

ABSTRACT

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LEGAL PROTECTION FOR LAND OWNERS FROM LAND RIGHTS EMBEZZLEMENT ARISING FROM UNLAWFUL SALES AND PURCHASES

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In Indonesia, land transactions are commonplace due to the high economic value of land. However there are numerous cases of land embezzlement arising from a lack of understanding regarding land rights and obligations. This vulnerability is exploited by unscrupulous individuals seeking to take advantage of the situation for personal gain. Consequently there is a pressing need for legal such as statute and regulations, secondary legal material including books on agrarian law, criminal law, and relevant law journals on land embezzlement, as well as tertiary legal materials like government publications, dictionaries and websites are utilized for the analysis. The approach in this research is a combination of legal principle analysis and case study analysis. The case study will be qualitatively analyzed and the conclusions will be drawn deductively. The case study in this research is centered on a land dispute in Bengkulu, Indonesia. In this instance a landowner granted permission to another party to cultivate the land, only to discover that the entrusted individual had embezzlement and sold the property for personal gain. This situation resulted in losses for both the rightful owner and the unsuspecting buyer. Consequently the landowner filed a police report to seek justice and reclaim their land, while the buyer initiated a lawsuit to annul the sale contract based on the embezzlement act. The court decision on the annulment served as the basis for the buyer to seek refund. By analyzing the cases presented, this study demonstrates that landowners can protect their rights through legal action involving law enforcement agencies. Given the prevalence of land embezzlement, it is imperative for the government to play a proactive role in preventing such occurrences through public education campaigns emphasizing the importance of land ownership documentations and the risk associated with land transactions.

*Keywords: Lands Transactions, Embezzlement, Criminal Law
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