

ABSTRACT

Communal land is one of the land owned by indigenous people and recognized by the state, but often arise disputes between indigenous peoples and another parties because they have not evidence such as certificates. In the case that the authors raise the issue to the writing of this thesis, there is a certificate of ownership issued by the district land office/city based on an application right from Mr. "F". But the problems that occur are not in accordance with the juridical data and the physical data, on the other hand by the local community the land is customary rights by indigenous peoples. Under these conditions, there are two problems discussed is the validity of certificates that issued by the land office and effort to do indigenous people to regain Ulayat land belongs to them.

Approach to the problem that the authors took in writing this thesis is *statute Approach, Conceptual Approach and Case Study*. Pursuant to Article 4 Paragraph (2) Regulation of the Minister of the Interior No. 5 of 1973 affirmed on the type of soil that can be given property rights and coastal land not included in the object can be given land ownership. However, that data falsified by Mr. "F" so that become a common ground and exit the property of the proposed certificate. On the other side of the provisions of Article 104 Paragraph (2) State Minister of Agrarian No. 9 of 1999 the point where there are defects of administrative law then the certificate is canceled, whereas in Article 107 Paragraph (1) The same regulation explain the defect classification of administrative law one of which is between physical data and juridical data are not correct. Under these provisions then the certificate is null and void

On the other hand the loss of indigenous people where the land is owned by indigenous people so to get it back, indigenous peoples through three ways, among others: settlement with custom path, administrative appeal to head office of the land area accordance with the provisions of Article 105 Paragraph (2) State Minister of Agrarian Number 9 of 1999 and using the path of litigation

Keyword: Coastal Land Rights Certificates As a Sign Of Rights Evidence