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Land Certificate Forgery Methods and the Structure of Criminal Networks as well as Legal Reform Efforts to Strengthen Rights Certainty and Law Enforcement

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Abstract: Land certificate forgery is a land crime that undermines the legal certainty of land rights and causes significant economic losses. This crime is typically committed through a structured network involving initiators, administrative operators, legal facilitators, and receivers of the proceeds of crime, making law enforcement complex. In terms of regulations, Law No. 5 of 1960 concerning Basic Agrarian Regulations (UUPA) only provides the material basis for land rights without specifically stipulating criminal penalties for misuse of land administration. Government Regulation No. 24 of 1997 concerning Land Registration regulates administrative procedures, but internal loopholes such as manipulation of registration data and the involvement of certain officials open up opportunities for the issuance of fake certificates that appear formally legitimate. Articles 263–276 of the Criminal Code (KUHP) criminalize document forgery, but these are general in nature, making it difficult to address internal administrative manipulation and collusion by land officials. The practice of certificate forgery through fake deeds or manipulation of the registration system demonstrates weak oversight and accountability mechanisms. This research underscores the need for legal reforms that criminalize abuse of land administration authority, strengthen the accountability of Land Deed Officials (PPAT) and notaries, and digitize electronic signature-based registration systems and audit trails. This approach is expected to close loopholes for criminal networks to collude, strengthen law enforcement, and increase the certainty of land rights for the community.

Keywords: Land Certificate Forgery, Modus Operandi, Structured Crime Network

INTRODUCTION

Land certificate forgery is one of the most disturbing land crimes affecting Indonesian society because it directly disrupts legal certainty regarding land ownership (Noviani, 2023). This phenomenon not only causes economic losses for victims but also has implications for public trust in the state as the guarantor of land rights, as stipulated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and Law Number 5 of 1960

concerning Basic Agrarian Regulations (UUPA). Data from the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) shows an increase in reports of land disputes and crimes involving fake certificates in the past five years (Putra & Winanti, 2024). This crime demonstrates that the land administration system still has loopholes that can be exploited by irresponsible parties to obtain personal gain illegally (Sasongko et al., 2025).

Land certificate forgery crimes are often carried out systematically and in an organized manner, involving various actors, from civil society and land brokers to public officials with administrative authority (Permadi, 2024). These crimes typically begin with the manipulation of land registration data, the issuance of fake authentic deeds, and the issuance of certificates that formally appear legitimate (Dewi & Susantio, 2024). The structure of these criminal networks indicates that the method used extends beyond the falsification of physical documents to the abuse of access to state administrative systems (Siswandi et al., 2025). This pattern indicates a shift in the nature of the crime from individual to collective crime, with clear role divisions and efficient coordination.

Meanwhile, technological advances and the digitalization of land through the electronic certificate program stipulated in Ministerial Regulation of ATR/BPN Number 3 of 2023 should improve efficiency, transparency, and data accuracy (Maulana et al., 2024). However, this digital progress has not been accompanied by adequate legal protection and a cybersecurity system (Arafat, 2024). Several cases have demonstrated the misuse of system access by internal and external parties, allowing land data to be manipulated. The imbalance between technological modernization and weak legal controls has actually created new forms of digital-based land crimes that are difficult to detect quickly (Saraya et al., 2025).

Legal protection of land rights is part of the state's responsibility, as affirmed in the Basic Agrarian Law (UUPA), but reality shows that the positive legal system is still unable to close all loopholes for administrative irregularities (Fakhrurrozi et al. 2025). The criminal provisions used to ensnare perpetrators, such as Articles 263–276 of the Criminal Code concerning document forgery, are general in nature and do not specifically regulate land crimes involving networks of administrative officials (Alfiani et al., 2025). As a result, many key perpetrators escape prosecution due to the limited number of applicable criminal instruments. This situation indicates that Indonesian positive law has not yet adapted to the complexities of modern organized crime, which exploits bureaucratic loopholes.

The urgency of reforming land law is becoming increasingly apparent with the increasing complexity of cross-sectoral and technology-based crimes (Meiliawati, 2024). Land crimes are no longer merely administrative violations but have evolved into structured crimes with systemic impacts on social and economic stability (Ramadhani, 2016). Legal reform efforts must focus on two main aspects: strengthening criminal sanctions for abuse of administrative authority and strengthening the internal oversight system of land institutions. This reform is expected to strike a balance between modern administrative efficiency and the principle of public accountability, the foundation of a state based on the rule of law.

Gustav Radbruch's thinking emphasizes that law must balance three fundamental values: justice, utility, and certainty (Kusuma et al., 2024). Legal certainty is crucial for ensuring the public feels secure regarding their rights and obligations, including land rights. In the context of land, legal certainty not only means state recognition of ownership rights but also guarantees that these rights cannot be violated by manipulative actions or administrative abuse (Ramadhani R., 2021). The lack of legal certainty in land matters causes social instability, reduces trust in legal institutions, and leads to prolonged disputes within the community.

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METHOD

This research employs a normative juridical method with a statutory and conceptual approach as the primary analytical framework. The statutory approach is used to examine positive legal norms governing the land system, criminal document forgery, and the digitalization of public administration, such as Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), Government Regulation Number 24 of 1997 concerning Land Registration, and Law Number 11 of 2008 in conjunction with Law Number 19 of 2016 concerning Electronic Information and Transactions. The analysis highlights the extent to which these norms can address the complexity of the crime of land certificate forgery, including the lack of regulations regarding administrative crimes committed by land officials. The conceptual approach is used to build a theoretical understanding of the relationship between land administration, organized crime, and the digitalization of the legal system. Through this approach, the research seeks to formulate an ideal concept of legal reform that is just, responsive to technological developments, and guarantees comprehensive protection of land ownership rights. The combination of these two approaches enables research to produce systematic, in-depth, and solution-oriented analysis of existing regulatory weaknesses, so that it can provide a real contribution to the formulation of land law policies in Indonesia.

RESULT AND DISCUSSION

Analysis of Modus Operandi and Structure of Criminal Network

Land certificate forgery methods take various forms, often intermingling and overlapping. Some perpetrators falsify physical documents in the traditional way: printing fake certificates, imitating stamps and signatures, and producing fake supporting documents so that the documents appear authentic upon visual inspection. Others exploit administrative loopholes to alter registration records in land registers or electronic systems, resulting in certificates that appear formally legitimate. These practices are often combined: fake physical documents are used in conjunction with registry manipulation to temporarily legitimize ownership claims. The general basis for criminalizing the creation or use of fake documents is found in the provisions on document forgery in the Criminal Code, and land registration procedures are regulated by implementing regulations for land registration.

Forgery of physical certificates remains a classic method that continues to evolve. Perpetrators produce certificates that resemble the originals using modern printing techniques, compile complete supporting documents, and imitate administrative elements such as serial numbers or official formats, making them difficult to distinguish for those without forensic verification. The fake certificates are then traded or used to control land through sales transactions that appear legitimate to unskilled buyers. Uncovered cases often reveal a wide chain of intermediaries—from brokers to the final buyer—which makes the evidentiary process lengthy and complex. Judicial decisions and studies on document forgery explain that the creation and use of forged documents fall under a long-established criminal code, in addition to the administrative aspects of registration.

Manipulation of electronic data or land records has become an increasingly prominent method with the digitization of land registration and services. Unauthorized access to electronic systems, the insertion of false entries, the alteration of plot coordinates, or the deletion of transfer records can result in changes in ownership status in the database used for certificate issuance. Such activities can be carried out through hacking, the misuse of internal accounts, or administrative manipulation that exploits electronic registration procedures. Regulations on electronic land services and the recognition of electronic documents play a crucial role in determining the evidentiary aspects and legality of such electronic data. Technical regulations related to electronic registration services and mortgage rights

emphasize the existence of electronic service mechanisms used in modern registration practices.

The use of fake authentic deeds appearing to be prepared by a Land Deed Official (PPAT) or notary is one technique that gives a "legal face" to problematic transactions. Authentic deeds have special evidentiary power, making them much more difficult to challenge when counterfeited or facilitated by individuals claiming to be authorized officials. These tactics include creating fictitious deeds, altering their contents, or authenticating signatures using fabricated documents. The role of notaries and Land Deed Officials (PPAT), which is inherently tied to the authority to create authentic deeds, is emphasized in the notary's regulations, so abuse of this function can have significant legal consequences. Given these circumstances, special attention is often placed on how deeds are created, stored, and verified when disputes arise.

Abuse of authority by BPN officials and administrative staff is another area of the modus operandi that provides opportunities for large-scale forgery. Access to land records, the ability to enter data into the registration system, and the authority to sign or issue documents make internal positions highly strategic for criminal actors capable of recruiting or buying the loyalty of internal parties. This tactic can take the form of issuing new certificates in fictitious names, changing certificate numbers, or removing records of encumbrances that would otherwise prevent the issuance of new certificates. Empirical cases often demonstrate the involvement of individuals with administrative access, and cases are sometimes uncovered by special task forces or through public complaints. Examples of syndicate disclosures in several regions highlight the pattern that internal involvement facilitates the production of seemingly legitimate certificates.

The structure of organized crime networks involved in land certificate forgery generally consists of a relatively stable division of roles. Initiators design the scheme or "order" that underpins the action—they can be brokers, receivers, or parties interested in controlling the land. Administrative operators are those with access to the registration process; their task is to manage data entry, manipulate land records, or process fraudulent applications. Legal facilitators act as a link to formal legitimacy, for example, through a notary/PPAT who prepares deeds or a lawyer who drafts legalization documents. The receiver or final buyer plays the role of absorbing assets and disguising their origins, thus obscuring the criminal value chain.

Relationships between perpetrators often take place within a network of outsourced roles, with each individual performing only a small part of the overall criminal activity. This relationship can take the form of cash transactions, percentage profit sharing, or a fee system for document preparation and asset marketing services. The distribution mechanism for the proceeds of crime often utilizes a chain of intermediaries: some profits are channeled to parties who "secure" the administrative process, while others are used to pay brokers and expand the network. The use of third-party names, shell companies, or legal transfers of rights is a common technique to sever the direct link between the initiator and the assets under their control. This modular working model requires law enforcement officials to address more than just a single perpetrator; effective disclosure requires a trace of cooperation between these actors.

Indications of the involvement of certain officials and public officials recur in case disclosure patterns, both as technical implementers and as facilitators who provide administrative access. This involvement can range from bribery to expedited issuance, the use of authority to suppress problematic records, to more complex forms of collusion between regional officials and businesspeople. Public disclosures of syndicates in several regions demonstrate that internal actors often act as the "axis" that allows the practice to flourish and persist. Media exposure of several cases also raises questions about how internal handling

and inter-agency coordination are carried out when law enforcement officials are involved. Factual evidence in court and investigative reports is often the primary source revealing such roles.

The division of network roles is closely linked to the mechanisms for whitewashing or distributing the proceeds of crime, making the flow of money and assets an integral part of the scheme. Property obtained through fraudulent certificates is often used as a means of placing value, transferring, and marketing, making it a difficult-to-trace source of profit. Repeated sales transactions, the use of intermediaries, and the transfer of ownership between entities can disguise the source of funds, potentially making them the target of money laundering. Regulations on the prevention and eradication of money laundering provide a framework for tracing these flows, and asset tracing practices involve financial transaction analysis and coordination between investigators and reporting authorities. Understanding the distribution patterns of these proceeds of crime is crucial for developing effective investigative strategies.

The role of reporting and transaction analysis agencies, such as the Financial Transaction Reports and Analysis Center (PPATK), is crucial in uncovering the financial trail associated with certificate forgery. Reports of suspicious financial transactions and financial intelligence collaboration can serve as starting points for unearthing the links between administrative actors and receivers who exploit the banking system or asset purchases as a means of whitewashing. PPATK's functions include receiving, analyzing, and communicating the results of these analyses to law enforcement officials so that investigations into predicate crimes and money laundering can proceed operationally. Guidance documents on asset tracing typologies and practices demonstrate the diverse asset transfer techniques frequently used by perpetrators and the importance of inter-institutional coordination to close gaps. Effective asset tracing typically combines evidence from land administration, deeds, and financial trails.

Empirical case analysis reveals recurring patterns that enrich the picture of the network's modus operandi and structure. Several cases in East Java revealed how victims used the services of brokers, then discovered that document replacements or certificates were issued in someone else's name. The investigation process uncovered the roles of brokers, operators, and receivers down to the local level. Publicized cases in several major cities also illustrate a variety of methods, including the use of fake certificates and manipulation of registration systems involving individuals; the case handling process often requires forensic examination of documents and inter-agency coordination. Evaluations of the effectiveness of law enforcement in several cases indicate that resolution requires comprehensive evidence, including administrative evidence, witnesses, and tracing the flow of funds, resulting in lengthy and complex investigations. Media publications and task force reports provide empirical material supporting the mapping of methods and networks that can serve as a basis for further research.

Weaknesses of Regulation and Direction of Legal Reform

The legal framework for land in Indonesia, based on Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), does have normative limitations in addressing the complexity of modern crimes such as land certificate forgery. The UUPA substantively regulates the basic principles of land control and use as affirmed in Article 2 paragraph (1), which states that "all land, water, and airspace, including the natural resources contained therein, are controlled by the state and used for the greatest prosperity of the people." However, the UUPA does not contain criminal provisions that specifically regulate the misuse of land administration or the forgery of land documents. Law enforcement for such acts still relies on the Criminal Code (KUHP), specifically Article 263 paragraph (1),

which regulates document forgery, and Article 266 paragraph (1) concerning the use of forged documents in authentic deeds. These provisions are general in nature and do not cover the administrative dimensions of land institutions, so that perpetrators of administrative manipulation are often only prosecuted individually without addressing the institutional responsibility or the public officials involved. The absence of norms governing this structural dimension makes positive law incapable of adapting to systematic land crimes involving organized networks.

Another weakness is evident in Government Regulation Number 24 of 1997 concerning Land Registration, which serves as the basis for implementing national land administration. Article 3 (a) states that the purpose of land registration is to provide legal certainty and legal protection to land rights holders. However, this regulation was drafted during a time when the administrative system was still manual and therefore did not address electronic data security. There are no explicit provisions regarding the use of electronic systems, digital authentication, or audit trail mechanisms, which are crucial in the era of land digitization. Consequently, when the electronic certificate system was implemented based on Regulation of the Minister of ATR/BPN Number 1 of 2021 concerning Electronic Certificates, a gap emerged between the implementing regulations and the basic norms stipulated in Government Regulation 24/1997. This situation created a legal vacuum regarding the validity of electronic data and the responsibility of officials for changes or entry of land data, thus leaving the potential for manipulation and information leaks high.

The limitations of general criminal laws, such as the Criminal Code, further weaken the state's ability to prosecute forgers operating at the administrative level. While articles on document forgery cover the creation and use of forged documents, they do not address forgery committed through digital systems or the misuse of administrative access. Electronic data manipulation in the land system is often not prosecuted solely under the Criminal Code, but must instead refer to Law Number 11 of 2008 in conjunction with Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE). However, these laws are also general in nature and do not specifically address the forms of manipulation that occur in land governance. The absence of a *lex specialis* norm often hinders the interpretation of the legal evidence process.

Land law reform is urgently needed to strengthen legal certainty and prevent administrative abuse. This reform can be achieved through a revision of the Basic Agrarian Law (UUPA) or the creation of a new law that comprehensively regulates a digital-based land registration system. New regulations need to encompass administrative criminal law aspects so that land officials involved in data manipulation can be held legally accountable in a proportionate manner. The draft policy should also consider the balance between protecting citizens' rights and the reliability of the administrative system. This reform direction will help create a land system that is more adaptable to the digital era and responsive to organized crime.

The role of Land Deed Officials (PPAT) and Notaries needs to be strengthened as part of a system to prevent the crime of land certificate forgery. Revisions to Law Number 2 of 2014 concerning the Position of Notaries should establish a supervisory mechanism for authentic deeds to prevent them from being misused as a means of legalizing fictitious transactions. PPATs, as public officials authorized to transfer land rights, also need to be under a more transparent and accountable oversight system. Every deed created should be digitally integrated with the Ministry of ATR/BPN system so that each transaction can be automatically verified. This integration can reduce the risk of irregularities and increase public trust in the land rights legalization process.

The Minister of ATR/BPN Regulation Number 3 of 2023 concerning Electronic Certificates is a step forward that needs to be strengthened in its implementation. Digital

signature-based electronic certificates have significant potential to reduce the risk of forgery of physical documents. However, without a clear audit trail mechanism, this system can still be misused by internal parties with administrative access. An audit trail that records every user activity will create transparency and serve as an effective control tool for internal oversight. Full implementation of this system requires strong institutional commitment so that technology truly becomes a means of prevention, not just a symbol of modernization.

Land digitization is not simply oriented towards facilitating public services; it must be built on the principles of accountability and data integrity. Every change or transaction in the electronic system must be auditable and legally verifiable. The use of blockchain technology or an encrypted system can be an alternative to ensure that every certificate cannot be altered without a trace. This approach has been implemented in several countries with high success in reducing forgery cases. Implementing a similar model will strengthen the credibility of land administration in Indonesia and protect the public from land mafia practices.

Integration between the National Land Agency's internal monitoring system and law enforcement officials is key to detecting and prosecuting administrative violations. Collaboration between institutions such as the National Land Agency (BPN), the Police, the Prosecutor's Office, and the Corruption Eradication Commission (KPK) can be achieved through a structured, real-time data exchange system. Information regarding suspicious land transactions must be promptly followed up on through a joint reporting mechanism. An integrated monitoring system also enables the development of a database of perpetrators or recurring patterns, allowing for more efficient investigations. This synergy between institutions requires a clear legal framework and a shared understanding of the boundaries of each agency's authority.

Transparency and public access to land data are crucial factors in preventing collusion and abuse of authority. Open access to land registration information can reduce the monopoly on information that has historically created a loophole for fraudulent practices. An open-access database allows the public to verify land status without having to rely entirely on administrative officials. This mechanism aligns with the principle of public information transparency guaranteed by Law Number 14 of 2008. When the public has adequate access to information, the opportunity for fraudulent practices is reduced. The direction of Indonesian land law reform must be oriented toward establishing a modern, adaptive system based on institutional integrity. Every legal instrument must emphasize the accountability of public officials and establish proportionate sanctions for administrative abuse. Strengthening the digital system must be accompanied by the establishment of an independent supervisory body tasked with auditing the entire land registration process. This external oversight can act as a counterbalance to potential collusion within the land bureaucracy. This legal and institutional transformation will determine the country's success in providing legal certainty and justice for land rights holders.

CONCLUSION

Land certificate forgery is an organized crime involving various methods and actors with intertwined economic interests and power. This crime pattern extends beyond the physical forgery of certificates to include electronic data manipulation and abuse of administrative authority by public officials. This crime demonstrates serious weaknesses in Indonesia's positive legal system, primarily because the prevailing legal regulations are still general and unable to address the complexity of digital crime methods and the involvement of authorized officials. The national land system, which is not yet fully digitized, increases the opportunity for forgery and collusion between parties, weakening legal certainty over land ownership rights and further diminishing public trust in land institutions. This phenomenon

underscores the need for legal reform that is not only normative but also adaptable to technological developments and the realities of land administration practices.

Land law reform needs to be directed at establishing specific criminal norms related to abuse of administration and authority by land officials, along with strengthening internal oversight mechanisms integrated with law enforcement. Land digitalization based on electronic certificates must be complemented by a transparent audit trail and digital authentication system so that every data change can be tracked accountably. Oversight of Land Deed Officials (PPAT), Notaries, and National Land Agency (BPN) officials must be strengthened through regulatory revisions that emphasize professional responsibility and provide strict sanctions for violations of official ethics. Synergy between the Ministry of Agrarian Affairs and Spatial Planning/BPN, the Police, the Prosecutor's Office, and the Corruption Eradication Commission (KPK) needs to be strengthened to build a holistic and equitable law enforcement system. Reforming land law institutions and systems is a strategic step to ensure the protection of land rights, increase public trust, and close loopholes for administrative crimes in the land sector.

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