

## Indonesia: Legal status of Girik (and other customary land titles) after 2 February 2026

### In brief

The legal status of *Girik* and other customary land titles in Indonesia will change after February 2, 2026, when these titles will no longer be recognized as valid evidence of land ownership. Landowners are encouraged to register their customary land titles through the Complete Systematic Land Registration (*Pendaftaran Tanah Sistematis Lengkap* or "PTSL") program before the end of this year.

Since 2017, the Ministry of Agrarian and Spatial Planning/Head of the National Land Agency ("MOASP") has implemented the PTSL program to provide legal certainty for land ownership in Indonesia. PTSL is the first land registration activity carried out simultaneously for all land registration objects throughout the territory of Indonesia. Provisions related to PTSL are currently governed by MOASP Regulation No. 6 of 2018 on Complete Systematic Land Registration ("MOASP Reg 6/2018".)

Socialization related to PTSL has been carried out since 2021 by the land office in each region. The socialization is provided by each local land office to the local community. After the socialization, it is hoped that people who own *Girik* land or any other form of customary land will register their land rights through PTSL.

Since October 2024, 79 cities and regencies have declared their land to be fully recorded and registered. A city or district whose land has been declared complete and registered is known as a 'Complete City' or *Kota Lengkap*.

To strengthen the implementation of PTSL, MOASP issued Regulation No. 16 of 2021 on the Third Amendment to MOASP Regulation No. 3 of 1997 on Provisions for the Implementation of Government Regulation Number 24 of 1997 on Land Registration (**MOASP Regulation 16/2021**). Article 76A (1) of MOASP Regulation 16/2021 provides that written evidence of former customary land owned by individuals in the form of *Petuk Pajak Bumi/Landrete*, *girik*, *pipil*, *kekitir*, *Verponding Indonesia* and other evidence of former customary property rights with other names or terms will be declared invalid five years after Government Regulation No. 18 of 2021 on Management Rights, Land Rights, Flat Units, and Land Registration ("**GR 18/2021**") comes into force on 2 February 2021. This means that after 2 February 2026, all former customary property rights evidence, including *Girik*, will no longer be valid.

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### Registering *Girik* through PTSL

Under MOASRP Reg 6/2018, registration of *Girik* land or any other form of customary land is conducted through the following procedure:

1. Initiation/socialization by the relevant local land office to the community
2. Data collection by the relevant local land office (both physical and juridical) based on the application submitted by the relevant landowner
3. Juridical data research by relevant local land officers
4. Announcement of physical and juridical data by the relevant local land office for 14 days at the relevant village head office
5. Validation of physical and juridical data by the relevant local land office
6. Conversion, recognition and granting of rights by the relevant local land office
7. Registration/bookkeeping of rights by the relevant local land office
8. Issuance of land title certificate by the relevant local land office

The applicant is required to submit, among other things, the following documents during the registration of *Girik* land or any other form of customary land through PTSL:

1. Proof of land ownership (*kepemilikan tanah*)/customary title (*alas hak milik adat*)/former customary title (*bekas milik adat*)
2. Copy of current year property tax and proof of BPHTB submission
3. Tax Payment Slip (*Surat Setoran Pajak*) of Income Tax (*Pajak Penghasilan* or "**PPH**")

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## Advantages of Obtaining Land Certificates through PTSL

There are three advantages of registering *Girik* land or any other form of customary land through PTSL. Firstly, it is more cost-effective. Applicants who register their *Girik* land or any other form of customary land through PTSL are not required to pay an administration fee such as an application fee and a measurement fee. Secondly, BPHTB and Income Tax payments may be temporarily waived. Thirdly, the registration process through PTSL is faster than the process of land registration through the mechanism of recognition of rights.

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## What happens to *Girik* after 2 February 2026 and how to register *Girik* after 2 February 2026?

Five years after the enactment of GR 18/2021, *Girik* and other written evidence of former customary land ownership will no longer apply as evidence of ownership of land rights, but only as guidelines in the context of land registration.

After 2 February 2026, the registration of *Girik* land will be carried out with the mechanism of recognition of rights to the local land office with the following procedure:

1. Submission of application for recognition of land rights to the local land office
2. Receipt and examination of application documents by the relevant local land office
3. Payment of application fee and land measurement fee by the applicant
4. Land measurement and examination by the relevant land office attended by the applicant
5. Announcement of land measurement and examination results at the relevant land office for 30 calendar days
6. Registration/bookkeeping of rights and issuance of land title certificates
7. Delivery of land title certificate to the applicant

When applying for land rights recognition, the applicant will be required to attach a statement of physical possession making the following statements (as opposed to documents with evidentiary value):

1. The land is owned by the applicant and not by any other party. Its status is former customary land, not state land.
2. The land has been continuously physically occupied for 20 years or more.
3. Land occupation is carried out in good faith and openly by the applicant as the rightful owner of the land.
4. There are no objections from other parties to the land owned and/or the land is not in a state of dispute.
5. There is no objection from the creditor in the event that the land has been used as collateral for a debt.
6. The land is not a government asset.

Here are the requirements for the statement letter of physical possession mentioned above:

1. It must be witnessed by at least two witnesses from the local neighborhood. The witnesses should not be related to the landowner.
2. It must be made based on true information and the person who makes the statement can be held accountable.

## Conclusion

After 2 February 2026, *Girik* certificates and any other forms of customary land ownership evidence will no longer serve as valid proof of land ownership. This situation could create a risk where an unauthorized third party could claim ownership of a plot of land without proof of ownership.

In light of the above, and recognizing that registration of land through PTSL offers additional benefits including reduced costs, a shorter processing time, and temporary waivers on BPHTB and Income Tax payments, it is advisable for any person who owns *Girik* land or any other form of customary land to promptly register their land at the relevant local land office before the end of this year.

In terms of land transactions, any parties who intend to acquire land which is still in the form of *Girik* or other customary land should strongly require that the land first be registered and certificated by the seller prior to acquiring the land.

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