

ESTABLISHING A MARITIME COUNTRY THROUGH AN INTEGRATED AND SUSTAINABLE DEVELOPMENT OF COASTAL REGION IN THE FRAMEWORK OF REGIONAL AUTONOMY

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ABSTRACT

Maritime Country is a country that has vast marine territory and capable of exploiting its natural resources effectively for the peoples' benefit and welfare. GOL's effort to establish Indonesia as global maritime axis will not be easy. However, with 5.8 million square kilometer of sea area or 3 times the land area which is only 1.9 million square kilometers, Indonesia has considerably potencies of marine resources to establish the idea of construct global maritime axis. The marine development's target in RPJMN 2015-2019 is constructed by promoting economic marine's role and national marine development synergy which is one of the target is the utilization of marine resources for economic development and fishermen and coastal community's welfare by balancing the ecosystem in Intergrated Coastal Zone Management and Sustainability (ICM) concept. Various cases in coastal development such as sand mining in Riau, a case in Buyat bay, coral reefs destruction, pollution, physical degradation of habitats, over-exploitation of natural resources, coastal erosion, changing function in conservation area, shore reclamation, etc. have made coast areas become exposed to disaster. Therefore, integrated coastal zone management and sustainability is a must. The concept of integrated coastal zone management and sustainability encompass: 1) integration of the region / ecology; (2) The integration between sectors; (3) The integration of disciplines/Fields of Knowledge; (4) The integration of Stakeholder. Those four concepts, sustainable development goal becomes a strategy to promote Indonesian sea capabilities in order to establish Indonesia as global maritime axis.

Keywords: Coastal area, maritime country, regional autonomy.

A. Preface

As the largest archipelago country, Indonesia has been given with potencies and abundant of natural resources from God Almighty and it has important meaning for the Indonesian people as a living place (*lebenstraum*), a fighting place and also a medium to unite the islands on Indonesia in one unified ideology, political, economic, social, cultural, defense, and security in one place called The Unitary State of the Republic of Indonesia (NKRI).

Two-thirds of the area of Indonesia is covered by Seas with the

longest coast line in the world. Geographically, Indonesia is on bridges of two continents, Asia and Australia and crossroads between 2 oceans, Indian and Pacific Ocean which are the most dynamic regions, economically or politically. This strategic position has been an advantage to Indonesia but it is also make Indonesia very depends on the sea. Beside advantages based on geographical location, the ocean natural resources contain not only biotic resources but also abiotic resources which are beneficial to the survival of community. Sea potencies

can be obtained from the seabed, water column and sea's surface, including coastal region and small islands so it is very logic if the marine economy is used as a foothold for national economic development. Therefore, Indonesian Sea should be managed, maintained, used, and preserved by the people of Indonesia as mandated by Article 33 of the Constitution of the Republic of Indonesia Year 1945.

Indonesia declared its national territorial waters as an integral and inseparable part from the land area that forming archipelago through *Juanda* Declaration in December 1957.¹ This Declaration described that all waters around, between and which connect the islands in Indonesia are belong to Indonesia without considering its breadth or width, that they are comprehend with Indonesian land and also as part of national internal waters or under Indonesia's sovereign territorial waters. Foreign vessels are securely guaranteed to pass as long as a ship refrains from engaging in certain prohibited activities that can interfere with the sovereignty and safety of Indonesia. Territorial waters (12 nautical miles) are measured from the lines outer points of Indonesian archipelago.

Before *Juanda* Declaration, Indonesia's territorial waters is as wide as 3 (three) miles measured from the low baseline of each island and parts of the island which is part of Indonesia's land area. This provision is set on *Teritoriale Zee en Maritieme Kringen Ordinantie* Year 1939 (TZMKO 1939). 3 (three) miles wide clause is no longer felt to be

appropriate with The Unitary State of the Republic of Indonesia's (NKRI) safety and security.² When *Juanda* Declaration came into force, the width of Indonesian Sea is extended and at the same time it signified Indonesia as an archipelago country. In order to reinforce the archipelago's concept, Law No. 4 Law in lieu of law Year 1960 on Indonesian Waters was issued.

In International law document has also been recognized the legal concept of archipelago country. United Nations Convention which is firmly stated about archipelago country's concepts is the United Nations Convention on the Law of the Sea Year 1982 or widely known as UNCLOS 1982. UNCLOS 1982 provides legal principle and regime of archipelago country in Part IV (Archipelagic States). This Convention had been ratified by the Government of Indonesia in Law No.17 Year 1985 on Ratification of the United Nations Convention on the Law of the Sea.

After UNCLOS 1982 been established and Indonesia ratified it in Law No. 6 Year 1996 on Indonesian Waters as Law in lieu of law No.4 Year 1960. This replacement was made to adapt with Archipelago country's regime in Part IV UNCLOS 1982 about Archipelagic States. Furthermore, replacing regulation is needed because in fact there are variety of interests and activities that are flourishing in Indonesian Waters. That's why national and international interests on Indonesian waters should be organized, secured and developed in a focused and prudent

¹ Mochtar Kusumaatmadja, Anthology Law of the Sea, Archipelago Study Center, Law and Developmet, Bandung, 1995, page 3.

² Eddy R. Agoes, *Determination of Boundaries and State's Jurisdiction in the Sea According to International Law and Regulations*, Seminar of Law on Indonesian Seawards Boundaries Legal Issues, BPHN Department of Law and Human Rights, Jakarta, June 8th-9th 2005, page 15.

way in accordance with the National Development Goals.³

The development in the marine sector still meets many obstacles in its implementation. It is due to lack of regulation that comprehensively regulates integration of various interests in the Sea territory. Those obstacles can be found in the scope of planning, exploiting, monitoring and controlling. After independent for 69 years, Indonesia finally has Law No. 32 Year 2014 on the Marine (hereinafter referred to as the Marine Law). One of the essential substance of the Marine Law is that this is the affirmation of Indonesia as archipelago country and this indicates that Indonesia will optimize the ocean natural resources management itself, and will also to start acting at the open sea as stated in UNCLOS 1982. This becomes important because as the biggest archipelagic state, there must be big potencies in economic, biodiversity and maritime culture which is estimated until US\$ 1.2 trillion per year.⁴ However, to develop marine field in order to establish maritime country isn't easy. There are many problems in marine's development such as greater number for 28.07 million of poor population, of which 25.14% reside in coastal areas, the gap between western and eastern region in Indonesia, interacting spaces for many sectors, sensitive matters especially on environmental aspect, overfishing, IUU fishing, and sea borders, low on productivity and competitiveness of marine products and the last is natural disasters and climate change has also play important role in creating problems.

In relation to coastal issues, it is undeniable that coastal and sea areas along with the natural resources are Indonesia's most important asset for development, since these areas are supported by three main components as a backbone for its expansion. Most of Indonesia's population (60%) lives in coastal areas with an average growth of 2 % per year. In administrative way, some districts (*kabupaten*) or cities are located in coastal areas.

Based on the configuration of a surface or topography, it can be seen that from 4028 (four thousand twenty eight) sub-district (*kecamatan*), there are 1129 (one thousand one hundred twenty nine) sub-district that are situated in coastal areas, and from 62472 village that are exist, 5479 village are coastal village.⁵

In order to regulate coastal areas management, GOI has issued Law No. 27 Year 2007 on the Coastal area and small islands managements which are later amended by Law No. 1 of 2014 on the amendment of Law No. 27 Year 2007 on the Coastal area and small islands managements. The urgency to modify the law regarding the coastal area and small islands managements is because all this time the Law No. 27 of 2007 has not yet gives power and responsibility to GOI or the state adequately so some articles need to be refined in accordance with the progress and needs of law in society. Aside changes in law of the coastal area and small islands managements, today there is also a change in Law of Regional Government No. 23 year 2014 (hereinafter referred to as Law of Regional Government). Both laws must work together since coastal

³ Check General Provisions of Law Number 6 Year 2006 regarding Indonesian Waters

⁴ <http://www.hrcindonesia.org/#!uu-kelautan--kebangkitan-indonesia-menu/c1rbf>

⁵ Dietrich G. Bengen in Book Narrative Heading to Harmonization of Legal System as a Pillar of Coastal Area Management, Jakarta, Year 2005, page 91.

areas mostly located in shores which are geographically located in rural areas so that the implementation of the Law on Coastal area and small islands managements can't be excluded from the existence of the Law of Regional Government. Based on the description above, this paper is tried to analyze coastal area management from legal point of view and also what's the possible effects after the enactment of Law No. 23 Year 2014 on Regional Government.

B. Discussion

In general, coastal area is a transition area between terrestrial and marine ecosystem which is affected by changes in land and ocean.⁶ A coastal area has two kinds of boundaries, the boundaries that are parallel with the coastline (longshore) and the boundaries that are vertical with the coastline (cross shore). Potencies in coastal areas and small islands along with their natural resources are Indonesia's important assets where they stretch along approximately 81,000 km of coastline and spread to more than 17,000 islands which 5.8 million km² is made up of 3.1 million km² territorial waters area and 2.7 km² Indonesia's EEZ and it holds 17,408 islands with 104,000 km long. These make Indonesia rich and various in natural resources, each natural resources have important value, both in the domestic market and also international markets. Therefore, synergy in integrated arrangement is a must.

The law on coastal area and small islands managements is coordination in planning, exploiting, monitoring and controlling of resources among coastal area and

small islands which is organized by not only by GOI and regional government but also cross-sector, between terrestrial and marine ecosystem in order to improve people's welfare. Article 3 of Law No. 27 of 2007 explicitly mandates that the coastal area and small islands managements must be based on sustainability, consistency, coherence, legal certainty, partnerships, equity, social participation, openness, decentralization, accountability and fairness.

Sustainable development is an international vision but it also becomes a national vision. The vision of sustainable development does not prohibit economic development activities indeed it recommends the rate of development activities does not exceed the carrying capacity of the natural environment. Thus, next generation still has same natural resources asset and environmental services, or perhaps even better than present generations. There are many problems in coastal areas that need to find solutions. As an area where two terrestrial and sea ecosystem's working process are met, coastal area is an area that is always in dynamic shape, full of change in short time. As the consequence of increasing activity in Indonesian coastal area, now coastal area is having an unfortunate and concerning situation. Coastal areas are in tremendous pressure where their resources damages as an impact of high intensity economic development causing diminishment not only in terms of quality but also in terms of quantity.

Nowadays issues in the development of coastal area have started to arise. Various cases such

⁶ Law Number 1 Year 2014 regarding Coastal Area and Small Islands Management, Article 1 Number 2.

as sand mining in Riau, a case in *Buyat* Bay, coral reefs destruction, pollution, physical degradation of habitats, over-exploitation of natural resources, coastal erosion, changing function in conservation area, shore reclamation, etc. Abrasion for instance, beaches in Bali are in concerning situation. The condition is more eroded by waves, and plus sea pollution is increasing due to the lack of waste treatment facilities on the mainland. Meanwhile, mostly tourisms areas are located at coastal area, it causes an increasing numbers of tourism facilities and other facilities development on some beaches in Bali. Another example is reclamation process happens in *Benoa* which cause conflict between government and some local communities in Bali. Coral reefs destruction which is come about in several east coast in Indonesian is another issue. Based on research done by the Center for Oceanography LIPI recorded that until the year 2013 at 1135 stations showing 30.4% of coral reefs in Indonesia are damaged or in poor condition, only 5.29% is in very good condition, 27.14% is in good condition and 37.18% are in adequate condition.⁷ Another problem is the number of poor population reaches 28.07 million, which 25.14% of them live in coastal areas with a gap between western and eastern Indonesia. At the institution level there is an interacted space for many sectors such as development sector approach which only considers gaining profit and ignore the impact arose from or towards other sectors. Conflict in the use of space in coastal areas comes up because of the unavailability of spatial planning in several areas that

regulate interests in regional autonomy regime, which can carry major implications concerning the coastal areas.

At first the existence of Act No. 27 year 2007 regarding the Coastal area and small islands managements is very strategic to establish sustainable resources of coastal areas and small islands management as well as to improve the local people's welfare. However, Law No. 27 of 2007 has not provide optimal results and some articles in it create controversy such as the right to exploit on Coastal Waters (HP3). Coastal area and small islands management matters are indeed attracted people's attention because the law that governed the authority is distributed in several ministries. The exploitation of coastal areas is granted with HP3 which includes the right to control at sea level, water column up to the seabed. Thus, HP3 limits is very broad, from seabed to surface. Although it has been given time limit to perform and there are several requirements (technical, administrative and operational way), this regulation raises debate in public because it is feared to generate multi sector conflict which each sector is entitled to manage the resources. There are some institutions that associated with the coastal areas and small islands exploitation, such as mining (at that time was the Department of energy and Mineral Resources), tourism (Department of Culture and Tourism), mangroves (Department of Forestry), fisheries (Marine Board and Fisheries) and sailing (Department of Transportation). The existence of HP3 is feared to get rid of fisherman from the sea that has been used in their livelihood. This concern is due to the

⁷ www.lipi.go.id

absence of law (legal lacuna) in Law No. 27 year 2007 regarding the rights of fishermen, especially small fishing. HP3's regime also contradicts with article 61 (1) Law No. 31 year 2004 on Fisheries (The Fisheries Law). The Fisheries Law regulates that small or traditional fishermen are free to engage in fishing throughout the fishery management area (WPP) of Indonesia, as well as traditional fish cultivator. Both these two minor communities are legally ensured by the Fisheries Law. Instead of giving maximum result, some clauses in Law No 27 Year 2007 in fact create controversy such as the right to exploit on Coastal Waters (HP3). Stakeholder participation is another issue in preparing the planning document that is to say stage of Strategic Plan Proposal (RS), Zoning Plan (RZ), Management plan (RP) and Action plan (RA). In recommendation stage, businessmen are given the right to suggest those four planning documents, while the public are just involved in drafting a planning mechanism and doesn't have the right to propose. These problems have opened a space for changes. Therefore, in order to optimize the state's responsibility on managing the coastal area and small islands in the form of controlling other party without cutting down state's authority to make

policy (*beleid*), arrangements (*regelendaad*) and maintain supervision (*toezichthoudensdaad*). Coastal area and small islands managements is performed by recognizing and respecting the units of indigenous peoples and their traditional rights in accordance with the principles of the Unitary State of the Republic of Indonesia (NKRI), along with recognizing and respecting local and indigenous people who lived in coastal areas and small islands. Thus the existence of regulation concerning comprehensive exploitation of coastal area is important to be adjusted.

In 2014, Law No. 1 Year 2014 regarding the Amendment of Law No. 27 Year 2007 on the Coastal area and small islands managements came into force. In Law No. 1 year 2014 it is stated that the coastal areas and small islands management is a coordination process of planning, exploiting, monitoring and controlling the resources of coastal area and small islands taken by the Government and Regional Government, between sectors, terrestrial and marine ecosystems to improve people's welfare. Thus, in this management there is no ego between sectors so that managing activity can be performed with the principles of integrity.

The amendment of Law No. 1 year 2014 can be described as follows:

Article	Law No 27 Year 2007	Law No 1 Year 2014
Article 1 Number 1	Coastal area and small islands management is a process of planning, exploiting, monitoring and controlling coastal area and small islands resources cross sector, between central government and regional government, between	Coastal area and small islands managements is a coordination process of planning, exploiting, monitoring and controlling coastal and small islands resources done by central and regional government, cross

	terrestrial and marine ecosystem and between science and management to increase community's welfare	sectors, between terrestrial and marine ecosystem and also science and management to increase their nationals' welfare
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The different is on the word "coordination" and change the word "community" to "nationals". The coordination was meant to create good coordination or cooperation

among relevant sectors, between central and regional government can get along with the people starting from planning, exploiting, monitoring and controlling stages.

Article	Law No 27 Year 2007	Law No 1 Year 2014
Article 1 number 17	Detailed Zoning Plan is a detailed planning in one zone based on exploitation guidance in Zoning plan which can be arranged by regional government with the stressing on environmental capacity, applied technology and the availability of facilities, which at the end can indicate types and numbers of permit letters issued by the regional government.	Detailed Zoning Plan is a detailed planning in one zone based on the exploitation guidance in Zooning Plan regarding environmental capacity, applied technology and the availability of facilities in which can indicate types and amount of permit letters issued by central government and regional government.

The change lays on the authority to issue management's permit letters in the zoning plan, formerly Law No 27 Year 2007 stated that it is the

regional government authority but then change to the central and also regional government authorization.

Article	Law No 27 Year 2007	Law No 1 Year 2014
Article 18	The right to exploit on coastal waters (hereinafter referred to as HP-3) is the right over certain parts of coastal waters for marine activity and fisheries, as well as other activities which are related to the utilization of coastal and small islands resources from the surface, water column up to the seabed at certain limitations.	Location permit is kind of permission to exploit some space in coastal waters that includes sea surface, water column up to the seabed at certain limitations and/or to exploit several small islands.
Article 18 A		Management permit is kind of permission to perform exploitation on coastal and small

One of the reasons why the Law No. 27 year 2007 should be changed is that until now the Coastal Areas and small islands management has not provided adequate power and responsibility to GOI or the state to manage coastal area and small islands via mechanism to distribute The Right to exploit Coastal Waters (HP-3). HP-3 mechanism reduces state's rights to control the coastal area and small islands managements but then the Constitutional Court through Decision No. 3/PUU-VIII/2010 decided that it is against the Constitution of the Republic of Indonesia Year 1945 and didn't have binding legal force. That it must be distinguished between Rights and Permit. In rights, society has full power over certain areas without any government interference. While permit, means that society can use some space in coastal area and small islands by getting permission from the government in advance. Law No.1 Year 2014 indeed differentiates a location permit and a management permit.

Location permit is granted based on zoning plan of the coastal area and small islands with the consideration to preserve coastal and small islands, society, traditional fisherman, national interests and right of innocent passage for foreign vessel. This permit is given at certain time and must not be given in the central zone of conservation area, sea lanes, ports and shores as regulated in article 17. GOI and local government must facilitate for issuing the location and the management permit for local communities and indigenous people and should be given to whom it exploit spaces and also coastal and small islands

resources for livelihood as stipulated in Article 20.

The use of space and also coastal waters and small islands waters resources on indigenous people's land is under indigenous people's authority or customary law and it must also consider the national interests and fit with the law as stated in article 21. The use of small islands and waters around it is based on ecological and economical unity as an overall and integrated part of big islands nearby.

The complexity of issues on coastal area arise from the characteristic and dynamic process in coastal area, potencies and development issues and so is the numbers of overlapped interest in exploiting coastal area. Whether it is the peoples or the government must meet the needs of appropriate and integrated management for sustainable development in coastal area.

The concept of coastal area management in an integrated way (integrated coastal zone management) is a concept to manage coastal area which defined as a medium of holistically management that works cross sectors, cross disciplines and cross foundation by well-coordination of planning, exploiting, monitoring and controlling coastal area and small island resources. The final goal from the concept of coastal area management is to increase people's welfare. In implementing this concept, there are four aspects to implement the sustainable development in coastal area, which are:

- (1) The integration of the area/ environment

Coastal area has relationship with the land and the sea, assuming with an area and environment. This is because the coastal area is the land and sea's meeting point. In that relation, coastal area management is also management of environment in those two areas, the land and the sea. The environmental impact which influencing coastal area is the result of growing activities in land area such as agriculture, industrial waste plant, plantation, forestry, residency or offshore activities such as oil drilling and mining. Environmental impact has been regulated in Law No 7 Year 2007 which amended by Law No 1 Year 2014 which divides the impact in two categories, big impact and major impact. Big impact means there is a negative change in environmental function on a bigger scale and longer intensity which caused by activities in coastal and small islands area. While major impact has broader scope and strategic value which the changes influence bio-physic condition such as climate change, ecosystem and social economic impact for present to next generation life.

Preventing pollution caused by industrial and household waste, sedimentation caused by erosion from farming, forestry, agriculture wastes can't simply be done in coastal areas alone but it must be started from the source of the impact. Therefore, management in coastal area should be integrated between terrestrial and marine areas and so watersheds (DAS), which became one unity and integrity management. A good management in coastal areas will be

destroyed if it is not followed by a good planning in watersheds (DAS). Therefore, the relation among area and its environment in coastal area should be noticed as always.

- (2) The integration between sectors
The consequence from large and diverse natural resources in coastal areas is how many agencies or institutions or even the sector of development agencies that engage in exploiting coastal and ocean resources. This make overlapped in managing coastal area resources between sectors. In order to optimize and sustain the coastal area management, the management planning must integrate all sectors interests. Activities in one sector must not interfere other sectors. Such as, cable installation in the sea must not endangers the coral reefs. The integration in these sectors should be applied either horizontally or vertically. Hence the role of cross-sectoral coordination is very important. Therefore, marine layout planning in some territories and development guidance in coastal areas is extremely important as mandated by Law No.1 Year 2014.

- (3) The integration of Field of Knowledge
Coastal area has unique nature and characteristic, either the nature and characteristic of coastal ecosystem or the nature and characteristic of socio-cultural coastal communities. With coastal waters dynamic process, it needs special disciplines such as hydro oceanography, oceanography

dynamic process, etc. The need of other disciplines is also important. In general, integration of any disciplines in management of coastal resource such as the science of ecology, oceanography, engineering, economics, law, sociology and anthropology. Sociology and anthropology is important knowledge since the society is the major element who lived in coastal. As regulated in Article 1 number 32 Law No 1 Year 2014, society means the society of indigenous people, local society and traditional society who live in coastal area and small islands of customary law which cultural approach is a requisite.

- (4) The integration of Stakeholder
The integration of stakeholders has a very important role. Stakeholders of coastal natural resources are the government (both central government and local government), people either indigenous people, local society and traditional society, private/investors and non-government organizations (NGOs) which each stakeholder have interest in the utilization of coastal natural resources. An integrated management must be able to accommodate the interests of stakeholders in coastal resources development. Therefore, management development planning must perform two ways approach, top down approach and bottom up approach. Nevertheless, the concept of integrated and sustainable coastal development still facing major issues, they are transparency, public participation, accountability and responsibility or good governance whereas the

main requirements for implementing integrated and sustainable development is a democratic government. Law Number 22 Year 1999 on Regional Government brings changes in the government implementation, both in the central government or regional government, which the centralized development paradigm has change with the appearance of new strategy that is decentralized paradigm. This change brings consequences such as an authority delegation from central to local government (regional autonomy). Law No. 22 of 1999 regarding Regional Government has some weaknesses, one of them is unclear clause about management marine resources and fisheries activities. This law later was amended with Law No 32 Year 2004 regarding Regional Government. The purpose to allow regional government to administer their own regions is simply to accelerate people's welfare by improving service, empowerment and community participation. Furthermore, the regions are expected to increase their competitiveness in the world. The allocation of autonomy to the Regions is carried out on the unitary state principle. In the unitary state, sovereignty only exist in state government or national government there is no sovereignty in the regions. Therefore, every right to govern itself which are given to the Regions, at the end the administration responsibility will remain in palm of the Central Government. Regional government on the Unitary State is an integral part of National

Government so that any policy is made and carried out by the Regions are also part of national policy. This become the weakness of Law No.32 Year 2004 regarding Regional Government, which gives broader right to govern itself (autonomy) to Regional government especially to the sub-district which create local kings, include issuing management permit in coastal area and small islands. That is why Law No.32 Year 2004 was amended by Law No. 23 Year 2014 regarding Regional Government. The urge to amend this law is because there are several conflicts of authority between sub district/city with the province/district since most of the matters are handed over to sub district/city and only few become district authority (province). These causing most sub district/city authority is neglected due to budget restriction so Provincial government/district government is forced to fund sub district authority to take up province's budget. Regional autonomy policy significantly has impact on the management and utilization of marine resources, especially in coastal areas. Granting autonomy to the Regions is to accelerate public's welfare through improving services, empowerment, and community's participation. Regions as an integral part of legal community which have the right to regulate and manage themselves in accordance with public aspiration and interests as long as do not contradict with legal order and public interest. In relation to the management of marine, Law No. 23 Year 2014 on

Regional Government has brought intention of changes in the coastal areas management, which Article 14 paragraph (1) said that the enforcement of government affairs in forestry, marine and energy and mineral resources are shared between the Central Government and Local Government. The province authority to manage ocean natural resources throughout twelve (12) nautical miles measured from the shoreline to the open sea and/or towards the archipelagic waters and if the sea area located between the two provinces of less than 24 miles, the authority to manage ocean natural resources is divided equally distance or measured in accordance with the principles of the center line of the area between the two regions of the province.

Legal implications from implementation of Law No. 1 Year 2014 to Law No. 27 Year 2007, Law No. 32 Year 2014 on the Marine after the establishment of Law No. 23 Year 2014 on Regional Government inter alia on distributing management permit in coastal area and small islands which is initially regional government's authority but now it is both central and local government authority.

The implementation of coordination on the Management of Coastal and small islands at National Level is a process of harmonization, synchronization and also synergism of coastal areas and small islands management at the national level in an integrated and sustainable way. Article 22 the Marine Law also emphasized that between the central and local government

must have a mutually conjunction, it was noted that the central government and local government in accordance with their authority are responsible to manage and exploit coastal and small islands resources with the intention to protect, convert, rehabilitate, utilize and enrich coastal and small islands resources as well as its ecology in sustainable, harmonize and mutual way between the central government and regional government in managing its resources, strengthening public and government agency's participation as well as encouraging public initiative in order to achieve justice, equity and sustainable management of coastal and small islands resources, enhancing social, economic and cultural values in society through public participation in exploiting coastal and small islands resources. In a sustainable marine development through developing and expanding coastal area and small islands it is expected the idea to establish maritime country could be gained.

C. CONCLUSION

Article 33 the Constitution of the Republic of Indonesia Year 1945 emphasizes that the Earth, water and natural resources contained therein are controlled by the state and used for the peoples' welfare. In order to

apply those mandates, the GOI through its politic of law called "NAWACITA" as outlined in the RPJMN year 2015-2019 one of the purposes is to establish a maritime country. A maritime country is a country that has vast marine territory and capable of exploiting its natural resources effectively for the peoples benefit and welfare. To achieve this purpose, it takes a strong will from all stakeholders, especially the government, by issuing regulations policy relating to maritime, such as Law No. 1 Year 2014 regarding the amendment of Law No. 27 Year 2007 on the Coastal Areas and Small Islands management, Law No. 32 year 2014 on Marine and Law No. 23 Year 2014 on Regional Government. Two-thirds Indonesian territory is the sea and it is one of the countries that has the longest coastline in the world, so that the development of coastal areas has an important role in creating a maritime country.

In order to establish it, the effort is required, one is through Integrated Coastal Zone Management and Sustainability. This concept involves: (1) integration of the region / ecology; (2) The integration between sectors; (3) The integration of disciplines/ Fields of Knowledge; (4) The integration of Stakeholder. With those four concepts, sustainable development goal becomes a strategy to promote sea capabilities which are managed by the Indonesia in order to establish Maritime Country.

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