

The Juridical Analysis of the Use of Electronic Signatures on Electronic Land Certificates in the Conception of Legal Certainty

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Abstract. *This study aims to analyze: 1) Juridical analysis of the use of electronic signatures on electronic land certificates in the conception of legal certainty. 2). Legal protection for electronic certificate holders as a guarantee of ownership of land rights. The approach method used in discussing this research problem is a normative juridical approach. The specification of the research used is descriptive analytical research. This type of data uses secondary data. The data analysis method used in this research is qualitative data analysis. The results of the study concluded: 1) The use of electronic signatures on electronic land certificates in the conception of legal certainty is legal and can be used as authentic evidence if needed in court. The use of electronic signatures on electronic land certificates guarantees legal certainty for land owners. The use of electronic signatures in court is a form of expansion of valid evidence in accordance with the applicable procedural law in Indonesia. An electronic signature has the same proving power as an authentic deed. As stipulated in the ITE Law, Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 and Spatial Planning/Head of National Land Agency of the Republic of Indonesia Number 1 of 2021. 2) Legal protection for electronic certificate holders as a guarantee of ownership of land rights is guaranteed by law. Repressive protection regarding electronic land certificates, as evidence of electronic ownership is recognized by the Electronic Information and Transaction Law (UU ITE). In terms of validity, there are no problems, especially since it has been strengthened in Article 5 of the Ministerial Regulation of ATR/BPN No. 1 of 2021, as well as Article 84 of Government Regulation No. 18 of 2021. Meanwhile, preventive protection for security has been prepared by the Ministry of ATR/BPN in anticipation of data leakage through collaboration with BSSN. . The electronic land certificate will enforce an electronic signature and use*

a Hash Code (a method to verify authenticity) and a QR Code (a matrix code created so that its contents can be parsed at high speed which requires a scan or scan to open it) guaranteed by the National Cyber and Crypto Agency (BSSN).

Keywords: Certificate; Electronic; Registration; Signature.

1. Introduction

The Covid-19 pandemic has an impact on all sectors, including public services in the land sector. The spread and increase in the number of Covid-19 cases in Indonesia occurred in a very short and fast period of time.¹ Based on the constitutional mandate in Article 33 of the 1945 Constitution of the Republic of Indonesia, it is necessary to formulate a progressive land policy to achieve certainty, justice and legal benefits. Therefore, the government initiated the implementation of an electronic land certificate policy in order to improve the national land system as stipulated in the Regulation of the Minister of ATR/Head of BPN Number 1 of 2021 concerning Electronic Certificates (Electronic Certificates). Hereinafter it will be abbreviated as Permen ATR/BPN 1/2021).²

The implementation of land registration in Indonesia has been running for approximately 61 years until 2021. From a total of approximately 126 million land parcels in Indonesia, only 82 million parcels have been registered until 2020. This means that there are still 35 unregistered lands. %, said Suyus Windayana, Director General (Dirjen) of Land Rights Determination and Registration (PHPT). It is hoped that in 2025 the policy launched by the President through the Complete Systematic Land Registration Program (PTSL) to be able to map all land parcels in the territory of Indonesia can be achieved 100%.³

Ownership of land can be legally recognized if it is first registered at the land office, according to the formulation of Government Regulation Number 24 of 1997 concerning Land Registration. The provision of legal certainty for the general public on land ownership must be accommodated. This is also related to Article 33 of the 1945 Constitution of the Republic of Indonesia, which should be able to be realized without reducing macro development interests. Government

¹Fakhrul Rozi Yamali & Ririn Noviyanti Putri. Dampak Covid-19 terhadap Ekonomi Indonesia. *Ekonomis. Journal of Economics and Business*. Volume 4. No. 2, 2020, p.384.

²Widya Pratiwi. Urgensi Sistem Pengamanan Pada Sertifikat Tanah Digital. *Jurnal Hukum Lex Generalis*. Volume 2. No. 9 September 2021, p.837

³Ana Silviana. Urgensi Sertipikat Tanah Elektronik Dalam Sistem Hukum Pendaftaran Tanah di Indonesia. *Administrative Law & Governance Journal*. Volume 4 Issue 1. March 2021, p.52

policies in agrarian affairs in Indonesia always seem to have complicated problems where there are often conflicts between public stakeholders and small people who never create synergy between the two interests.⁴

The purpose of land registration in Indonesia is to provide legal certainty (rechts cadastral) of land rights and legal protection of land ownership. This is because by registering the land, the owner of the land parcel will get a document of proof of title as proof of ownership of the data whose legal certainty is guaranteed. Documents of proof of rights which by Government Regulation Number 10 of 1961 and Government Regulation Number 24 of 1997 are called land certificates.

Land certificates are letters of evidence of land rights, management rights, waqf land, property rights to flat units and mortgage rights, each of which has been recorded in the relevant land book. The physical land certificate is a crucial document for the community. This can cause problems, ranging from falsification of certificate data by the land mafia to the many cases of land disputes caused by multiple certificates. Dual certificates arise due to juridical and physical defects which in this case occur in certificates that are not properly mapped in the land registration map by the local Land Office.⁵

The electronic land registration service has actually been designed since the enactment of Government Regulation Number 24 of 1997. Article 35 paragraph (5), (6) and (7) stipulates that:

“Gradually land registration data is stored and presented using electronic equipment and microfilm. Records of documents produced by electronic means or microfilm have the power of proof after being signed and affixed with an official seal by the Head of the Land Office concerned. The form and method of storing, presenting and deleting the documents referred to in paragraphs (1) and (2) of this Article 35, as well as the method of storing and presenting land registration data by electronic means and microfilm shall be determined by the Minister”.

However, the certificate in digital form, it is very easy to do the copying process. The process of manipulating digital data is also easy to do.⁶ So it is necessary to have a mechanism to know that a digital certificate has not changed from the

⁴Ryan Alfi Syahri. Perlindungan Hukum Kepemilikan Hak Atas Tanah. *Jurnal Ilmu Hukum Legal Opinion*. Edisi 5. Volume 2, 2014, p.2.

⁵Agus Salim. Penyelesaian Sengketa Hukum terhadap Pemegang Sertifikat Hak Milik dengan Adanya Penerbitan Sertifikat Ganda. *Jurnal USM Law Review*. Volume 2. No. 2, 2019, p. 183

⁶Leonardo Refialy. Eko Sedyono & Adi Setiawan. Pengamanan Sertifikat Tanah Digital Menggunakan Digital Signature SHA -512 & RSA. *Jurnal Teknik Informatika & Sistem Informasi*. Volume 1. No. 3, 2015, p.229.

original. One of the discourses that arise regarding the implementation of electronic certificates is related to security guarantees and legal certainty. Electronic certificates contain an electronic signature. The strength of electronic signatures is described in more detail in Government Regulation Number 82 of 2012 Article 52 Paragraph 2 concerning the Implementation of Electronic Systems and Transactions, which states that Electronic Signatures in Electronic Transactions are the Signer's approval of Electronic Information and/or Electronic Documents signed with the Electronic Signature. The use of digital signatures (digital signatures) on electronic documents is said to be able to overcome the problem of falsifying certificates because the security system can detect whether there is a manipulation process or not quickly.

2. Research Methods

The research method that will be used in this study is a normative juridical approach. This research is a descriptive analytical research. The types and sources of data used in this study are secondary data which obtained from library research supported by field research. Library research is collecting data by reviewing library materials or secondary data which includes primary legal materials, secondary legal materials and tertiary legal materials.⁷ The data analysis method that will be used is qualitative analysis method.

3. Results and Discussion

3.1. Juridical Analysis of the Use of Electronic Signatures on Electronic Land Certificates in the Conception of Legal Certainty

Act No. 5 of 1960 Basic Regulations on Agrarian Principles (UUPA) gives responsibility to the government to carry out land registration, in accordance with Article 19 of the LoGA which aims to ensure legal certainty which includes:⁸

- Certainty regarding the person/legal entity who is the holder of land rights, which is also called certainty of the subject of land rights;
- The certainty of the location, its boundaries, length and width is called the certainty of the object on the ground.

⁷Soerjono Soekanto & Sri Mamudji. 1995. *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Rajawali Press. Jakarta, p.39

⁸Irawan Soerodjo. (2002). *Kepastian Hukum Hak Atas Tanah di Indonesia*. Arkola. Surabaya. p.78.

The main purpose of the LoGA is not only to provide legal certainty and legal protection regarding the ownership of land rights for the people, but the LoGA also regulates the kinds of land rights that can be granted and owned by individuals, either alone or together with other people or legal entities.⁹

Certainty is a definite condition, provision or stipulation. The law in essence must be certain and fair because then the law can carry out its functions. It must be a guide to behaving and being fair because the code of conduct must support an order that is considered reasonable. Legal certainty is a question that can only be answered normatively, not sociologically.¹⁰ Legal certainty is normative, namely a regulation is made and promulgated with certainty because it regulates clearly and logically. Clear means unambiguous and logical. Legal certainty refers to the application of a clear, permanent, consistent and consequent law which in its implementation is not influenced by subjectivity.¹¹

Gustav Radbruch explained that in the theory of legal certainty he put forward there are four basic things that have a close relationship with the meaning of legal certainty itself, namely as follows:¹²

- Law is a positive thing which means that positive law is legislation.
- Law is based on a fact, meaning that the law is made based on reality.
- The facts contained or contained in the law must be formulated in a clear way, so that they will avoid mistakes in terms of meaning or interpretation and can be easily implemented.
- Positive laws should not be easily changed.
- Gustav Radbruch's opinion regarding legal certainty is based on his view of legal certainty which means legal certainty itself. Gustav Radbruch argues that legal certainty is one of the products of law or more specifically a product of legislation.

Legal certainty in the land sector in everyday life is related to the issue of land certificates. A land certificate is a document issued by the National Land Agency

⁹Syarifah Lia. Lathifah Hanim. Kepastian Hukum Dalam Penyelesaian Sengketa Timbulnya Tumpang Tindih Sertifikat Hak Milik (Shm) Atas Tanah (Studi Kasus di Kantor Pertanahan/Agraria & Tata Ruang Kota Pontianak). *Jurnal Akta*. Volume 4 No. 1, 2017. p.33

¹⁰Dominikus Rato. (2010). *Filsafat Hukum Mencari: Memahami & Memahami Hukum*. Laksbang Pressindo. Yogyakarta. p.59

¹¹Cst Kansil. Christine. S.T Kansil. Engelien R. Palandeng & Godlieb N Mamahit. (2000). *Kamus Istilah Hukum*. Jakarta. p.385.

¹² <https://www.gramedia.com/literasi/theory-kepastian-law/>.accessed on March 15, 2022. at 23.00 WIB

(BPN) as proof of ownership and rights of a person on land.¹³The Government of the Republic of Indonesia through the Ministry of Agrarian Spatial Planning/National Defense Agency plans to enforce and implement electronic certificates as proof of ownership of land rights. This electronic certificate is guided by the Regulation of the Minister of Agrarian and Spatial Planning / Head of the National Defense Agency Number 1 of 2021 concerning Electronic Certificates. Certificate is a certificate of proof of rights as referred to in Article 19 paragraph (2) letter c of the BAL for land rights, management rights, waqf land, ownership rights to flat units and mortgage rights, each of which has been recorded in the relevant land book. In Article 1 Paragraph (8) Electronic certificates, hereinafter referred to as e-certificates, are certificates issued through an electronic system in the form of electronic documents.

The concept of legal certainty for the application of electronic signatures in electronic certificates is related to whether or not the electronic land certificate is used as evidence in court. It is explained in the Civil Code that evidence is generally regulated in Book Four (IV) concerning Evidence and Expiration. As for the evidentiary system, civil procedural law adheres to the principle of "Seeking Formal Truth" (*formeel warheid*), so that judges in examining cases are passive. That is, he is not allowed to take active initiatives in adding or submitting the necessary evidence because this is the choice of the rights of each party. One of the duties of the judge in seeking formal truth is to investigate the legal relationship on which the lawsuit is based, whether or not it really exists. The existence of this legal relationship must be proven if the plaintiff wants to win in a case.¹⁴

Electronic signatures as evidence that have been recognized for their use, of course, have inherent evidentiary power like other evidence that has been regulated in the Civil Code, but many parties still doubt the authenticity of an electronic signature. They are of the opinion that electronic signatures, as with other electronic documents, can be easily forged and disseminated because they are non-faced (without face to face) and non-signed (without a signature). Moreover, the signature was not made before an authorized public official, in this case a notary, so that the authenticity is still much doubted.¹⁵

¹³Ahmad Yani. Rezky Amalia Syafiin. Pengarsipan Elektronik Sertifikat Tanah untuk Menjamin Ketersediaan Arsip sebagai Alat Bukti yang Sah pada Sengketa Pertanahan. *Khazanah: Jurnal Pengembangan Kearsipan*. 2021. Vol. 14 (1). p.59

¹⁴Retnowulan. Iskandar. 2005. *Hukum Acara Perdata Dalam Teori & Praktek*. Mandar Maju. Bandung. p.59

¹⁵Ibid. p. 151

Electronic signatures are authentication that uses cryptographic technology applications. Cryptography can be categorized as safe if it has the following criteria:

- *Authenticity*(authenticity), that is, the recipient of the message must know/have certainty who the sender of the message is and that the message was indeed sent by the sender. This relates to the process of verifying a person's identity.
- *Integrity*(integrity/integrity) i.e. the recipient believes that the message he/she receives has never been altered from the time it was sent until it was received.
- *Confidential*(confidential) means that the message should not be read or known by unauthorized persons.
- *Non-repudiation*(undeniable) i.e. the sender of the message cannot deny that he was not the one who sent the message.¹⁶

Cryptography is divided into two namely symmetric and asymmetric. Symmetric cryptography only uses one key to lock and unlock so that between the sender and the recipient a secure key is needed to prevent the key from falling into the hands of others, while asymmetric cryptography consists of a pair of keys to lock and unlock. For asymmetric cryptography, the private key is owned by the author of the message and the public key, which will be shared with the digital certificate, is owned by the recipient of the message.¹⁷

In Indonesia, a legal umbrella that regulates electronic signatures has been created, namely Act No. 11 of 2008 concerning Information and Electronic Transactions (UU ITE) which was later changed to Act No. 19 of 2016. The background of the need for a legal umbrella for signatures electronic transactions, namely the need for legal certainty for electronic transaction actors, efforts to prevent the implications caused by the use of information technology and the existence of global variables, namely free trade and open markets (WTO/GATT). Therefore, the ITE Law was enacted and has been in effect since April 21, 2008.¹⁸The ITE Law consists of 13 chapters and 54 articles which is a new legal regime to regulate cyberspace activities in Indonesia.

The security of an electronic land certificate is that it is issued through an electronic system, validated using an electronic signature, has ISO security standards, uses encryption technology such as cryptography by the National Cyber and Password Agency (BSSN), is easy to maintain and manage, can be

¹⁶Edmon Makarim. Op.Cit. p.63

¹⁷Ibid. p. 64

¹⁸Ahmad M.Ramli. (2006). *Cyber Law & HAKI dalam Sistem Hukum Indonesia*. Refika Aditama. Bandung. p.3

accessed without time and space limits. , minimizing the risk of loss, fire and theft.

Based on the theory of legal certainty, the use of electronic signatures on electronic land certificates can provide legal certainty for land owners. This is based on Article 5 to Article 12 of the ITE Law, which states that Electronic Information and/or Electronic Documents and/or their printouts are valid legal evidence, and are an extension of legal evidence in accordance with the applicable procedural law in Indonesia. . The law also stipulates that electronic signatures have legal force, provide legal certainty and legal consequences as long as they are made by meeting the specified requirements. According to Article 11 of the ITE Law, electronic signatures have legal force and legal consequences as long as they meet the following requirements:

- Electronic signature creation data is related only to the signer.
- The electronic signature creation data during the electronic signing process is only in the power of the signing.
- Any changes to the electronic signature that occur after the time of signing are known.
- Any changes to the Electronic Information related to the electronic signature after the time of signing can be known.
- There are certain methods used to identify who the signer is.
- There are certain ways to show that the signer has given consent to the relevant Electronic Information.

Judging from the theory of legal certainty, the legal umbrella regarding legal certainty for the application of electronic signatures is regulated by Act No. 11 of 2008 concerning Information and Electronic Transactions (UU ITE) which was later changed to Act No. 19 of 2016. In addition, it is related to the application of signs. Electronic signatures in the land sector are also regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 concerning the Application of Electronic Signatures. Based on the provisions of Article 1 Paragraph (1) concerning the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 concerning the Application of Electronic Signatures, the meaning of Electronic Signature is a signature consisting of Electronic Information attached,

Furthermore, in Article 4 Paragraph (4) it is explained that Electronic documents issued through the Electronic System as referred to in paragraph (3) letter a are legalized using Electronic Signatures in accordance with the provisions of laws and regulations. The legislation referred to in this article is the Regulation of the

Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 concerning the Application of Electronic Signatures. Where several provisions regarding the use of electronic signatures are regulated in Articles 5-8, namely:

- Signer is a legal subject associated with or related to Electronic Signature.
- Electronic Signature Creation Data is personal code, biometric code, cryptographic code and/or code generated from converting manual signatures into Electronic Signatures, including other codes generated from the development of Information Technology.
- Electronic Signature Operator is a legal entity that functions as a trusted party that facilitates the creation of Electronic Signatures.
- Electronic Signature Service Supporters are legal entities that function as parties to support the implementation of the use of Electronic Signatures

The power of proving an electronic signature is the same as that of a manual signature. This means that the use of electronic signatures on electronic land certificates ensures legal certainty for land owners. This is explained in Article 3 Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 concerning the Application of Electronic Signatures, namely:

- Electronic Signature functions as an authentication and verification tool for:
 - Signer's Identity; and/or
 - Integrity and authenticity of Electronic Information.
- Electronic Signatures can be visible or invisible on Electronic Documents.
- Electronic Signatures have the same legal force and legal consequences as manual signatures.

Based on the description above, it is concluded that the conception of legal certainty for the application of electronic signatures in electronic certificates is related to whether or not the electronic land certificate is used as evidence in court. The use of electronic signatures on electronic land certificates in the conception of legal certainty is legal and can be used as authentic evidence if needed in a trial. The use of electronic signatures on electronic land certificates guarantees legal certainty for land owners. The use of electronic signatures in court is a form of expansion of valid evidence in accordance with the applicable procedural law in Indonesia. An electronic signature has the same proving power as an authentic deed. As set out in Act No. 19 of 2016 in conjunction with Act No. 11 of 2008 concerning Information and Electronic Transactions (UU ITE), Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 3 of 2019 concerning

Application of Electronic Signatures and Ministerial Regulations Agrarian and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 1 of 2021 concerning Electronic Certificates.

3.2. Protection Law against Electronic Certificate Holders as Guarantee of Land Rights Ownership

The purpose of land registration in Indonesia is to provide legal certainty (*rechts cadastral*) of land rights and legal protection of land ownership. Electronic land certificates were launched in the context of efficient land registration, especially in the current pandemic era, because it reduces physical encounters between service users and service providers. And with digitization in land registration, it is expected to increase the value of property registration in order to improve the rating of the ease of doing business or Ease of Doing Business (EoDB).¹⁹ However, this electronic land certificate also raises questions about its legal protection both from security and its position as evidence in court. The existence of legal protection is one medium to uphold justice. According to Philipus M. Hadjon, legal protection means legal protection can be divided into two, namely preventive legal protection and repressive legal protection.²⁰

Judging from the theory of legal protection, preventive protection regarding concerns that occur in the community is that in the event of data leakage (hackers), the Ministry of ATR/BPN has prepared an anticipation of data leakage through collaboration with BSSN. The electronic land certificate will enforce an electronic signature and use cryptographic encryption technology guaranteed by the National Cyber and Crypto Agency (BSSN). BSSN provides security support for data and information exchange by utilizing Electronic Certificates to ensure authentication, data integrity and denial of data exchanged. Electronic Certificates provide guarantees for data authentication because digital certificates can show directly the owner of the certificate in a document,

A land certificate issued by the National Land Agency (BPN) is proof of legal ownership in any land dispute or any issues concerning land ownership. To ensure legal certainty, registering land rights is an important thing to do. This is done in order to ensure legal certainty for holders of land rights and other parties with an interest in the land. The principle of registration guarantee is the

¹⁹Suci Febrianti, *Perlindungan Hukum Terhadap Pemegang Sertipikat Hak Atas Tanah Elektronik*, Journal: Indonesian Notary, Volume 3 No No. 3, 2021.p.200

²⁰Muchsin. (2003). *Perlindungan & Kepastian Hukum bagi Investor di Indonesia*. Magister Ilmu Hukum Program Pascasarjana Universitas Sebelas Maret. Surakarta. p. 14.

status of the right to guarantee the accuracy of a list, even if it should provide compensation to anyone who suffers a loss.²¹

Based on the theory of legal protection, the form of repressive legal protection is contained in Article 32 Paragraph (2) of Government Regulation Number 24 of 1997, that legal protection for land certificate holders can be realized if it fulfills the following elements:

- The certificate is legally issued in the name of a person or legal entity.
- Land acquired in good faith.
- The land is actually controlled.
- Within 5 (five) years since the issuance of the certificate, no one has submitted a written objection to the certificate holder and the Head of the local Regency/Municipal Land Office or has not filed a lawsuit to the court regarding land tenure or certificate issuance.

Formal requirements regarding electronic evidence are regulated in Article 5 paragraph (4) of the ITE Law, namely that Information or Electronic Documents are not documents or letters which according to the legislation must be in written form, while the material requirements are regulated in Article 6, Article 15, and Article 16 of the ITE Law, namely electronic evidence that can be accepted in court is that an information or document electronics must be able to guarantee their availability, integrity, and authenticity.²² Electronic land certificates, as evidence of electronic ownership recognized by the ITE Law, especially those regulated in Article 6, from a legal point of view, the issue of proving Electronic Land Certificates is not a problem. The legal protection provided by law for electronic certificates is also contained in the e-certificate Article 5 of the Ministerial Regulation of ATR/BPN No. 1 of 2021 concerning Electronic Certificates, that:

- Electronic Documents as referred to in Article 4 paragraph (3) and/or their printed results are valid legal evidence and an extension of legal evidence in accordance with the applicable procedural law in Indonesia.
- For verification purposes, Electronic Documents can be accessed through the Electronic System.

²¹Chintya Agnesia. Farris Nur. Gunarto. Efektivitas Pengecekan Sertifikat Terhadap Pencegahan Sengketa Tanah Dalam Proses Peralihan Hak Atas Tanah. *Jurnal Akta*. Volume 5 No. 1 March 2018. p.267

²²Budi Suhariyanto. (2013). *Tindak Pidana Teknologi Informasi (cybercrime) Urgensi Pengaturan & Celah Hukumnya*. Raja Grafindo Persada. Jakarta. p.10.

This is also in line with Article 84 of Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Units and Land Registration which states that the implementation and implementation of land registration can be done electronically. Furthermore, the electronic data and information can then become valid legal evidence.

Based on the description above, it is concluded that legal protection for electronic certificate holders as a guarantee of ownership of land rights is guaranteed by law. Repressive protection regarding electronic land certificates, as evidence of electronic ownership is recognized by the Electronic Information and Transaction Law (UU ITE). In terms of validity, there are no problems, especially since it has been strengthened in Permen ATR/BPN No. 1 of 2021 in particular Article 5 and Government Regulation No. 18 of 2021, especially Article 84. Meanwhile, preventive protection for security The Ministry of ATR/BPN has prepared anticipation of data leakage through cooperation with BSSN.

Regarding the view of changes to the law, legal experts agree that the law must be dynamic, cannot be static and must continue to protect the community. The concept of legal certainty includes a number of interrelated aspects. One aspect of legal certainty is the protection given to individuals against the arbitrariness of other individuals. Legal certainty and legal protection are characteristics that cannot be separated from the law, especially for written legal norms. Law without the value of legal certainty and protection will lose its meaning because it cannot be used as a behavioral guide for everyone.

4. Conclusion

The juridical analysis of the use of electronic signatures on electronic land certificates in the concept of legal certainty is that the legal certainty of the application of electronic signatures in electronic certificates is related to whether or not the electronic land certificate is used as evidence in court. The use of electronic signatures on electronic land certificates in the conception of legal certainty is legal and can be used as authentic evidence if needed in a trial. The use of electronic signatures on electronic land certificates guarantees legal certainty for land owners.

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