Indonesian Journal of Agrarian Law
Vol. 1 Issue 3 (2024) 227–240
DOI: https://doi.org/10.15294/jal.v1i3.31094
Available online since: November 29, 2024

Indonesian Journal of Agrarian Law
https://journal.unnes.ac.id/journals/jal/index

Civil Servant Housing and Regional Governance: A Strategic Asset for South Papua's Capital Development

Syahriana Hannan Fathya Achya [1], Suhadi [2], Muhammad Adymas Hikal Fikri [3]

[1] Faculty of Law, Universitas Negeri Semarang, Semarang, Indonesia
[2] Faculty of Law, Universitas Negeri Semarang, Semarang, Indonesia
[3] Faculty of Law, Universitas Negeri Semarang, Semarang, Indonesia
✉ Corresponding email: Syahriana2105@students.unnes.ac.id

Abstract

South Papua Province, as a newly established autonomous region, urgently requires basic infrastructure, particularly housing for Civil Servants (ASN), to support the smooth operation of government administration. One sustainable solution to address urban land limitations is the construction of vertical housing or apartment buildings (Rusun). This study aims to analyze the strategic role of apartment housing for civil servants in South Papua and examine the legal framework as well as socio-spatial implications of vertical housing development. The research employs a normative juridical method with a qualitative approach, focusing on library research of statutory regulations and legal doctrines on apartment housing, along with official documents related to the construction of ASN Rusun. The findings reveal that state-owned apartment housing plays a crucial role

© 2024 Authors. This work is licensed under a Creative Commons Attribution 4.0 International (CC BY 4.0). All writings published in this journal are personal views of the authors and do not represent the views of this journal and the author's affiliated institutions.

in achieving equitable development, improving the welfare of civil servants, and ensuring efficient governance. The legal framework under the Apartment Law emphasizes collective ownership rights, professional management, and legal certainty of ownership. The development strategy of ASN apartments in South Papua reflects strong collaboration between central and local governments in addressing housing challenges in a newly established province.

Keywords

Apartment Housing, Civil Servants, South Papua, Vertical Housing.

A. Introduction

South Papua Province is one of the new provinces resulting from the expansion of Papua Province, with its governmental center located in Merauke Regency. The formation of this province is regulated in Law Number 14 of 2022 and was inaugurated on July 25, 2022, through a signing ceremony by the President of the Republic of Indonesia. This province was established simultaneously with two other administrative areas, namely Highland Papua and Central Papua. The struggle for the formation of South Papua as an independent administrative entity has been ongoing since 2002 and resurfaced in 2020. Thus, this process took almost two decades, reflecting the social, geographical, and political complexities in the region. This area is known as the ancestral land of the indigenous tribes of the Anim Ha cultural area, including the Marind, Asmat, Muyu, Koroway, and others, with natural wealth such as swamps, large rivers like the Digul and Maro, as well as high biodiversity potential such as in Wasur National Park.[1]

In the context of developing a new autonomous region (DOB), the need for basic infrastructure, particularly housing and settlements for state officials, is very urgent. The State Civil Apparatus (ASN), as the driving force behind government operations, requires decent, affordable, and strategic living facilities. This is crucial to support the effectiveness of government duties and accelerate the realization of good governance in this new administrative area.

[1] "History of South Papua Province," Government of South Papua Province, accessed April 13, 2025, https://papuaselatan.go.id/profil/sejarah.

Alongside population growth and land limitations in urban areas like Merauke, the development of apartment buildings becomes a relevant and sustainable alternative. Apartment buildings can address land availability challenges vertically, while simultaneously supporting the creation of orderly, efficient, and humane residential environments. Vertical housing in the form of Apartment Units (Sarusun) also opens opportunities for shared spaces that encourage social cohesion among residents, including ASN from various regional backgrounds. Housing and settlements are fundamental human needs that play an important role in shaping the character and identity of a nation. They function not only as residences but also as part of the process of forming social order and reflecting the cultural identity of a nation. Therefore, urban housing and settlement development needs to be planned carefully, optimizing land use, especially in densely populated areas, and spatial planning so that the benefits can be felt equitably by the wider community.[2]

The development of apartment buildings is based on the principles of general welfare, justice and equality, and balance in social life. The principle of general welfare is the basis for ensuring the basic housing needs of the community are met decently, in order to achieve physical and spiritual welfare for all citizens, as mandated by Pancasila and the 1945 Constitution of the Republic of Indonesia. The principle of justice and equality is used as a guideline so that the results of apartment development can be enjoyed equitably by all layers of society. Meanwhile, the principle of suitability and balance underlines the importance of harmony between various interests in utilizing apartment buildings, to prevent the emergence of social gaps.[3]

The Indonesian Government has established regulations regarding housing in the form of apartments through Law Number 20 of 2011 concerning Apartment Buildings (UU Rumah Susun). In the

---

[2] Muhammad Alipraja, "Improving the Quality of the Living Environment of Apartment Buildings Reviewed from Law No. 20 of 2011 concerning Apartment Buildings," 5, no. 20 (2025): 20–40.

[3] Laila Nanda Anggun Dwi Puswandari, "The Legal Force of the Certificate of Ownership of Apartment Units as Collateral Rights," Dinamika 28, no. 193 (2022): 4314–27.

provisions of Article 1 paragraph (1) of this Law, it is explained that "An apartment is a multi-story building built within a specific environment and divided into functional units, both horizontally and vertically, each of which can be owned and used separately, especially as a residence, and equipped with common parts, common objects, and common land." Therefore, unlike landed houses whose ownership is individual based on ownership rights, ownership in apartments is collective, because it includes rights over the housing unit as well as common parts, objects, and land.[4]

With this background, this article aims to analyze the strategic role of apartments for ASN in supporting the administration of the government center in South Papua Province, as well as to highlight the juridical, social, and spatial implications of vertical housing development in this developing region.

This research uses a normative juridical approach, a legal research method that emphasizes library research to study statutory regulations, legal doctrines, and relevant literature. The main focus is to analyze the legal regulations regarding apartment buildings, especially those related to the strategic role of ASN housing in supporting the administration of the new region, South Papua. The type of research used is qualitative, processing secondary data in the form of regulations, legal journals, literature books, and official documents. This approach aims to find the legal norms and principles underlying the construction, ownership, and management of ASN apartments according to the provisions of apartment law in Indonesia.

B. Legal Regulations and Concept of Apartment Ownership

Based on the Explanation of Article 22 paragraph (2) of Law Number 1 of 2011 concerning Housing and Settlement Areas (hereinafter referred to as UU PKP) in conjunction with Article 1 paragraph (1) of Law Number 14 of 2011 concerning Apartment Buildings, it is explained that:

[4] Christina Maria Prahendadmoko, "Legal Responsibility for the Practice of Buying and Selling Units," Jurnal Minuta Jurnal Kenotariatan 6, no. 02 (2024).

"An apartment is a multi-story building built within a specific area and divided into units designed functionally both horizontally and vertically. Each unit can be owned and used separately, mainly as a residence, and is equipped with common parts, common objects, and common land."

From this definition, the essential elements of an apartment can be identified as follows:

1. Apartment Unit (Sarusun), namely a specific unit within an apartment building that can be owned and used separately, functioning as a residence and having access to public roads.
2. Common Parts, namely parts of the apartment building that are inseparable and used collectively by apartment unit owners, such as foundations, walls, floors, roofs, stairs, elevators, and rooms designated for public purposes.
3. Common Objects, namely facilities or objects that are not part of the apartment building structure but are owned and used jointly by residents, for example, places of worship, playgrounds, sports facilities, and parking areas.
4. Common Land, namely the land on which the apartment building stands, which is collectively owned and inseparable, and whose boundaries are determined in the building permit (IMB) requirements.

The term "Apartment" in this law refers to a multi-story building that legally reflects individual ownership of an apartment unit as well as shared rights over certain parts. This building can be functioned as residential or non-residential, either separately or integrated within a complete development system.

Based on Article 1 of the Apartment Law, types of Apartments are divided into four categories as follows:

1. Public Apartments, namely apartments built to provide housing for low-income communities.
2. Special Apartments, namely apartments intended to meet specific needs of a special nature.
3. State Apartments, namely apartments owned by the state and used as residences, family development facilities, and to support the duties of officials or civil servants.

4. Commercial Apartments, namely apartments developed with the aim of obtaining economic profit.[5]

The provisions regarding the ownership of apartment units are stipulated in Article 46 of the Apartment Law, which states that the right of ownership over apartment units is an individual right over a specific unit standing independently, separate from the shared rights over common parts, common objects, or common land. Ownership of these common parts, common objects, and common land is determined based on the Proportional Comparison Value (NPP). The right of ownership over apartment units is officially recognized upon the registration of the separation deed and the issuance of the land book for each apartment unit. To guarantee legal certainty of ownership, the owner will be given valid proof in the form of a Certificate of Ownership Right over Apartment Units (SHMSRS), as regulated in Articles 47 paragraphs (1), (2), and (4) of the Apartment Law, issued by the Land Office at the regency or city level.[6]

The development of apartment buildings as a form of vertical housing provision has been comprehensively regulated in Law Number 20 of 2011 concerning Apartment Buildings (UU Rumah Susun). The main objective of this regulation is to guarantee the availability of decent, affordable, and sustainable housing, especially in areas with land limitations such as urban areas and new government centers, including in South Papua.

According to Article 15 of the Apartment Law, the development of public apartments, special apartments, and state apartments is the responsibility of the government. However, its implementation can be carried out by any person, including non-profit institutions and business entities, provided that facilities and/or assistance from the government are given. This indicates openness to the participation of

[5] Betty Rubiati, "Ownership of Public Apartments Built on State/Daerah Property Land," Rubiati, Betty 6, no. 2 (2023): 206–20, https://doi.org/10.23920/acta.v6i2.1337.

[6] Sifa F. Mokodompit, Dientje Rumimpunu, and Roy Victor Karamoy, "The Existence of Rights over Apartment Units as Credit Collateral," Lex Privatum IX, no. 12 (2021): 204–12.

the community and the private sector in apartment development, without neglecting the state's supervisory and facilitation functions.

Furthermore, Article 17 of the Apartment Law states that apartments can only be built on land whose status meets legal certainty, namely land with Ownership Rights, Building Rights, or Use Rights over state land, as well as Building Rights or Use Rights over Management Rights. This provision is intended to protect the rights of apartment unit owners and guarantee legal certainty over the common land as part of the apartment.

In addition, Article 18 expands the resources for apartment development, which can come from the utilization of State/Regional Property (BMN/D) in the form of land, as well as the optimization of waqf land. This opens up opportunities for optimizing state assets and religious social assets in providing affordable vertical housing.

The management of apartment buildings is an important aspect in maintaining the function, comfort, and sustainability of vertical housing. According to the provisions, the management of apartment buildings includes operational activities, maintenance, and care for common parts, common objects, and common land. These three aspects are inseparable elements that must be managed professionally and responsibly.

Based on the provisions, management must be carried out by a legal entity, except for public rental apartments, special apartments, and state apartments. In this case, different provisions are given because the nature of these apartments is more social and is the state's responsibility towards certain community groups, such as ASN, TNI/Polri, or low-income communities.

The apartment manager has the right to collect management fees from residents and apartment unit owners proportionally. This is in accordance with the principle of justice in the use and maintenance of shared facilities. For public rental apartments and special apartments owned by the government, the government can provide management fee subsidies. The amount of this subsidy is calculated based on the

actual needs for operational costs, maintenance, and care as regulated in Article 82 of the Apartment Law.[7]

The regency/city government has a central role in the licensing and development aspects of apartment buildings. One of the important tasks of the local government is to facilitate the maintenance and care of the public infrastructure, facilities, and utilities of apartment buildings built independently by the community. Thus, the existence of apartment buildings is not only the responsibility of the users but also part of the state's housing management system, especially in guaranteeing the quality of life and welfare of its residents.

C. Development Strategy andManagement of ASN Apartments in South Papua

As part of the government's efforts to support the operations of the new regional government, the Ministry of Public Works and Housing (PUPR) through the Directorate General of Housing has started the construction of apartments (Rusun) and special houses (Rusus) for the State Civil Apparatus (ASN) of the South Papua Provincial Government. This project was marked by a groundbreaking ceremony at the beginning of September 2024 and is being implemented under a multi-year contract (Multi Years Contract/MYC) for the period 2024–2025.

State apartments (Rusun ASN) are a form of the government's commitment to guaranteeing the availability of decent housing and supporting the welfare of the State Civil Apparatus (ASN). This is based on the fact that there are still a number of ASNs who do not have adequate housing, including ASNs from vertical agencies who often experience job location transfers, thus requiring temporary housing facilities in their assignment areas. The construction of apartments for ASN is expected to make it easier for the State Civil Apparatus to obtain housing when carrying out duties outside their domicile areas. Several

[7] Nurlaili, "Policies, Strategies and Programs for the Implementation of Apartment Buildings," Ministry of Public Works and Housing, n.d.

Ministries/Agencies have vertical work units spread across various regions in Indonesia.[8]

This construction is located in the Integrated Self-Reliant Area (KTM) Salor, Kurik District, Merauke Regency. On a land area of 2.4 hectares, two three-story apartment blocks will be built with the Wisma Arunika design. Each block consists of 44 units, so a total of 88 units of type 36 housing are available. These units are designed with a configuration of two bedrooms, a living room, kitchen, bathroom, as well as laundry and dining areas. In addition to the housing rooms, supporting facilities such as a multipurpose room, mosque, manager's room, parking area, public bathrooms, and other supporting infrastructure are also provided.[9]

This development initiative is a concrete form of the central government's commitment to accelerating infrastructure equality in the New Autonomous Region, including South Papua. Vertical housing for ASN is not only intended to meet housing needs but also to strengthen the regional bureaucracy system through adequate basic infrastructure. In the context of legal regulations, the construction of these apartments requires attention to the apartment law aspects as regulated in Law No. 20 of 2011 concerning Apartment Buildings, especially regarding ownership status, management of housing units, as well as land and common infrastructure aspects.

From a governance perspective, the management of these apartments will involve collaboration between the central and regional governments, both in terms of maintenance, utilization, and supervision. The sustainability of the apartment function requires an efficient, transparent, and regulation-compliant state asset management system. In this regard, legal aspects such as determining the asset usage status, land rights, and joint management of public facilities are

---

[8] Jundi Widiantoro et al., "Analysis of Benefits and Socio-Economic Impact in 2023 on the Development of State-Owned Apartment Buildings," Jurnal Mirai Management 8, no. 2 (2023): 235–45.

[9] Maya, "Groundbreaking for the Construction of Apartments and Special Houses for ASN of the South Papua and Central Papua Provincial Governments," Merauke.go.id, 2024, https://portal.merauke.go.id/news/7503/groundbreaking-pembangunan-rusun-dan-rusus-asn-pemprov-papua-selatan-dan-papua-tengah.html.

important points that must be designed from the initial stages of construction.

Furthermore, the presence of this vertical housing is expected to be able to catalyze socio-economic growth in the surrounding area. With the presence of ASN residing in the location, local economic activities can be stimulated, ranging from logistics services, household consumption, to other informal sectors. This aligns with the spirit of development based on function and local potential as mandated in the national policy for developing disadvantaged areas and new autonomous regions.

D. Conclusion

The construction of apartments, especially for the State Civil Apparatus (ASN) in South Papua Province, is a strategic step in supporting the provision of decent, efficient, and sustainable housing in areas with limited land and urgent basic infrastructure needs. In a legal context, apartments have a complex ownership structure, encompassing individual rights over apartment units and shared rights over common parts, objects, and land, all of which are protected and clearly regulated in Law Number 20 of 2011 concerning Apartment Buildings.

The development of state-owned apartments for ASN in South Papua demonstrates real synergy between the central and regional governments, not only in terms of financing and physical construction but also in governance and continuous supervision. Apartment management must be carried out professionally to maintain the social and technical functions of housing, paying attention to the principles of justice and legal certainty for its residents.

Besides meeting housing needs, the presence of ASN apartments in expansion areas such as South Papua is expected to be able to encourage local socio-economic growth and strengthen regional government bureaucracy. Therefore, this construction is not merely a physical project but an integral part of an inclusive, law-based, and long-term welfare-oriented regional development strategy.

E. References

Alipraja, Muhammad. "Improving the Quality of the Living Environment of Apartment Buildings Reviewed from Law No. 20 of 2011 concerning Apartment Buildings." Jurnal Ilmiah Hukum De Jure 5, no. 20 (2025): 20–40.

Dwi Puswandari, Laila Nanda Anggun. "The Legal Force of the Certificate of Ownership of Apartment Units as Collateral Rights." Dinamika Hukum 28, no. 193 (2022): 4314–27.

Maya. "Groundbreaking for the Construction of Apartments and Special Houses for ASN of the South Papua and Central Papua Provincial Governments." Merauke.go.id, 2024. https://portal.merauke.go.id/news/7503/groundbreaking-pembangunan-rusun-dan-rusus-asn-pemprov-papua-selatan-dan-papua-tengah.html.

Mokodompit, Sifa F., Dientje Rumimpunu, and Roy Victor Karamoy. "The Existence of Rights over Apartment Units as Credit Collateral." Lex Privatum IX, no. 12 (2021): 204–12.

Nurlaili. "Policies, Strategies and Programs for the Implementation of Apartment Buildings." Ministry of Public Works and Housing, n.d.

Pemerintah Provinsi Papua Selatan. "History of South Papua Province." Accessed April 13, 2025. https://papuaselatan.go.id/profil/sejarah.

Prahendadmoko, Christina Maria. "Legal Responsibility for the Practice of Buying and Selling Units." Jurnal Minuta Jurnal Kenotariatan 6, no. 02 (2024).

Rubiati, Betty. "Ownership of Public Apartments Built on State/Daerah Property Land." Acta Multiversa 6, no. 2 (2023): 206–20. https://doi.org/10.23920/acta.v6i2.1337.

Widiantoro, Jundi, Adityo Arioseno, Evy Rahmawati, and Fitriana Januar Arifiana. "Analysis of Benefits and Socio-Economic Impact in 2023 on the Development of State-Owned Apartment Buildings." Jurnal Mirai Management 8, no. 2 (2023): 235–45.

***

Acknowledgment

Recognize those who helped in the research, especially funding supporter of your research. Include individuals who have assisted you in your study: Advisors, Financial support, or may other parties involved on the research.

Funding Information

Please provide funding information of the research

Conflicting Interest Statement

Please state any conflicting interests of this publication and research. If there is no, please type: The authors state that there is no conflict of interest in the publication of this article.

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

Generative AI Statement

Authors must acknowledge the use of AI in their work to ensure transparency and maintain trust with their audience. As generative AI becomes an integral tool for content creation, it is crucial to disclose its involvement in the process. This helps clarify the role AI played in generating ideas, drafting text, or enhancing creativity. Acknowledging AI usage also supports ethical standards, ensuring that authorship remains clear and that credit is properly attributed. Such transparency fosters responsible AI integration and upholds the integrity of both the creative process and the final work.

This page intentionally left blank