



Challenges of Resolving Land Dispute Conflicts in Puncak Siosar, Karo District

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Abstract

The agrarian conflict in North Sumatra has created persistent problems regarding various issues regarding the distribution of land to third parties without the local community, and the difficulty of the land titling process. One of the areas of agrarian conflict in North Sumatra is Puncak Siosar 2000. Puncak Siosar 2000 is an empty land disputed between the community and the company because the community is not aware of land ownership issues. The research method used is descriptive qualitative with a literature study approach in answering the government's role in resolving agrarian conflicts. The results show that the conflict at Puncak Siosar 2000 has led to physical conflict which has had a detrimental impact on society. Certainty of tenure and activities in conflict areas are the main triggers for land conflicts. Local government efforts to resolve conflicts require a sustainable strategy. Although the efforts made tend to prevent physical conflict and try to find a solution in finding a middle ground. Legal certainty and a persuasive approach strategy can be a solution in conflict resolution.

Keywords: Agrarian conflict, Puncak Siosar, Local Government

How to Cite: Lumbanraja, V. (2023). Challenges of Resolving Land Dispute Conflicts in Puncak Siosar, Karo District, *Journal of Peasant Right's*, 2 (2): 1-5.

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INTRODUCTION

Agrarian conflict in North Sumatra has become an issue that has prolonged problems. the conflicts involved are not only about land issues, but also to the social community. The conflict was caused by the community's struggle in resolving which was said to be less active. The agrarian conflict that occurred in North Sumatra involved various parties, including plantation companies, indigenous peoples, farmers, businessmen, and land brokers. Based on data from the Indonesian National Commission on Human Rights, North Sumatra is the region with the second largest number of complaints related to agrarian conflicts in Indonesia after DKI Jakarta. This indicates that the community is very proactive in fighting for their rights in resolving this agrarian problem to obtain an effective solution (Komnasham.go.id, 2021). The slow recognition and protection of indigenous peoples is one of the factors that has led to prolonged agrarian conflicts in North Sumatra. This land conflict has even been going on for decades (Kompas.com, 2022). According to data from the Presidential Staff Office (KSP) from 2016 to 2022 KSP has received 202 complaints of agrarian conflicts in North Sumatra (Antaranews.com, 2022).

Even though stakeholder collaboration efforts are implemented, agrarian conflicts are still an unresolved problem. One of the areas of agrarian conflict in North Sumatra is the agrarian conflict in Puncak Siosar 2000. Puncak Siosar 2000 is an empty land that was originally used as the relocation of Mount Sinabung. The refugees from Mount Sinabung were directed to settle in the Puncak Siosar 2000 area. Puncak Siosar 2000 is located in the Karo District. In 2015, there were hundreds of refugee houses. With views and a cool

atmosphere, now Puncak Siosar is no longer a relocation area for Mount Sinabung refugees, but instead gives a new color by becoming a tourist area. Currently Siosar 2000 Peak, known as a tourist spot (Nasrul, 2021; Molana, 2022). However, there are agrarian problems between local residents and a PT. The issue of Cultivation Rights became the root cause of the dispute in Puncak Siosar 2000 over the ownership of HGU rights.

The role of the government is very large in resolving agrarian conflicts. The government is here to be a bright spot for land disputes between communities and landlords (Riyanto & Jamba, 2017). Even though it provides a new consensus that allows the community to carry out activities on disputed land (Adiansah et al., 2019). Community development as an effort to resolve agrarian conflicts can be a solution through four main stages, namely the community organizing stage, the visioning stage, the planning stage and the implementation and evaluation stage (Adiansah et al., 2020). Although the approach acts persuasively, involving traditional stakeholders in mediating conflicting parties (Ibrahim et al., 2022).

Land disputes between communities and companies are still a problem today. The issue of land disputes in Puncak Siosar 2000 must be resolved immediately, bearing in mind that the Puncak 2000 Siosar area is a tourist area. Resolution of the conflict requires the government's role in bridging the process. It is important to see the government's efforts to resolve the conflict in Puncak Siosar.

RESEARCH METHOD

The method used in this research is a qualitative method. This method is used to collect and analyze data and to understand something behind it in that fact (Creswell & Poth, 2016). The focus of research on agrarian conflict resolution strategies in Puncak Siosar, North Sumatra. The literature study approach obtained in journals, articles, papers, the internet, laws, and other sources that can share information about problems becomes primary data in analyzing problems. Data analysis techniques were carried out by data reduction, data presentation and conclusion drawing (Miles Matthew et al., 2014).

RESULTS AND DISCUSSIONS

Dynamics of Land Use Rights (HGU): Conflict and Management

Disruption began to emerge through the company's clansmen who carried out erosion in the conflict area, while the people who were considered not to interfere with their rights caused horizontal conflict between the two. The clash between the two sides then attacked each other. Evidence that the HGU area is outside the forest area was provided in a letter dated 16 November 2021 from the Ministry of Environment and Forestry (KLHK) to the Head of Sukamaju Village, Tigapanah, Karo, North Sumatra (North Sumatra). In addition, based on a re-examination of the 12 coordinate points, it was confirmed that HGU 1997 No. 01 belongs to PT and is not in the area. In this land dispute issue, there is a dispute regarding land grabbing. The village of Kacinamnun has been disturbed by companies claiming land in Puncak 2000.

Even though the land has not carried out any activity for tens of years. This disturbed Kacinambun Village, so that there was a war in the field. After the clash between the local community and the company, efforts were made to conduct a field trial. In this field test, a cross check was carried out with the Karo BPN GPS map, and it was found that the land area inherited by Munthe was around 9.4 hectares, all within HGU No. 01/1997. The field trial aims to obtain legal facts about land parcels and HGU assets (James 2021).

The problem of agrarian conflicts in Puncak Siosar 2000, directs the responsibility of local government in handling this case. Solving the problem of agrarian conflict must

have a strategy or method that can be used so that there are no wrong steps in making decisions. The Regional Head of Karo Regency has a strategy for resolving agrarian conflicts. The Regent of Tanah Karo, Cory Sebayang has an important position in solving this problem. One of the duties of the regional head is to maintain peace and public order. In Law Number 23 of 2019 concerning regional government authority it is explained in article 65 that regional heads have the duties and powers of maintaining public order and tranquility, taking certain actions in urgent situations that are urgently needed by the community or region. In the explanation of Law Number 23 of 2019 it can be concluded how important the intervention of regional heads is in making decisions on this matter (Pramudana 2022).

The urgency of the role of the government and indigenous peoples in resolving agrarian conflicts in North Sumatra

The government's preventive efforts are very important in reducing physical conflicts that may occur. The awaited decision and justice require the collaboration of the local government and indigenous peoples in providing the best solution for this settlement. The problem of agrarian conflicts in North Sumatra involves various parties, including plantation companies, indigenous peoples, and communities. This means that the settlement of agrarian conflicts in North Sumatra requires joint efforts from the government and indigenous peoples.

The chaos that arises with physical contact becomes a serious problem that requires persuasive action to reduce the problem. Evidence that the HGU area is outside the forest area was provided in a letter dated 16 November 2021 from the Ministry of Environment and Forestry (KLHK) to the Head of Sukamaju Village, Tigapanah, Karo, North Sumatra (North Sumatra). In addition, based on a re-examination of the 12 coordinate points, it was confirmed that HGU 1997 No. 01 belongs to PT and is not in the area. In this land dispute issue, there is a dispute regarding land grabbing. The village of Kacinambun has been disturbed by a company claiming land in Puncak 2000. The emergence of activity on the land has disturbed the village community. The community assessed that the area at Puncak Siosar 2000 had a HUG of 89.5 ha, which was given to admit that the company chose the area on behalf of the company, in fact it was included in the forest area (Molana, 2022). Settlement of agrarian conflicts in North Sumatra requires joint efforts from the government and indigenous peoples. Starting from the ratification of regional regulations and the prevention of physical conflicts that disrupt order.

The Importance of Regional Head Involvement in Settlement of Agrarian Conflicts in Siosar

In the explanation of the agrarian conflict above, it can be seen that the lack of attention from the regional head in resolving this conflict. There is a lack of a firm attitude to follow up on this issue so that the public can argue with PT. The absence of support from the government makes people move on their own by bringing their aspirations. The need for the involvement of the Regional Head in resolving agrarian conflicts, the regional head can mediate between the community and the troubled PT. The presence of regional heads carries out their work to create comfort for their people, and in this case, the regional heads carry out.

The role of regional heads in resolving agrarian conflicts can anticipate these things which end up causing casualties and disturbing the comfort of the local community. The problems that occurred in the agrarian conflict in Siosar, the lack of attention from the regional head made the community take their own path without any support from the local government. It is in this case that this journal wants to explore, the contribution of

regional heads in resolving land disputes is the most important point for maintaining community settlement. Regional heads can also act as mediators and solutions for land disputes. This is what was not obtained from the head of the Karo district, the Karo district head was unable to resolve the problems of agrarian conflicts in Puncak Siosar. There should be a regional head who has the mandate and authority for the community who is able to solve this problem and accompany this problem until it is resolved.

Local Government Strategy in Conflict

In dealing with coordination conflicts, the central government through the Indonesian Ministry of State Secretariat asked the regional government through a letter from the Minister of State Secretary of the Republic of Indonesia Number: B 38/D-2/Dumas/DM.05/04/2021 dated 8 April 2021 addressed to the Regent of Karo and the results were immediately submitted to the Minister of State Secretary as material for a report to the President of the Republic of Indonesia. Handling the conflict at the Siosar 2000 Peak requires an approach that awaits the role of the government. The regulatory approach is an attempt to resolve conflicts. Although the regional government of Karo Regency has increased coordination with related parties in discussing complaints from the community and DPC Projo Karo regarding the alleged expropriation of community agricultural land and control of state-owned forest areas in Puncak 2000 Siosar. It is the policy of the local government through the regent who takes the decision to direct the company to temporarily stop all operations in Puncak 2000 pending a decision based on a legally binding decree. in upholding the legality of HGU which includes changes in management, naming and all actions aimed at transferring HGU must obtain prior approval from the National Land Agency. Although this decision was rejected by the company, this step was considered to be an effort that could reduce conflicts that might arise between the two.

However, conflict resolution efforts must include principles of fairness and law, intent and commitment among stakeholders in resolving conflicts, and ratification of the Draft Regional Regulations for the Recognition and Protection of Communities which assist in the recognition and protection of indigenous peoples. parties to the conflict must resolve open issues. Another policy that can be carried out by the government in the context of agrarian reform is to rearrange control and ownership of plantation land by implementing a land distribution program. In overcoming inequality, the government should implement an agrarian reform program (Sembiring et al., 2022).

CONCLUSION

The issue of agrarian conflict in Puncak 2000 Siosar was triggered due to the issue of allocating land to third parties without involving the local community and the difficulty of the land certification process for the community which became a problem for those with land rights. The process of solving these conflict problems is the center of attention for governments, especially regional and central government by involving companies and the community. Conflicts that end in physical action encourage local governments to take a role in reducing conflict. Settlement strategies that are carried out tend to be in the form of temporary agreements to reduce tensions. While in the form of a strong legal umbrella, the process requires a process that takes time. The role of local government in finalizing HGU is important in avoiding social conflicts caused by land problems.

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