Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

Validity of Electronic Signatures in Land Utilization Agreement Letter (SPPT) in Batam City

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Abstract. AI or Artificial Intelligence is artificial intelligence created by scientists by imitating the intelligence possessed by humans as closely as possible. Currently, there are many activities in society that are the result of AI intervention, starting from games, transportation with autopilot, robots, even design and art that also use AI. Your Certified Electronic Hand Status is Valid Almost the Same as an Authentic Certificate. Meanwhile, if it is not certified, the proof process requires a digital forensic test. Signatures are very important as a means of verification and authentication of the identity of the signer and show the authenticity and integrity of a document. Apart from that, it also ensures that the document or transaction is carried out by a legitimate individual. Both are recognized by law, but their position is much stronger than that of being certified. The flow of change in technological transformation is so fast, it raises big questions regarding whether the government as a decision maker, judicial institutions and law enforcers are ready or are they lagging far behind the digital industrial revolution which is no longer inevitable. In the Ratification of the Land Use Agreement (SPPT) in Batam City, there is an electronic signature, then what is the validity of the electronic signature according to the perspective of national law. This research uses a normative juridical method, namely by collecting data through literature study. The results of the research explain that the validity of the electronic signature in the SPPT letter has a legal basis

Keywords: Electronic Signatures; Utilization Agreement; Validity.

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1. Introduction

In a modern era where technology is increasingly seeping into almost every aspect of everyone's life, it is important to understand how e-signature regulations affect the way people transact and interact online. Electronic signatures, although they may sound like an abstract concept, actually have very real meaning in the world of business and law. The world is currently transitioning to a mass information society. Indonesia is expected to be able to adapt to global developments so that it is not left behind by global progress if it lags behind and is unable to transform in response to developments in information technology. Because information technology is developing very rapidly, information, data and knowledge can be created very quickly and spread throughout the world and in all levels of society in a matter of seconds. This shows that anyone can communicate directly with anyone in any part of the earth without the need for an intermediary.

The Batam City Government is obliged to guarantee legal certainty and protect the public interest by providing services regarding the allocation, utilization, use and management of land over the management rights of the Batam City Government. In order to provide fast, efficient and effective money services by making adjustments to the implementation of government regulation number 18 of 2021 concerning management rights, land rights, apartment units and land registration.

An electronic signature is a signature consisting of electronic information attached to an electronic document as a means of verification and authentication. In a legal context, electronic signatures are recognized as valid in line with the provisions regulated in the Information and Electronic Transactions Law (UU ITE) in Indonesia. Article 1 Number 12: *"Electronic Signature is a signature consisting of Electronic Information attached, associated or related to other Electronic Information which is used as a verification and authentication tool."* Based on this article, it can be concluded that electronic signatures must be able to verify and authenticate the information attached to the signature. Starting from the name, location, until the time of signature

As technology and information continue to develop at a breakneck pace, harnessing its potential creates opportunities for accurate and rapid management, management and utilization of affordable information. Presidential Instruction No. 3 of 2003 is one of the government's adjustment efforts in the transition to e-government. The leaders of all departments, institutions, and regional governments are instructed to integrate and maximize information and communication technology into management and government activity systems through this instruction. Efficiency, effectiveness, transparency and accountability will

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increase along with the increasing exploitation of technology and information in government administration (e-government).

One of the transformations is the addition of electronic signatures to official ministry or agency documents. Bureaucratic flows are used to coordinate tasks and discussions in order to produce policies and decisions in government administration, but bureaucracy is also the cause of delays in policy decisions. Therefore, procedures and methods are needed that are more efficient and effective in the process without reducing accountability for changes to the documents used, especially through the use of electronic signatures on government documents or correspondence. According to Law of the Republic of Indonesia no. 11 of 2008, what is meant by the process of electronic signature activities is a signature consisting of electronic information that is attached to, related to, or associated with other electronic data that is used for validation or authentication. Electronic signatures are different from scanned signatures that are then embedded in electronic documents. A certified electronic signature, also known as a digital signature, is a digital signature consisting of a series of information added to an electronic document through mathematical calculations. Electronic signatures, by definition, can only be verified electronically. Electronic signatures, like manual signatures, are unique to each individual, avoiding manipulation by unauthorized parties. The government has achieved 2 of the 6 strategic goals of e-government through the use of electronic signatures, namely structuring the management system and work processes of the government and autonomous regional governments in a holistic manner and optimizing the use of technology

2. Research Methods

This research is normative or doctrinal in nature. This research is comparative or applied. The purpose of perspective research is to get suggestions for solving a problem. This research takes a conceptual approach, starting from ideas, thoughts and teachings that grow in legal science. This approach acts as a basis for improving legal reasons and resolving the problems discussed in this research. The legal material that will be used includes primary, secondary and tertiary legal material, which will be analyzed through deductive reasoning using legal material analysis methods and the syllogism method. As a basis for resolving problems with the electronic signature system in implementing e-government in order to facilitate efficient public service delivery

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3. Results and Discussion

3.1. Validity of Electronic Signatures in Evidence in Indonesian Civil Procedure Law

Attributes and How Digital Signature Technology Works Digital signatures are created using cryptography techniques, and public key cryptography, where the algorithm uses two keys, the first is the key to form a digital signature, and the second key is used to verify or restore digital signatures. message to its original form. This concept is also known as an asymmetric cryptosystem (non-symmetric cryptosystem). Using a digital signature requires two processes, namely from the signatory and from the recipient. In detail these two processes can be explained as follows:

1) Formation of a digital signature using a hash value generated from the document and a previously defined private key. To be able to guarantee the security of the hash value, there should be a very small possibility that the same digital signature can be generated from two different documents and private keys.

2) Digital signature verification is the process of checking a digital signature by referring to the original document and the public key that has been provided, in this way it can be determined whether the digital signature was created for the same document using a private key that corresponds to the public key. To sign a document or other piece of information, the signer first defines exactly which parts will be signed. This restricted information is called ³PHVVDJH¥. Then the digital signature application will form the hash value into a digital signature using the private key. The digital signature formed is unique for both the message and the private key.

E-Signatures are commonly used, there are still those who choose physical signatures for security and trust reasons. But actually you don't need to worry anymore, Law no. 11 of 2008 concerning Electronic Information and Transactions has regulated the legal requirements for digital signatures.

The following are several legal requirements for electronic signatures based on this law:

1. The e-Signature creation data is only known to the owner.

2. Only the owner has the right to use the electronic signature.

3. All changes after the signature can be detected.

4. Changes in information related to electronic signatures can be detected.

5. Have a way to identify the owner of the electronic signature.

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6. Have a way to ensure owner approval of related information.

Electronic signatures work by embedding unique electronic information in digital documents. PKI technology, as one of the legally recognized electronic signature methods, involves the use of a pair of keys, namely a public key and a private key. The public key is used to encrypt information, while the private key is used to decrypt and confirm the user's identity. This process ensures the validity and integrity of the signed document.

System for using electronic signatures in implementing e-government. Electronic signature is defined in Law Number 11 of 2008, as amended by Law Number 19 of 2016, as a signature consisting of other electronic data used for verification and authentication (hereinafter referred to as the ITE Law). A certified electronic signature, also known as a digital signature, is a file of information that is added mathematically to an electronic document. Not only that, an electronic signature confirmation method is needed. Electronic signature, such as a wet signature or Manual signatures are application-specific due to the fact that each individual signature is special. In accordance with Presidential Instruction Number 3 of 2003 concerning "National Policy and Strategy for E-Government Development", every individual is obliged to protect their digital signature from unauthorized use. When a government agency's electronic system requires an electronic signature, two steps must first be completed: applying for an electronic certificate and approving the electronic certificate. When applying for an electronic certificate, it is important to remember that an electronic signature on an electronic certificate is only possible if the user, in this case the administrator, has the private key and electronic certificate. Finally, the user is obliged to initiate communication with the electronic signature system by sending an electronic certificate request. Electronic signature systems use authentication databases stored on government agencies' electronic systems to allow each registered user to request an electronic certificate.

An electronic signature is obtained by a transaction that is preceded by an agreement, which is based on Article 1320 of the Civil Code which states that the validity of an agreement requires 4 (four) conditions, namely

1) their agreement that binds them;

2) the ability to create an agreement;

3) a particular subject matter;

4) a cause that is not prohibited.

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The provisions above do not require the form and type of media used in transactions. So whatever the form and medium of the agreement, which in this case is an electronic transaction signed with an electronic signature, it remains valid and binding on the parties because the agreement constitutes the law for those who make it. Based on the provisions above, electronic signatures have legal validity, likewise according to Article 15 Paragraph (1) of Law Number 8 of 1997 concerning Company Documents (Company Documents Law) electronic signatures are also valid evidence. Article 15 of the Company Documents Law states that: companies that have been published on microfilm or other media and/or the results of electronic documents accompanied by electronic signatures, the essence of which is about agreements, or in other words electronic agreements from electronic transactions that are signed with a signature. electronic hand, then if it is related to Article 1333 of the Civil Code, the subject of the agreement is an object whose type is at least determined. It is not an obstacle that the amount of material is uncertain, provided that the amount can then be determined or calculated. The Information and Electronic Transactions Law (UU ITE) has principles including technology neutrality or freedom to choose technology. This includes choosing the type of electronic signature intended for signing electronic information and/or electronic documents. Based on Article 11 of the ITE Law, electronic signatures have legal force and legal consequences as long as they meet the following requirements, namely: 1) Data on creating an electronic signature relates only to the signer. 2) Data on creating an electronic signature during the electronic signing process is only under the control of the signer. 3) Any changes to the electronic signature that occur after the time of signing can be known. 4) Any changes to the electronic information related to the electronic signature after the electronic signature can be known. 5) There are certain methods used to identify who the signer is. 6) There are certain ways to show that the signatory has given consent to the relevant electronic information. This law provides explicit recognition that even though it is only a code, electronic signatures have the same position as manual signatures in general in that they have legal force and legal consequences. The requirements as intended in Article 11 of the ITE Law are the minimum requirements that must be fulfilled in every electronic signature.

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4. Conclusion

Conclusion An electronic signature can only be said to be valid if it uses an electronic system that complies with the regulations in force in Indonesia. Electronic evidence, in this case an electronic signature, can have legal force if the integrity of the information can be guaranteed, can be accounted for, can be accessed and can be displayed, thus explaining a situation. The person submitting electronic evidence must be able to show that the information they have comes from a trusted electronic system. Legal efforts to resolve electronic transactions where electronic documents are signed with an electronic signature are based on an agreement between both parties regarding the choice of law and institution to resolve the problem that occurs.

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