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Achieving Legal Certainty in Regional Land Asset Governance: A Normative Juridical Study of Government-Owned Land in West Bandung Regency, Indonesia

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Abstract: Legal certainty over regional land assets is essential for protecting public property, ensuring administrative order, and supporting accountable asset utilization. However, studies on regional asset governance have largely emphasized accounting and administrative management, while the interaction between agrarian law, regional property regulations, and inherited uncertified government land remains insufficiently examined. This study analyzes the realization of legal certainty for land assets owned by the Government of West Bandung Regency, identifies the principal obstacles to certification, and evaluates the measures required to strengthen asset protection. The study employed normative juridical research using statute, conceptual, and case approaches. Legal materials and official documents were examined through qualitative descriptive analysis, legal interpretation, regulatory synchronization, and documentary cross-checking. The findings show that only 1,789 of 3,782 land parcels have been certified, while 1,993 parcels, or 52.70 percent, remain uncertified. The main obstacles involve unclear physical boundaries, incomplete ownership and transfer records, fragmented archives, overlapping claims, and limited inter-institutional coordination. The novelty of this study lies in demonstrating that legal certainty must be assessed through the integrated dimensions of physical, administrative, and legal security, supported by parcel-based documentation, risk-based certification, and coordinated institutional action.

Keywords: Legal Certainty, Regional Land Assets, Land Registration, Land Certification, Regional Asset Governance.

INTRODUCTION

Land constitutes one of the most strategic categories of public assets because it functions not only as a physical resource for development but also as an essential means of supporting public services, infrastructure provision, and regional economic development. In contemporary public administration, government-owned land forms a significant component of public wealth

and must therefore be managed through transparent, accountable, efficient, and legally secure governance mechanisms. Effective public land management can strengthen fiscal sustainability, institutional legitimacy, and the capacity of local governments to deliver public services, whereas inadequate administration may expose public assets to disputes, unauthorized occupation, ineffective utilization, and potential loss (Gross & Wolny-Kucińska, 2021; Kaganova & Amoils, 2020; Koroso et al., 2019).

Indonesia's decentralization policy has expanded the authority and responsibility of local governments to manage their resources and assets independently. Within this decentralized system, regional governments are responsible for managing regional property or *Barang Milik Daerah* (BMD), including land acquired through the Regional Revenue and Expenditure Budget, transfers from other government institutions, grants, and other legitimate sources. The quality of regional property management directly affects administrative accountability, public service effectiveness, and the implementation of good governance principles. Consequently, regional land assets must be properly inventoried, physically controlled, administratively documented, and legally secured to ensure that they can be used in accordance with regional development objectives (Nor et al., 2022; Sumaryana et al., 2024; Tomažević et al., 2023).

Among the various forms of regional property, land occupies a particularly important position because of its high economic value, limited availability, permanent nature, and complex legal implications. Unlike movable assets, land is frequently associated with unclear boundaries, overlapping claims, incomplete ownership documents, historical transfers, unauthorized occupation, and disputes between government institutions, communities, and third parties (Adam, 2020; Moreda, 2023). Legal certainty is therefore indispensable in the governance of government-owned land. It requires clear legal norms, formally recognized ownership status, reliable administrative evidence, and enforceable protection against competing claims. In land administration, such certainty is principally established through systematic registration and certification, which provide legally recognized evidence of ownership and support orderly land administration (Fathoni et al., 2024; Lähtenmäki-Uutela et al., 2021; Tesfaye et al., 2023).

The obligation to secure government-owned land is firmly established within the Indonesian legal framework. Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Principles requires the government to conduct land registration to guarantee legal certainty. Article 49 paragraph (1) of Law Number 1 of 2004 concerning State Treasury further stipulates that land controlled by central or regional governments must be certified in the name of the Government of the Republic of Indonesia or the respective regional government. In addition, Government Regulation Number 27 of 2014 concerning State and Regional Property Management, as amended by Government Regulation Number 28 of 2020, provides the regulatory basis for the orderly, effective, and accountable management of government property. These provisions collectively establish registration and certification as legal obligations rather than merely optional administrative measures.

Despite this comprehensive legal framework, a considerable implementation gap remains between regulatory obligations and the actual governance of regional land assets. Local governments continue to encounter incomplete ownership documents, inadequate asset inventories, unclear physical boundaries, overlapping claims, fragmented archives, and limited coordination between asset management authorities, land offices, village governments, and other institutions. These conditions may delay measurement and certification procedures, weaken the evidentiary basis of government ownership, and increase the risk of public land being occupied, transferred, or claimed by unauthorized parties (Ameyaw & de Vries, 2021; Astuti et al., 2022; Sumaryana et al., 2024; Tchatchoua-Djomo et al., 2020).

West Bandung Regency provides a particularly relevant case for examining this implementation gap. The selection of this region is not based solely on its status as a newly

established autonomous region resulting from the territorial division of Bandung Regency. More importantly, the establishment of West Bandung Regency was followed by the transfer of numerous land assets from the parent region, not all of which were accompanied by complete physical, administrative, and legal documentation. This historical transfer created difficulties in identifying asset locations, reconstructing ownership records, confirming physical boundaries, and preparing the evidentiary documents required for certification.

The importance of examining West Bandung Regency is also supported by the persistent significance of fixed-asset administration in regional financial accountability. In the audit of the 2014 Regional Government Financial Statements, the Audit Board of the Republic of Indonesia included West Bandung Regency among the regional governments receiving a qualified opinion, with exceptions largely associated with fixed assets. In the same audit cycle, the Audit Board identified uncertified local government land and assets whose existence could not be adequately traced as recurring problems in regional asset administration. This audit history demonstrates that land asset governance is not merely a technical certification issue but also an important component of financial accountability and institutional governance.

More recent regional asset data examined in this study indicate that the Government of West Bandung Regency controls 3,782 land parcels. Of these, 1,789 parcels have been certified, whereas 1,993 parcels remain uncertified. Thus, approximately 52.70% of the regional government's land parcels have not obtained formal legal recognition through certification. The scale of the uncertified assets distinguishes West Bandung Regency from cases involving only isolated administrative irregularities. It indicates a systemic governance problem involving inherited records, physical identification, administrative verification, institutional coordination, and legal recognition. The absence of certificates does not necessarily eliminate government control over the land, but it weakens the legal evidence required to defend ownership, resolve competing claims, prevent unauthorized occupation, and utilize the assets effectively for public purposes.

Previous studies have examined public asset management from the perspectives of accounting information, valuation, financial reporting, internal control, and asset utilization (Boufounou et al., 2024; Dharma et al., 2023; Nugraheni et al., 2022). Other studies have discussed land registration and tenure security primarily in relation to private ownership, community land, or agricultural land (Abdillah et al., 2022; Lee et al., 2019; Ling et al., 2019). Although these studies provide valuable insights, relatively limited attention has been devoted to legal certainty concerning government-owned land as an institutional governance problem. In particular, the relationship between regional property management regulations and agrarian law, the legal consequences of incomplete asset transfers, and the combined role of physical, administrative, and legal security in protecting regional land assets remain insufficiently examined.

This study addresses that gap by integrating the principles of legal certainty, regional asset governance, and agrarian law within a unified analytical framework. Rather than treating certification as an isolated administrative procedure, the study examines it as the final stage of an interconnected asset-security process. Physical security concerns the identification, control, measurement, boundary determination, and protection of land from unauthorized occupation. Administrative security concerns inventories, ownership records, transfer documents, archival reconstruction, and the reliability of asset information. Legal security concerns registration and certification as formal evidence of government ownership. The interaction among these three dimensions provides a more comprehensive basis for assessing whether legal certainty has genuinely been achieved.

Accordingly, this study aims to analyze the realization of legal certainty concerning land as a regional asset in West Bandung Regency, identify the physical, administrative, institutional, and legal obstacles affecting land certification, and evaluate the measures

undertaken by the regional government to secure its land assets. The novelty of the study lies in its multidimensional examination of physical, administrative, and legal security within the specific context of inherited land assets in a newly established autonomous region. The study is expected to contribute theoretically by connecting regional asset governance with agrarian law and practically by providing a foundation for integrated inventories, archival reconstruction, risk-based certification priorities, and stronger coordination between the Government of West Bandung Regency, the National Land Agency, village governments, and other relevant institutions.

METHOD

This study employed normative juridical research, also referred to as doctrinal legal research, using a descriptive-analytical design. The study examined the legal norms, principles, and regulatory arrangements governing the registration, certification, protection, and administration of land owned by the Government of West Bandung Regency. Normative juridical research was selected because the primary focus of the study was to evaluate the coherence, synchronization, and implementation of legal provisions concerning regional land assets rather than to statistically measure relationships between variables. In doctrinal legal research, statutory regulations, legal principles, legal doctrines, and officially documented legal facts constitute the main units of analysis (Majeed et al., 2023).

The research combined a statute approach, a conceptual approach, and a contextual case approach. The statute approach was used to examine the hierarchy, consistency, and interrelationship of regulations governing state treasury administration, regional property management, and land registration. The conceptual approach was applied to analyze the doctrines of legal certainty, public asset governance, land administration, and government asset protection. The contextual case approach was used to assess how those legal norms were implemented in the governance of government-owned land in West Bandung Regency, particularly in relation to inherited land assets, incomplete administrative records, unclear physical boundaries, overlapping claims, and uncertified land parcels. Accordingly, West Bandung Regency was treated as the institutional and territorial context through which the effectiveness of the applicable legal framework was evaluated.

The object of the study comprised legal provisions and official administrative documents related to the management and certification of regional land assets in West Bandung Regency. The legal framework analyzed included the Constitution of the Republic of Indonesia of 1945; Law Number 5 of 1960 concerning Basic Agrarian Principles; Law Number 1 of 2004 concerning State Treasury; Government Regulation Number 24 of 1997 concerning Land Registration; Government Regulation Number 27 of 2014 concerning State and Regional Property Management, as amended by Government Regulation Number 28 of 2020; West Bandung Regency Regulation Number 7 of 2017 concerning Regional Property Management; and West Bandung Regent Regulation Number 81 of 2017 concerning Technical Guidelines for Regional Property Management. Government Regulation Number 28 of 2020 formally amended Government Regulation Number 27 of 2014, while West Bandung Regent Regulation Number 81 of 2017 was enacted to implement West Bandung Regency Regulation Number 7 of 2017.

The materials used in this study were classified into primary legal materials, secondary legal materials, tertiary legal materials, and supporting official documents. Primary legal materials consisted of legislation and regional regulations directly governing land registration, state treasury administration, and regional property management. Secondary legal materials included peer-reviewed journal articles, scholarly books, legal commentaries, and previous studies concerning legal certainty, public asset management, land administration, and government-owned land. Tertiary legal materials, including legal dictionaries and

encyclopedias, were used to clarify legal concepts and terminology. Supporting official documents consisted of regional asset inventories, asset-transfer documents, land-certification records, measurement documents, audit reports, institutional correspondence, and other administrative records relevant to the status of government-owned land in West Bandung Regency.

Data were collected through documentary research and library research. Documentary research involved identifying, collecting, and examining legislation, official asset records, land administration documents, reports, and other documents issued or authenticated by competent government institutions. Library research was conducted by reviewing scholarly publications and legal literature relevant to the research objectives. Documents were selected based on their institutional authority, relevance to regional land assets, authenticity, date of issuance, completeness, and relationship with the legal issues examined. A document-review matrix was used as the research instrument to record the identity and issuing authority of each document, the applicable legal provisions, the status of the land assets, the form of available ownership evidence, the problems identified, and the consistency of information across different documentary sources.

To strengthen the reliability of the contextual data and address the evidentiary requirements of the case approach, factual information concerning regional land assets was verified through source triangulation and documentary cross-checking. Data contained in the official asset inventory of the Regional Financial and Asset Management Agency of West Bandung Regency were compared with relevant records from the West Bandung Regency Land Office or the National Land Agency, asset-transfer documents from Bandung Regency, audit reports, and other official administrative records. The verification process examined the issuing institution, document number, date, authorized signature, total number of land parcels, certification status, location, area, and consistency of information among documents. Where different documents contained inconsistent information, priority was given to the most recent official document that had been authenticated by the competent institution, while the discrepancy was recorded and analyzed as part of the administrative-security problem.

The figures used in this study—3,782 government-owned land parcels, consisting of 1,789 certified parcels and 1,993 uncertified parcels—were obtained from the Regional Government Land Asset Inventory Records of West Bandung Regency maintained by the Regional Financial and Asset Management Agency (Badan Pengelolaan Keuangan dan Aset Daerah/BPKAD) of West Bandung Regency. This official asset inventory was used as the primary factual source because it provides administrative records regarding the number of regional land assets and their certification status. The consistency of the data was verified by comparing the total number of land parcels with the combined number of certified and uncertified parcels and by recalculating their respective proportions. Based on this verification process, uncertified parcels accounted for approximately 52.70% of the total regional land assets. The inventory data were further cross-checked with supporting administrative documents, including land certification records, asset transfer documents, and other relevant official records, to ensure the reliability and consistency of the information used in this study.

The collected materials were analyzed qualitatively using descriptive and prescriptive legal analysis. The analytical process consisted of several stages. First, the legal materials and supporting documents were inventoried and classified according to their legal hierarchy, institutional source, and substantive relevance. Second, statutory provisions were interpreted using grammatical, systematic, and teleological interpretation to identify their meaning, regulatory objectives, and legal consequences. Third, vertical and horizontal synchronization was conducted to assess the consistency between agrarian law, state treasury regulations, regional property management regulations, and regional implementing regulations. Fourth, the factual conditions documented in West Bandung Regency were compared with the obligations

established by the applicable legal framework to identify gaps between normative requirements and administrative implementation.

In the final stage, legal reasoning and doctrinal synthesis were applied to evaluate the realization of legal certainty in regional land asset governance. The findings were interpreted through three interrelated dimensions of asset security: physical security, administrative security, and legal security. Physical security concerned physical control, land identification, boundary determination, measurement, and protection from unauthorized occupation. Administrative security concerned asset inventories, ownership records, transfer documents, archival completeness, and the reliability of asset information. Legal security concerned land registration and certification as legally recognized evidence of government ownership. This analytical framework was used to identify the principal obstacles to certification, evaluate the measures undertaken by the Government of West Bandung Regency, and formulate legally grounded recommendations for strengthening regional land asset governance.

RESULTS AND DISCUSSION

Realization of Legal Certainty for Regional Land Assets in West Bandung Regency

The documentary findings indicate that the Government of West Bandung Regency administers 3,782 land parcels. Of this total, 1,789 parcels, or approximately 47.30%, have been certified, whereas 1,993 parcels, or approximately 52.70%, remain uncertified. Thus, more than half of the regional government's land assets have not yet obtained formal legal recognition through land registration and certification. This condition demonstrates that legal certainty regarding regional land assets in West Bandung Regency has not been fully achieved.

The figures above should be understood not merely as an administrative backlog but as an indication of a broader legal-governance problem. The absence of a certificate does not automatically mean that the regional government has no factual control or legal basis over the land. Nevertheless, uncertified status weakens the government's evidentiary position when ownership is challenged, boundaries are disputed, or third parties attempt to occupy or register the same parcel. Certification therefore functions not only as an administrative document but also as an essential instrument for protecting public assets, ensuring accountability, and supporting the lawful utilization of government-owned land.

From a normative perspective, the substantial number of uncertified land parcels reflects a gap between legal obligations and their practical implementation. Article 49 paragraph (1) of Law Number 1 of 2004 concerning State Treasury requires land directly controlled by central and regional governments to be certified in the name of the Government of the Republic of Indonesia or the respective regional government. Similarly, Article 43 paragraph (1) of Government Regulation Number 27 of 2014 concerning State and Regional Property Management, as amended by Government Regulation Number 28 of 2020, places land certification within the framework of securing and administering state and regional property.

These provisions are closely related to Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Principles, which establishes land registration as a mechanism for guaranteeing legal certainty. Government Regulation Number 24 of 1997 concerning Land Registration further emphasizes that land registration is intended to provide legal certainty and legal protection, supply land information to interested parties, and establish orderly land administration. Accordingly, the continued existence of 1,993 uncertified parcels indicates that the normative objectives of land registration have not yet been fully realized in the governance of regional land assets in West Bandung Regency.

The findings further indicate that a substantial proportion of the uncertified land assets originated from the transfer of assets following the territorial division of Bandung Regency and the establishment of West Bandung Regency. The transfer process was not consistently accompanied by complete acquisition documents, ownership evidence, maps, measurement

records, asset-transfer reports, or other administrative records. Consequently, West Bandung Regency inherited not only physical assets but also incomplete documentary histories and unresolved legal-administrative problems.

This condition is consistent with studies showing that fragmented administration and incomplete asset-transfer mechanisms can weaken the protection of public assets and obstruct the establishment of legal certainty (Alam et al., 2026; Kaganova & Amoils, 2020). Asset transfer that merely lists the object or transfers its physical use without providing a complete documentary chain may produce long-term consequences for the receiving government. Subsequent officials must reconstruct the history of acquisition, determine the precise location and boundaries, verify current use, and establish whether third-party claims exist before certification can proceed.

According to the theory of legal certainty, rights and obligations must be clearly regulated, formally recognized, and effectively enforceable. In the context of land administration, a certificate constitutes strong legal evidence regarding the physical and juridical data recorded in the relevant land book and measurement document. Certification therefore strengthens the government's ability to demonstrate ownership and protect its assets from competing claims, unauthorized occupation, and unlawful transfer (Sekotibo, 2021; Tesfaye et al., 2023).

However, certification cannot be viewed as an isolated final procedure. The findings demonstrate that legal certainty depends on three interrelated dimensions of regional asset security: physical security, administrative security, and legal security. Physical security identifies and protects the land as a tangible object. Administrative security establishes a reliable record of its origin, control, transfer, and utilization. Legal security provides formal recognition through registration and certification. Weakness in one dimension directly obstructs the achievement of the others.

Physical Security of Regional Land Assets

Physical security refers to measures undertaken to ensure that government-owned land can be accurately identified, physically controlled, maintained, and protected from encroachment, illegal occupation, unauthorized use, and overlapping claims. These measures include field identification, determination of location and area, boundary confirmation, land measurement, installation of boundary markers, preparation of maps, and placement of signs indicating government ownership.

The findings indicate that physical security has not been fully achieved for several inherited land assets. Some parcels lack clearly identifiable boundaries, accurate area measurements, permanent boundary markers, or reliable maps. In other cases, a parcel may be physically used by a regional government agency, school, public health facility, or other public institution, but its boundaries have not been formally confirmed with the owners or occupants of adjacent land.

Physical occupation by a regional government institution does not automatically produce legal certainty. The fact that a parcel has been used for public purposes for a considerable period may support the government's claim of control, but it does not independently resolve questions regarding the parcel's precise boundaries, area, acquisition history, or legal status. Consequently, physical control must be supported by accurate physical data and consistent administrative evidence.

Unclear boundaries become particularly problematic when communities, adjoining landowners, heirs, former owners, or other third parties assert claims over part or all of the parcel. Such claims may be based on old village records, tax documents, private deeds, inheritance histories, traditional boundary descriptions, previous transactions, or long-term

occupation. When the government and the claimant identify different boundaries for the same land, the dispute directly affects the cadastral measurement process.

Land measurement requires the location and boundaries of the parcel to be clearly identified. When adjoining owners or competing claimants object to the proposed boundaries, refuse to acknowledge boundary markers, or submit different evidence of control, the measurement cannot be treated as an uncontested technical procedure. The Land Office may require clarification of the boundaries, examination of supporting documents, or settlement of the objection before the registration process can proceed.

Therefore, overlapping claims may obstruct certification from the earliest stage. They do not merely create the possibility of a future dispute after a certificate has been issued. Instead, they may prevent the completion of the physical data required to prepare the Land Parcel Map and other cadastral documents. This explains why unresolved boundary disputes and competing claims frequently delay public land registration and weaken tenure security (Ameyaw & de Vries, 2021; Tchatchoua-Djomo et al., 2020).

The installation of government ownership signs is important but insufficient when conducted without boundary confirmation and supporting documentation. Ownership signs indicate an assertion of government control, but they do not determine the exact coordinates, area, or legal boundaries of the parcel. Effective physical security should therefore include coordinated field verification, boundary marking, coordinate-based mapping, photographic documentation, and written confirmation involving the relevant regional agency, village government, adjoining landowners, and the Land Office.

Where physical occupation by third parties has already occurred, the regional government must first identify the nature of the occupation. The response will differ depending on whether the occupation results from administrative error, a boundary misunderstanding, permission granted in the past, prolonged unauthorized use, or an actual claim of ownership. This classification is necessary to determine whether the problem can be resolved through administrative clarification, mediation, boundary settlement, recovery of possession, or legal proceedings.

The findings demonstrate that physical security is the initial foundation of legal certainty. A parcel cannot be effectively registered when its location, boundaries, area, and factual control cannot be established with sufficient accuracy. Physical security must therefore precede and support administrative verification and legal registration.

Administrative Security of Regional Land Assets

Administrative security concerns the availability, accuracy, completeness, and consistency of documents recording the origin, acquisition, transfer, location, area, value, use, and legal status of regional land assets. Relevant documents may include asset registers, acquisition records, compensation documents, handover reports, maps, measurement records, regional government decisions, village records, certificates, correspondence, and documentation concerning disputes or third-party occupation.

The principal administrative obstacle identified in West Bandung Regency is the incompleteness of documents inherited during the asset-transfer process. Some parcels were reportedly entered into regional asset registers without being accompanied by adequate documentation demonstrating how the land was acquired, when it was transferred, which institution previously controlled it, or how its boundaries and area were determined.

Document fragmentation constitutes an additional difficulty. Relevant records may be dispersed among Bandung Regency as the parent region, the Regional Financial and Asset Management Agency, regional agencies using the assets, village governments, schools, health facilities, and the Land Office. The absence of a consolidated parcel file makes it difficult to establish a continuous and verifiable history of each asset.

Administrative inconsistencies may also occur between the asset register and the physical condition of the land. For example, the area recorded in an inventory may differ from the results of subsequent measurement; the recorded location may not correspond to current administrative boundaries; or the agency using the asset may possess supporting documents that have never been integrated into the central asset database. These discrepancies delay certification and weaken financial and administrative accountability.

Incomplete documentation is not merely a clerical problem. It affects the government's ability to prove the legal basis of control over the parcel. The inclusion of land in a regional asset register is important administrative evidence, but it may not be sufficient on its own to establish the complete legal origin of the land, especially when the parcel is challenged by another party. A strong claim generally requires consistency between the asset register, acquisition or transfer documents, physical data, and the factual history of control.

A more serious obstacle arises when the initial evidence of ownership or acquisition has been lost entirely. In such circumstances, the regional government must reconstruct the documentary history of the asset before certification can be effectively pursued. Documentary reconstruction may include tracing archives held by Bandung Regency, examining handover reports, reviewing village land books and historical maps, locating compensation or acquisition records, checking earlier measurement documents, and collecting records from government agencies that have continuously used the parcel.

Information from former officials, village authorities, neighbouring landholders, or other persons with direct knowledge of the parcel may assist in clarifying its history. Nevertheless, such statements should function as supporting contextual evidence and remain subject to verification by the competent administrative and land authorities. They should not automatically replace formal legal documentation.

When archival reconstruction fails to provide adequate evidence, the required response depends on the specific problem. Where the issue concerns incomplete transfer documentation, formal clarification with Bandung Regency may be necessary. Where boundaries are uncertain, joint field verification and boundary confirmation should be undertaken. Where another party claims ownership, mediation or formal dispute resolution may be required. Where the parcel has been continuously used for public services but the acquisition basis is unclear, a more comprehensive legal review must be conducted before an application for registration is submitted.

The Regional Financial and Asset Management Agency has a central coordinating function in strengthening administrative security. Its responsibilities include conducting inventories, consolidating asset information, identifying documentary deficiencies, reconstructing missing archives, and preparing certification requirements. However, the agency cannot resolve these issues independently. Regional agencies using the land possess information concerning physical control and public functions; village governments may retain historical records; Bandung Regency may hold the original asset-transfer documents; and the Land Office may possess measurement or registration data.

The findings therefore demonstrate the need for an integrated parcel-based administrative system. Each land parcel should have a consolidated file containing its asset code, location, coordinates, area, acquisition history, transfer documents, current user, physical-control evidence, certification status, photographs, boundary information, identified claims, and registration progress. Such a system would allow the government to determine the specific obstacle affecting each parcel and to prioritize the actions required.

This finding is consistent with public asset governance studies emphasizing that accurate inventories, reliable records, and comprehensive documentation systems constitute indispensable components of effective public asset management (Kaganova & Amoils, 2020; Kaganova & Salah, 2025; Sumaryana et al., 2024). Incomplete documentation not only

obstructs certification but also weakens internal control, financial reporting, asset utilization planning, and institutional accountability.

Legal Security and Land Certification

Legal security represents the formal dimension of regional land asset protection. It is achieved principally through land registration and certification in the name of the regional government. Certification provides strong evidence of the physical and juridical data recorded in the land register and strengthens the government's position in preventing unauthorized transfers, responding to competing claims, and utilizing assets for public purposes.

The documentary findings indicate that the Government of West Bandung Regency has pursued certification through coordination with the National Land Agency and the West Bandung Regency Land Office. The process generally involves verification of administrative documents, submission of the application, field identification, land measurement, preparation of a Land Parcel Map, examination of juridical data, registration, and issuance of a certificate.

Nevertheless, the persistence of 1,993 uncertified parcels demonstrates that legal security remains partial. The principal problem is not limited to the administrative capacity to submit and process a large number of applications. In many cases, the obstacles arise before an application can be considered complete. A parcel with unclear boundaries cannot be accurately measured. A parcel lacking acquisition or transfer records cannot easily demonstrate the legal basis of government control. A parcel occupied or claimed by another party cannot be treated as an uncontested object of registration.

The relationship between physical, administrative, and legal security is therefore sequential and interdependent. Certification cannot be accelerated merely by increasing the number of applications submitted to the Land Office if the underlying physical and documentary problems have not been resolved. Conversely, completing administrative records without verifying the physical object may result in inaccurate or conflicting land information.

Overlapping claims require particular caution. When government ownership is challenged by the community or a third party, issuing a certificate without adequately examining the dispute may intensify the conflict and reduce trust in the registration system. The parties may first need to clarify the boundaries, compare documentary evidence, conduct mediation, or pursue formal dispute resolution. The Land Office must ensure that the physical and juridical data satisfy the applicable requirements before registration is completed.

Similarly, where the original evidence of acquisition has been lost, the regional government cannot rely solely on the parcel's inclusion in the asset register. The evidentiary chain must first be reconstructed through credible archives, transfer documents, historical records, field evidence, and institutional confirmation. The legal sufficiency of these materials must then be evaluated by the competent authority.

The need for careful verification does not mean that uncertified assets should remain unresolved indefinitely. Instead, the regional government should differentiate parcels according to their level of legal and administrative complexity. Some parcels may be ready for immediate certification after completing minor administrative requirements. Other parcels may require archival reconstruction, boundary confirmation, settlement of third-party occupation, mediation, or adjudication.

A risk-based classification would enable the government to prioritize parcels that are most vulnerable to loss or dispute. Priority should be given to land occupied by third parties, subject to competing ownership claims, used for essential public services, located in areas with rapidly increasing economic value, or supported by documents that are deteriorating or at risk of loss. Land that already has complete physical and administrative data should also be processed promptly to prevent avoidable delays.

Certification targets should therefore be based not only on the annual number of certificates issued but also on the legal risk and complexity of the parcels resolved. A numerical target that focuses exclusively on easily processed assets may improve the certification statistics without addressing the parcels most vulnerable to dispute and loss.

The findings support the proposition that certification provides significant legal protection and reduces uncertainty over land rights (Sekotibo, 2021; Tesfaye et al., 2023). However, the strength and reliability of the certificate depend on the accuracy of the physical and juridical information underlying its issuance. Certification must therefore be understood as the culmination of a broader governance process rather than an isolated administrative output.

Bridging the Gap Between Normative Regulations and Practical Implementation

The findings demonstrate a significant implementation gap between Indonesia's relatively comprehensive legal framework and the actual condition of regional land asset governance. The laws and regulations clearly require regional government land to be registered and certified. However, the effectiveness of these provisions depends on institutional capacity, documentary completeness, reliable asset inventories, accurate physical information, inter-agency coordination, and effective dispute-resolution mechanisms.

The principal challenges in West Bandung Regency do not arise solely from the absence or ambiguity of legal norms. Instead, they result from the cumulative effects of incomplete asset transfers, fragmented archives, unclear boundaries, inconsistencies between physical and administrative data, third-party occupation, and overlapping ownership claims. Similar public governance studies demonstrate that implementation failures frequently emerge from fragmented administrative arrangements, limited institutional capacity, and weak coordination rather than from regulatory deficiencies alone (Casady et al., 2020; Sumaryana et al., 2024).

The case of West Bandung Regency also illustrates the distinctive challenges faced by newly established autonomous regions. Such regions may inherit land assets whose acquisition and administrative history were created by the parent government. When the transfer process focuses primarily on physical control or asset lists without transferring the complete documentary history of each parcel, the receiving government inherits unresolved legal uncertainty.

This inherited uncertainty may persist for years because subsequent officials must trace documents produced under earlier administrative structures, verify the accuracy of older asset records, identify the current location and boundaries, and address claims that have emerged during the period of administrative transition. Territorial expansion therefore has consequences not only for institutional organization but also for the continuity of public asset ownership and protection.

The findings indicate that general coordination among institutions is insufficient unless it is translated into parcel-specific action. Each uncertified parcel may involve a different obstacle. One parcel may only require completion of measurement records, while another may involve missing acquisition documents, unresolved boundaries, unauthorized occupation, or a substantive ownership dispute.

A parcel-based governance approach would allow the responsible institutions to identify the nature of the problem, required evidence, responsible agency, completion target, and appropriate legal or administrative mechanism for each asset. This approach would also enable the regional government to distinguish between certification-ready parcels and parcels requiring more complex intervention.

Inter-institutional coordination should involve the Regional Financial and Asset Management Agency, regional agencies acting as asset users, village governments, Bandung Regency as the parent region, and the West Bandung Regency Land Office. Where relevant,

coordination should also involve legal affairs units, internal supervisory bodies, and institutions responsible for dispute settlement.

An integrated task force may provide an institutional mechanism for coordinating these responsibilities. Its functions could include validating asset inventories, consolidating documentary evidence, conducting joint field verification, confirming boundaries, identifying third-party claims, facilitating dispute resolution, coordinating cadastral measurements, and establishing annual certification priorities. The effectiveness of such a task force would depend on clear authority, parcel-based targets, data-sharing arrangements, and regular evaluation.

The analysis shows that legal certainty is realized progressively. Physical security establishes that the object of the right can be accurately identified and controlled. Administrative security establishes a reliable and verifiable history of acquisition, transfer, and use. Legal security formalizes the verified physical and juridical data through registration and certification. Failure in one stage directly limits the effectiveness of the subsequent stages.

The novelty of this study lies in demonstrating that legal certainty over regional land assets cannot be evaluated solely on the basis of the number of certificates issued. It must be assessed through the interaction of physical security, administrative security, and legal security. The West Bandung Regency case shows that inherited land assets in newly established autonomous regions require a parcel-based governance model that integrates field identification, documentary reconstruction, institutional coordination, dispute resolution, and risk-based certification. This multidimensional framework extends previous studies that predominantly examine regional assets from accounting, inventory, financial-reporting, or utilization perspectives and provides a more comprehensive explanation of why statutory certification obligations remain difficult to implement in practice.

CONCLUSION AND RECOMMENDATIONS

Conclusion

This study concludes that legal certainty concerning regional land assets in West Bandung Regency has not yet been fully realized. Although Indonesian agrarian law, state treasury regulations, and regional property management regulations require government-controlled land to be registered and certified in the name of the relevant regional government, their implementation remains incomplete. Of the 3,782 land parcels administered by the Government of West Bandung Regency, only 1,789 parcels, or approximately 47.30%, have been certified, while 1,993 parcels, or approximately 52.70%, remain uncertified. This condition demonstrates a substantial gap between the normative obligation to secure regional land assets and its practical implementation.

The persistence of uncertified land assets is closely related to incomplete asset-transfer documents, fragmented administrative records, unclear physical boundaries, insufficient ownership evidence, third-party occupation, and overlapping claims. These obstacles are particularly significant because many of the assets were inherited following the territorial division of Bandung Regency. Incomplete documentary histories and uncertain physical data have consequently hindered land measurement, verification, registration, and certification. Therefore, physical occupation or administrative recording alone cannot provide adequate legal certainty when the parcel's origin, boundaries, and ownership status have not been formally verified.

The findings demonstrate that legal certainty over government-owned land cannot be achieved solely through the existence of statutory regulations or through certification as an isolated administrative procedure. It requires the integration of three interrelated dimensions: physical security, administrative security, and legal security. Physical security ensures that the land can be accurately identified, controlled, measured, and protected from unauthorized occupation. Administrative security ensures that the history of acquisition, transfer, use,

location, and ownership is supported by complete and consistent documentation. Legal security formalizes the verified physical and juridical data through registration and certification in the name of the regional government.

The principal contribution of this study lies in its multidimensional framework for assessing legal certainty in regional land asset governance. Rather than measuring legal certainty only by the number of certificates issued, the study demonstrates that legal protection depends on the interaction between physical identification, documentary completeness, institutional coordination, dispute resolution, and formal registration. This framework is particularly relevant for newly established autonomous regions that inherit land assets with incomplete documentation and unresolved legal histories. Accordingly, the study extends the literature on regional asset governance by integrating public asset management and agrarian law perspectives within a unified legal-security framework.

Limitations

This study is limited by its normative juridical and document-based approach. The analysis primarily relied on legislation, legal doctrines, official asset records, administrative documents, and relevant scholarly literature. It did not include extensive field observation or direct interviews with officials from the Regional Financial and Asset Management Agency, the West Bandung Regency Land Office, regional agencies using the assets, village governments, communities, or third parties involved in land claims.

The study was also limited to regional land asset governance in West Bandung Regency. Therefore, the findings cannot automatically be generalized to all regional governments in Indonesia because each region may have different asset-transfer histories, administrative capacities, land characteristics, and institutional arrangements. In addition, the reliability of the factual analysis depends on the completeness, authenticity, and consistency of the official documents examined. Where historical acquisition or transfer records were unavailable, the study could only identify documentary deficiencies and their legal implications without independently determining the final ownership status of each parcel.

Recommendations

The Government of West Bandung Regency should establish a cross-institutional land asset task force involving the Regional Financial and Asset Management Agency, regional agencies acting as asset users, the Legal Affairs Division, village governments, Bandung Regency as the parent region, and the West Bandung Regency Land Office. The task force should operate on a parcel-by-parcel basis by identifying the specific obstacle affecting each uncertified asset, determining the documents and actions required, assigning institutional responsibility, and establishing a measurable completion schedule.

An integrated digital database should also be developed for all regional land assets. Each parcel file should contain its asset code, location, coordinates, area, acquisition history, transfer documents, current use, physical-control evidence, certification status, boundary information, photographs, third-party claims, and progress in the registration process. This system would reduce fragmented record-keeping, facilitate documentary verification, strengthen accountability, and support coordination with the Land Office.

Certification should be implemented through risk-based prioritization rather than solely through numerical annual targets. Priority should be given to land occupied by third parties, subject to overlapping claims, used for essential public services, located in areas with increasing economic value, or supported by documents that are vulnerable to deterioration or loss. Parcels with complete physical and administrative data should be certified immediately, while parcels with more complex problems should be classified for archival reconstruction, boundary clarification, mediation, recovery of possession, or formal dispute resolution.

Where original ownership or acquisition evidence has been lost, the regional government should systematically reconstruct the documentary history by tracing archives held by Bandung Regency, village governments, regional agencies, and the Land Office. Joint field verification should be conducted to confirm the location, boundaries, current use, and physical control of each parcel. Statements from former officials, village authorities, adjoining landholders, or other persons with direct knowledge may be used as supporting evidence, but their reliability and legal sufficiency must still be assessed by the competent authorities.

Periodic monitoring and evaluation should be conducted to assess not only the number of certificates issued but also the number of high-risk parcels successfully secured, documentary deficiencies resolved, boundaries confirmed, and disputes settled. Future research should complement the normative analysis with empirical legal research involving interviews, field observations, and case studies of disputed parcels to obtain a deeper understanding of institutional coordination, community claims, and practical barriers to land certification.

Author Contributions

All authors contributed significantly to the conceptualization of the study, development of the legal framework, collection and examination of legal materials and official documents, analysis and interpretation of the findings, preparation of the manuscript, scholarly revision, and approval of the final version. All authors have read and approved the manuscript submitted for publication.

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