamit Village provide administrative support by supplying basic land documents for the applicant community. The presence of the Complete Systematic Land Registration Program (PTSL) since 2018 serves as a tangible means to realize the principle of legal certainty in Tamit Village. This mechanism reforms the status of land control from mere physical possession to formal ownership rights that have absolute legal certainty.

Table 2. Legal Risks of Land Control Before and After Certification

Risk Aspect	Before Land Certification	After Land Certification through the Complete Systematic Land Registration (PTSL) Program	Legal Protection Significance
Proof of Ownership	Village certificates, sale receipts, or hereditary land possession.	Land ownership certificate.	The land certificate serves as strong legal evidence of ownership.
Transfer of Rights	Vulnerable to legal disputes because transactions do not always comply with land administration procedures.	Transfers of rights can be conducted through formal legal procedures.	Reduces disputes among community members and heirs.

¹⁸ Adiwibowo Puthera Tjokro, "Wawancara bersama pihak Kantor Pertanahan Kabupaten Buol, Seksi Penetapan Hak dan Pendaftaran Tanah,," (Kantor Pertanahan Kabupaten Buol), 29 Januari 2026.

Legal Status of the Owner	The landholder is recognized primarily as a de facto possessor.	The landholder is legally recognized as the registered holder of land rights.	Provides legal certainty and protection of land rights.
Potential for Disputes	High, because land boundaries and the legal basis of ownership are often unclear.	Lower, because the land has been surveyed and officially registered.	Supports orderly land administration.
Relationship with the State	Land possession is not yet fully integrated into the national land registration system.	Land tenure is officially recorded in the land administration system.	The State formally recognizes land rights through the issuance of a land certificate.

Researchers argue that the guaranty of legal certainty in the issuance of land certificates is a fundamental pillar in the national agrarian system as mandated by Article 19 of the Basic Agrarian Law (UUPA). The regulation mandates the implementation of land registration through the stages of measurement, bookkeeping, and certificate issuance to provide authentic proof tools for the rights holders. Land without certificates inherently has a vulnerable legal status, making the certification process an essential prerequisite to transform factual control into legal control based on the principle of clear and clean title. The manifestation of this policy in Tamit Village is reflected in the success of the Complete Systematic Land Registration (PTSL) program, which significantly accelerates the legalization of community assets. Thus, land certificates do not merely function as administrative documents but rather as effective legal protection instruments in mitigating the risk of future agrarian disputes.

3. Legal Protection and Potential Risks of Land Control Without Legal Support

Article 32 paragraph (1) of Government Regulation Number 24 of 1997 establishes the land certificate as the sole evidence of rights that has strong legal force. The legal uncertainty for a good-faith buyer in an unregistered land transaction is exacerbated by the limited authority of notaries in providing guarantees of rights certainty. Although a notarial deed is commonly used as authentic evidence in sales transactions, the document essentially only creates a legally binding relationship. The deed merely proves the

existence of an obligation between the parties and is not constitutive in the context of the transfer of property rights over land.¹⁹

Research findings in Tamit Village indicate that the community faces significant legal risks before the implementation of the Complete Systematic Land Registration (PTSL) program. This condition occurs because the residents' land control is based solely on administrative legitimacy at the village level, which has low evidentiary power. Before the transformation of the status of Tamit Village to Other Use Area (APL) based on SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021, the community was at risk of being classified as engaging in illegal occupation within the state forest area. This fact is reflected in the informant's statement, who said that obtaining a certificate through the PTSL program provides legal protection, guarantees, and absolute certainty of rights for the right holders.²⁰

Land certification in Tamit Village serves as an instrument of preventive legal protection that goes beyond mere administrative formality. These efforts guarantee the certainty of rights for residents in managing agricultural land in former forest areas and align the social function of land with legitimate legal recognition. This phenomenon shows that achieving legal certainty requires synchronization between written legal norms and the sociological conditions of the local community to create comprehensive justice.

The rampant transfer of unregistered land rights in Tamit Village triggers legal vulnerability for the parties involved due to the absence of formal legal recognition. Communities that still rely on traditional evidence, such as girik or petok, essentially only have factual possession status. Legally, these documents do not have the same legal force as authentic property rights. This principle is reinforced by Article 32 paragraph (1) of Government Regulation Number 24 of 1997, which mandates the possession of a certificate as the most fundamental instrument of proof of rights.

4. Control and Law Enforcement in the Forestry Sector

Law Number 18 of 2013 establishes the qualification of forest destruction as any form of destructive action, including illegal logging and the use of areas without official

¹⁹ Benny Gabriel Sinaga dkk., "Penguatan Peran Preventif Notaris dan PPAT dalam Mencegah Sengketa Pertanahan Akibat Jual Beli Tanah di Bawah Tangan," *Jurnal Usm Law Review* 9, no. 2 (2026): 934–55, <https://doi.org/https://doi.org/10.26623/julr.v9i2.13931>.

²⁰ Suriani Suriani dan Hamsa Ismail, "Wawancara bersama masyarakat Desa Tamit," (Desa Tamit), 9 Februari 2026.

permission. This legal norm applies imperatively to forest areas designated or established by the government to ensure the integrity of national natural resources. As a strategic resource, forests play a vital role in supporting the structure of sustainable national development. Thus, efforts to conserve forest areas represent the fulfillment of the constitutional rights of the community to a healthy environment as guaranteed in the constitution.²¹

The degradation of forest areas has significant negative implications for the quality of human life in a multidimensional manner. The phenomenon of deforestation requires a comprehensive mitigation strategy at both local and international scales to mitigate its destructive ecological impact. In response to the low level of legal awareness among the public, the government enacted special regulations (*lex specialis*) and government regulations in the forestry sector to strengthen the legal basis for law enforcement. These legal instruments serve as guidelines for authorities in implementing sanctions precisely while also providing normative boundaries regarding prohibited and permitted actions for the public.

The mechanism of supervision and law enforcement in Tamit Village plays a crucial role in ensuring orderly management of the area and mitigating the use of land without legality. Research results indicate that the forestry agency conducts intensive supervision to maintain the integrity of the area boundaries sustainably. Information from the source, who is a forestry technical staff member, confirms that the relevant authorities conduct maintenance and verification of boundary markers (*palisades*) every five years. The activity aims to clarify the delineation between forest areas and other use areas (APL) to prevent overlapping land ownership conflicts within the APL by the community.

Supervision and enforcement of forestry laws in Tamit Village have been implemented effectively. The forestry authorities periodically conduct maintenance and verification activities on boundary markers (*poles*), reflecting their effectiveness. Referring to the statement of Abdillah as the Forestry Technical Staff, the physical inspection procedure provides certainty in the demarcation between forest areas and Other Use Areas (APL). This preventive effort has significantly succeeded in mitigating the risk of illegal land occupation by the community.

²¹ Rimawan dan Ufran, "PENEGAKAN HUKUM TERHADAP PERUSAKAN HUTAN DALAM KAWASAN HUTAN TUTUPAN NEGARA: (Studi Balai Pengamanan dan Penegakan Hukum Lingkungan Hidup dan Kehutanan Wilayah Jawa, Bali, dan Nusa Tenggara)."

The enforcement of forestry law in the Tamit Village area has shown increased efficiency following the issuance of SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021 regarding APL status. The authorities conduct routine inspections at the boundary of the area to ensure clarity in land control in accordance with the principles of the Legal Certainty Theory. A persuasive approach through community development effectively reduces conflict rates in line with the postulates of the legal protection theory. Nevertheless, discrepancies in data between vertical agencies remain an obstacle in land administration governance. According to Baharuddin P. P. Naim's perspective, data synchronization and public participation are essential prerequisites for the legal system to provide optimal legal benefits to society.

C. CONCLUSION

Based on the discussion results, the conversion of forest areas into agricultural land in Tamit Village has a legal basis after the area was designated as an Other Use Area (APL) through Decree SK 6624/MENLHK-PKTL/KUH/PLA.2/10/2021, so the agricultural use by the community can be justified as long as it is within the designated boundaries. Legal certainty over community land control is not sufficient if based solely on traditional claims, village certificates, or sale receipts but must be strengthened through land certification, especially through the Complete Systematic Land Registration (PTSL) program. This certification transforms factual control into legally recognized rights and provides legal protection against potential agrarian disputes. Supervision of area boundaries, synchronization of inter-agency data, and community participation are still necessary to ensure that agricultural land use does not exceed the APL and remains in line with the principles of legal certainty, legal protection, and social utility.

REFERENCES

Adam, Abdul Karim, Fenty U. Puluhalawa, dan Dolot Alhasni Bakung. "Mekanisme Pemberian Hak Pengelolaan dan Penguasaan Tanah Sempadan Sungai Bone: Perspektif Hukum Agraria dan Perlindungan Ekosistem Sungai." *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 5 (2025): 7963–81. <https://doi.org/https://doi.org/10.61104/alz.v3i5.2455>.

- Al Hidayat, M. *Analisis Alih Fungsi Lahan menjadi Permukiman dan Dampaknya terhadap Stok Karbon di Kecamatan Labuapi Kabupaten Lombok Barat*. 2025.
<https://doi.org/dspace.uui.ac.id/123456789/58479>.
- Danial, Danial, Sarlan Adi Jaya, Laxmi Laxmi, Erens Elvianus Koodoh, Abdul Jalil, dan Zainal Zainal. "SISTEM PENGETAHUAN EKOLOGI TRADISIONAL MASYARAKAT TOLAKI DALAM KLASIFIKASI DAN PENGELOLAAN HUTAN DI DESA PAMANDATI, KONAWE SELATAN, SULAWESI TENGGARA." *SENGKUNI Journal (Social Science and Humanities Studies)* 6, no. 1 (2025): 35–48.
<https://doi.org/https://doi.org/10.37638/sengkuni.6.1.35-48>.
- Dewa, Muhammad Jufri, La Sensus, Muhammad Sabaruddin Sinapoy, Oheo Kaimuddin Haris, Guasman Tatawu, dan Muhammad Yunus Ganing. "Kajian Hukum Perubahan Fungsi Penggunaan Kawasan Hutan untuk Usaha Pertambangan." *Halu Oleo Legal Research* 5, no. 1 (2023): 352–68.
- Firdaus, Muhammad Bintang. "Dialektika Keadilan, Kepastian, Kemanfaatan Hukum dalam Perspektif Gustav Radbruch pada Hukum Indonesia." *Jurnal Kajian Hukum Dan Kebijakan Publik* E-ISSN: 3031-8882 3, no. 1 (2025): 357–67.
<https://doi.org/https://doi.org/10.62379/qy4b6z80>.
- MUHAMMAD FARHAN, GIBRAN. *PEMBERIAN HAK GUNA USAHA DI IBU KOTA NUSANTARA DALAM PERSPEKTIF UNDANG UNDANG POKOK AGRARIA DAN PEMBANGUNAN EKONOMI NASIONAL*. 2025.
<http://digilib.unila.ac.id/id/eprint/88919>.
- Napitu, Ja Posman, Aceng Hidayat, Sambas Basuni, dan Sofyan Sjaf. "Mekanisme akses pada hak kepemilikan di kesatuan pengelolaan hutan produksi meranti, Sumatera Selatan." *J. Penelit. Sos. dan Ekon. Kehutan* 14, no. 2 (2017): 101–18.
<https://doi.org/http://dx.doi.org/10.20886/jpsek.2017.14.2>.
- Nasrudin, SH, MCE MH, dan SE Nina Nursari. *BUKU PENGANTAR ILMU HUKUM (MEMBEDAH LOGIKA DAN ETIKA KEADILAN)*. Penerbit Widina, 2025.
- Pratama, Muhammad Risky Surya, Arum Ayu Lestari, dan Rimas Intan Katari. "Pemenuhan hak bagi masyarakat adat oleh negara di bidang hutan adat." *Jurnal*

- Hukum Ius Quia Iustum* 29, no. 1 (2022): 189–210.
<https://doi.org/https://doi.org/10.20885/iustum.vol29.iss1.art9>.
- Putri, Indriana Diani, Rochmat Martanto, dan Rohmat Junarto. “Pengaruh alih fungsi lahan terhadap ketahanan pangan, lingkungan, dan keberlanjutan pertanian di Kabupaten Sleman.” *Widya Bhumi* 4, no. 2 (2024): 192–211.
<https://doi.org/https://doi.org/10.31292/wb.v4i2.108>.
- Ramadhani, Rahmat. “Pendaftaran tanah sebagai langkah untuk mendapatkan kepastian hukum terhadap hak atas tanah.” *SOSEK: Jurnal Sosial dan Ekonomi* 2, no. 1 (2021): 31–40. <https://doi.org/https://doi.org/10.55357/sosek.v2i1.119>.
- Rastrapati, Kadek Bagas. *IMPLEMENTASI PASAL 32 AYAT 1 PERATURAN PEMERINTAH NOMOR 24 TAHUN 1997 TENTANG PENDAFTARAN TANAH TERHADAP SENGKETA TANAH DI DESA ADAT GUWANG KABUPATEN GIANYAR*. 2024.
<http://repo.undiksha.ac.id/id/eprint/19409>.
- Rimawan, Aris, dan Ufran Ufran. “PENEGAKAN HUKUM TERHADAP PERUSAKAN HUTAN DALAM KAWASAN HUTAN TUTUPAN NEGARA:(Studi Balai Pengamanan dan Penegakan Hukum Lingkungan Hidup dan Kehutanan Wilayah Jawa, Bali, dan Nusa Tenggara).” *Parhesia* 1, no. 1 (2023): 81–91.
<https://doi.org/https://doi.org/10.29303/parhesia.v1i1.2559>.
- Sari, Deby Nurmaya, Mei Linda, Mia Damayanti, dan Raizky Rienaldy Pramasha. “Keseimbangan Ekonomi Dan Lingkungan Dalam Pengelolaan Hutan Berkelanjutan: Konservasi Keanekaragaman Hayati Sebagai Aset Ekonomi.” *Jurnal Akuntansi, Manajemen dan Ekonomi* 3, no. 2 (2024): 11–19.
<https://doi.org/https://doi.org/10.56248/jamane.v3i2.99>.
- Sinaga, Benny Gabriel, Pristika Handayani, dan Alwan Hadiyanto. “Penguatan Peran Preventif Notaris dan PPAT dalam Mencegah Sengketa Pertanahan Akibat Jual Beli Tanah di Bawah Tangan.” *Jurnal Usm Law Review* 9, no. 2 (2026): 934–55.
<https://doi.org/https://doi.org/10.26623/julr.v9i2.13931>.
- Suni, Muhammad Adam, Hasriani Muis, Ida Arianingsih, Misra Misra, dan Rhamdhani Fitrah Baharuddin. “Analisis dan Pemodelan Spasial Perubahan Tutupan Lahan di

Hutan Produksi Terbatas Kecamatan Kulawi Kabupaten Sigi.” *JTSL (Jurnal Tanah dan Sumberdaya Lahan)* 10, no. 2 (2023): 273–84.
<https://doi.org/https://doi.org/10.21776/ub.jtsl.2023.010.2.11>.