

# AMENDMENT TO LAW NO. 27/2007 ON THE MANAGEMENT OF COASTAL AREAS AND SMALL ISLANDS

(Law No. 1/2014 dated January 15, 2014)

BY THE GRACE OF GOD ALMIGHTY  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that coastal areas and small islands are controlled by the state and used for the greatest possible prosperity for the people as mandated by the 1945 Constitution;
- b. that Law No. 27/2007 on the Management of Coastal Areas and Small Islands has not given adequate state authority and responsibility for the management of coastal areas and small islands so that several articles need to be revised according to the development and need for law in the community;
- c. that based on the considerations in letters a and b, it is necessary to enact Law on Amendment to Law No. 27/2007 on the Management of Coastal Areas and Small Islands;

In view of :

Article 5 paragraph (1), Article 18B paragraph (2), Article 20, Article 25A, and Article 33 paragraph (3) and paragraph (4) of the 1945 Constitution;

With the Joint Approval of  
THE HOUSE OF REPRESENTATIVES OF  
THE REPUBLIC OF INDONESIA and  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

DECIDES :

To stipulate :

LAW ON AMENDMENT TO LAW NO. 27/2007 ON  
THE MANAGEMENT OF COASTAL AREAS AND  
SMALL ISLANDS.

Article I

Several provisions in Law No. 27/2007 on the Management of Coastal Areas and Small Islands (Statute Book of 2007 No. 84, Supplement to Statute Book No. 4739) are amended as follows:

1. Article 1 points 1, 17, 18, 19, 23, 26, 28, 29, 30, 31, 32, 33, 38, and 44 are amended, and in-between points 18 and 19, 1 (one) point, namely point 18A is inserted, and in-between points 27 and 28, 1 (one) point, namely point 27A is inserted so that the article reads as follows :

## Article 1

Referred to in this Law as :

1. The management of coastal areas and small islands is the coordination of planning, use, supervision and control of resources in coastal areas and small islands involving the government, regional governments, inter-sectoral agencies, between the land and sea ecosystem, and between sciences and management to promote the people's welfare.
2. Coastal area is the transitional area between land and sea ecosystem influenced by a change in the land and sea.
3. Small island is an island whose area is smaller than or equal to 2,000 km<sup>2</sup> (two thousand square kilometers), along with its unit of ecosystem.
4. Resources in coastal area and small island are biological resources, non-biological resources, artificial resources, and environmental services; biological resources cover fish, coral reefs, sea grass beds, mangroves, and marine biotas; non-biological resources cover sand, sea water, and seabed minerals; artificial resources cover sea infrastructures related to marine and fisheries affairs and environmental services in the form of natural scenery, seabed surface as the place of underwater installations related to marine and fisheries affairs and sea wave energy found in coastal area.
5. Ecosystem is a community unit of plants, animals, organisms and other non-organisms as well as process linking them to form balance, stability and productivity.
6. Bioecoregion is a landscape found in an expanse of ecological unit determined by natural borders, such as river basin area, bay and current.
7. Coastal waters is sea bordering land covering waters stretching as far as 12 (twelve) miles, measured from the coastline, waters linking coast with islands, estuary, bay, shallow waters, salty swamp and lagoon.
8. Estate is part of coastal areas and small islands which has certain function set based on the criteria of physical, biological, social and economic characteristics to maintain its existence.
9. Public utilization estate is part of coastal area whose appropriation is set to serve various sectoral activities.
10. Certain national strategic estate is an estate related to state sovereignty, environmental control and/or world heritage site whose development is prioritized to serve national interests.
11. Zone is a space whose utilization is jointly agreed upon by various stakeholders and whose legal status has been determined.

12. Zoning is a form of technical engineering to use space by determining functional borders according to potential resources and supporting capacity as well as ecological processes as a unit of coastal ecosystem.
13. Strategic plan is a plan which contains the direction of cross-sectoral policies for development planning estate by setting broad goals, targets and strategies, as well as execution targets with proper indicators to monitor national plan.
14. Zoning plan is a plan which determines direction in the use of resources from each unit of plan by setting space structure and pattern in planning estate which contains permissible and impermissible activities and activities that can be carried out after securing a permit.
15. Management plan is a plan which contains a frame of policies, procedures and responsibilities to coordinate a decision-making process among various government institutions/agencies on the agreement to use resources or carry out development activities in the designated zone.
16. Management action plan is a follow up to a plan to manage coastal areas and small islands which contain goal, target, budget and timeline for one or several years ahead in a coordinated way to carry out various activities needed by government agencies, regional governments and other stakeholders to achieve the results of the management of resources in coastal areas and small islands in each planning estate.
17. Detailed zoning plan is a detailed plan in 1 (one) zone based on managerial directives in the zoning plan by observing the supporting capacity of the environment and applied technology and the availability of facilities which in turn indicate the types and number of permits issued by the government and regional governments.
18. Location permit is a permit which is issued to use space of part of coastal waters covering sea surface and water column until seabed surface in certain acreage limit and/or to use part of small islands.
- 18A. Management permit is a permit which is issued to carry out activities related to the use of resources in coastal areas and small islands.
19. Conservation of coastal areas and small islands is an effort made to protect, conserve and use coastal areas and small islands and their ecosystem to ensure the presence, availability and continuation of resources in coastal areas and small islands by always maintaining and improving the quality of value and diversity.
20. Conservation area in coastal areas and small islands is coastal area and small islands with

certain typical characteristics protected to create the management of coastal areas and small islands in a sustainable way.

21. Coastal border is land along the border whose width is in proportion to the physical form and condition of the coast, a minimum of 100 (a hundred) meters from the highest tidal point in the direction of the land.
22. Rehabilitation of resources of coasts and small islands is the process of rehabilitating and improving the damaged ecosystem or population although the result is different from the previous condition.
23. Reclamation is the activity carried out by anybody to increase the benefit of land resources from the point of environmental, social and economic views by filling the coast with soil, drying the land or drainage.
24. The supporting capacity of coastal areas and small islands is the capacity of coastal areas and small islands to support the life of humans and other creatures.
25. Disaster mitigation is an effort to mitigate the risk of disaster in a structural or physical way by carrying out natural and/or artificial physical development or in a non-structural or non-physical way by improving the capability to face the threat of disasters in coastal areas and small islands.
26. Coastal disaster is a happening caused by natural event or human activity that leads

to a change in the physical and/or biological characteristics of coast, the loss of human lives and property and/or damage to coastal areas and small islands.

27. Large impact is a negative change in the function of the environment on a wide scale with long intensity as a result of a business and/or activity in coastal areas and small islands.
- 27A. Significant impact with wide scope and strategic value is a change that has an impact on biophysical condition such as climate change, ecosystem, and socio-economic impact on the present and future generations.
28. Coastal pollution is the entry of creature, substance, energy, and/or other components to the coastal environment as a result of human activity so that the quality of coast declines to a certain level that makes the coastal environment unable to function according to its appropriation.
29. Accreditation is the procedure of acknowledging an activity that consistently meets the standard system of managing coastal areas and small islands covering assessment, appreciation, and incentives for management programs conducted by the public voluntarily.
30. Main stakeholder is users of resources in coastal areas and small islands who have direct interests in taking optimum advantage of resources in coastal areas and small islands, such as traditional fishermen, modern fisher-

men, fish farmers, tourism businessmen, fishery companies and the public.

31. People empowerment is an effort to provide facilities, motivation or assistance to the public and traditional fishermen to enable them to determine the best choice in taking advantage of resources in coastal areas and small islands in a sustainable way. .
32. Community is community consisting of customary law community, local community and traditional community residing in coastal areas and small islands.
33. Customary law community is a group of people who hereditarily reside in a certain geographic area in the Unitary State of the Republic of Indonesia due to ancestry, strong ties with land, area, and natural resources, have customary government rules, customary legal rule in the customary area according to the law and regulation.
34. Local community is a group of people who run daily life rule based on the habit accepted as common values but not fully rely on certain resources in coastal areas and small islands.
35. Traditional community is a fishery traditional community whose traditional right is still recognized in catching fish or carrying out other legal activities in a certain area in the waters of islands according to the rules of international sea law.
36. Local wisdom is noble values that are still valid in the life of the community.
37. Representative lawsuit is a lawsuit which constitutes the right of a small group of people to represent a large number of people to file a lawsuit based on common problem, legal fact and compensation suit.
38. Anybody is an individual or corporation, either with legal entity or not.
39. House of Representatives, hereinafter called DPR, is the House of Representatives as referred to in the 1945 Constitution.
40. Central government, hereinafter called the government, is the President of the Republic of Indonesia, who holds the government power of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution.
41. Regional government is a governor, regent or mayor and regional apparatuses as the executor of regional administration.
42. Regional administration is the execution of government affairs by the regional government and regional legislative council according to the principles of autonomy and assistance tasks under the principles of wide-ranging autonomy in the system and principle of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution.
43. Maritime partner is a stakeholder network in the management of coastal areas and

small islands in strengthening the capacity of human resources, institution, education, counseling, counterpart, training, applied research, and development of policy recommendation.

44. Minister is a minister carrying out government affairs in the marine affairs and fisheries sector.

Paragraphs (1) and (7) Article 14 are amended so that the article reads as follows :

Article 14

- (1) Proposals for RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K are filed by regional governments, community and business world.
- (2) The mechanism of drawing up RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K by provincial governments and regency/municipal governments shall involve the community.
- (3) Regional governments shall disseminate the concepts of RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K to obtain inputs, responses and suggestions for improvement.
- (4) Regents/mayors shall file final plans for the management of coastal areas and small islands to governors and the minister.
- (5) Governors shall file final plans for the management of coastal areas and small islands in the provinces to the minister and/or regents/mayors in the provinces concerned.
- (6) Governors or the minister shall give responses

and/or suggestions to the draft final plans for the management of coastal areas and small islands within a period of 30 (thirty) working days.

(7) If the responses and/or suggestions as referred to in paragraph (6) are not met, the draft final plans for the management of coastal areas and small islands shall be put into force definitively.

3. The title of Part One Chapter V is amended so that it reads as follows:

Part One  
Permits

4. Article 16 is amended so that it reads as follows:

Article 16

- (1) Anybody that utilizes space of part of coastal waters and utilizes part of small islands permanently shall hold a location permit.
- (2) The location permit as referred to in paragraph (1) serves as the basis for the issuance of a management permit.

5. Article 17 is amended so that it reads as follows:

Article 17

- (1) The location permit as referred to in Article 16 paragraph (1) is issued based on the zoning plan of coastal areas and small islands.
- (2) The issuance of the location permit as referred to in paragraph (1) shall consider the

conservation of ecosystem of coastal areas and small islands, the community, traditional fishermen, national interests, and peaceful passing rights for foreign ships.

- (3) The location permit as referred to in paragraph (1) is given for certain acreage and time.
- (4) Location permit cannot be given to core zone in the conservation area, sea lane, port area and public coast.

6. Article 18 is amended so that it reads as follows:

Article 18

If the holder of location permit as referred to in Article 16 paragraph (1) does not realize his/her activities within a maximum period of 2 (two) since the issuance of the permit, he/she shall be subject to administrative sanctions by having his/her location permit revoked.

7. Article 19 is amended so that it reads as follows:

Article 19

- (1) Anybody that uses resources in the waters of coastal areas and small islands for :
  - a. salt production;
  - b. marine biopharmacology;
  - c. marine biotechnology;
  - d. use of sea water other than energy;
  - e. marine tourism;
  - f. installation of underwater pipes and cables; and/or
  - g. salvage of cargoes of a sunken ship, shall

hold a management permit.

- (2) The management permit for activities other than those as referred to in paragraph (1) is issued according to the law and regulation.
- (3) If the use of resources in the waters of coastal areas and small islands has not been governed based on the provisions as referred to in paragraphs (1) and (2) it shall be governed by a government regulation.

8. Article 20 is amended so that it reads as follows:

Article 20

- (1) The government and regional governments shall facilitate the issuance of location permits and management permits to the local community and traditional community.
- (2) The permits as referred to in paragraph (1) are issued to the local community and traditional community utilizing space and resources of the waters of coastal areas and small islands to meet their daily needs.

9. Article 21 is amended so that it reads as follows:

Article 21

- (1) The use of space and resources of the waters of coastal areas and small islands in the area of customary law community by customary law community becomes the authority of the local customary law community.
- (2) The use of space and resources of the waters of coastal areas and small islands as referred

to in paragraph (1) is done by considering national interests and according to the law and regulation.

10. Article 20 is amended so that it reads as follows:

Article 22

- (1) The obligation to hold the permits as referred to in Article 16 paragraph (1) and Article 19 paragraph (1) is excepted to customary law community.
- (2) The customary law community as referred to in paragraph (1) is recognized according to the law and regulation.

11. In-between Articles 22 and 23, 3 (three) articles, namely Articles 22A, 22B, and 22C are inserted as follows:

Article 22A

The location permit as referred to in Article 16 paragraph (1) and the management permit as referred to in Article 19 paragraph (1) are issued to :

- a. individuals as Indonesian citizens;
- b. corporations set up based on the Indonesian law; or
- c. cooperatives set up by the community.

Article 22B

Individuals as Indonesian citizens or corporations set up based on the Indonesian law and cooperatives set up by the community that apply for

management permits shall meet technical, administrative and operational qualifications.

Article 22C

Further provisions on the terms, procedure of issuing, revocation, period of time, acreage and expiry of location permits and management permits are to be provided for in government regulations.

12. Article 23 is amended so that it reads as follows:

Article 23

- (1) The use of small islands and surrounding waters is done based on a comprehensive ecological and economic unit integrated with a nearby large island.
- (2) The use of small islands and surrounding waters is prioritized for the following interests:
  - a. conservation;
  - b. education and training;
  - c. research and development;
  - d. sea farming;
  - e. tourism;
  - f. environmentally friendly fishery and maritime business and fishery industry;
  - g. organic agriculture;
  - h. husbandry; and/or
  - i. state defense and security.
- (3) Except for conservation, education and training, and research and development purposes, the use of small islands and surrounding waters shall :



- a. meet the requirements of environmental management;
- b. consider the capacity and conservation of the local water management system; and
- c. use environmentally friendly technology.

13. In-between Articles 26 and 27, 1 (one) article, namely Article 26A is inserted as follows:

**Article 26A**

- (1) The use of small islands and surrounding waters for foreign investment shall secure a permit from the minister.
- (2) The foreign investment as referred to in paragraph (1) shall give priority to national interests.
- (3) The permit as referred to in paragraph (1) is issued after receiving recommendations from the regent/mayor concerned.
- (4) The permit as referred to in paragraph (1) shall meet the following requirements:
  - a. legal entity in the form of limited liability company;
  - b. ensuring public access;
  - c. uninhabited;
  - d. not yet utilized by the local community;
  - e. cooperating with Indonesian participant;
  - f. transferring shares to Indonesian participant in stages;
  - g. conducting transfer of technology; and
  - h. paying attention to ecological, social and economic aspects in the acreage of land.

- (5) Further provisions on the transfer of shares and acreage of land as referred to in paragraph (4) letters f and h are to be provided for in a presidential regulation.

14. Article 30 is amended so that it reads as follows:

**Article 30**

- (1) A change in the appropriation and function of core zone in a conservation area for exploitation is stipulated by the minister based on the results of an integrated research.
- (2) The minister forms a team to conduct the integrated research as referred to in paragraph (1) comprising elements of relevant ministries and institutions, social figures, academics, and fisheries and maritime affairs practitioners.
- (3) The change in the appropriation and function of core zone as referred to in paragraph (1) which has a significant impact with wide scope and strategic values, is stipulated by the minister after securing approval from DPR.
- (4) The procedure of appropriation and function of core zone as referred to in paragraphs (1), (2), and (3) is provided for in a ministerial regulation.

15. Article 50 is amended so that it reads as follows:

**Article 50**

- (1) The minister has the authority to issue and

revoke the location permits as referred to in Article 16 paragraph (1) and the management permits as referred to in Article 19 paragraph (1) in the waters of coastal areas and small islands located in more than 1 (one) provinces, national strategic area, certain national strategic area and national conservation area.

(2) Governors have the authority to issue and revoke the location permits as referred to in Article 16 paragraph (1) and the management permits as referred to in Article 19 paragraph (1) in the waters of coastal areas and small islands according to their authority.

(3) Regents/mayors have the authority to issue and revoke the location permits as referred to in Article 16 paragraph (1) and the management permits as referred to in Article 19 paragraph (1) in the waters of coastal areas and small islands according to their authority.

16. Article 51 is amended so that it reads as follows:

Article 51

- (1) The minister has the authority to :
- a. issue and revoke permits to use small islands and surrounding waters that have a significant impact with wide scope and strategic value on an environmental change; and
  - b. stipulate a change in the status of core zone in the national conservation area.

(2) The procedure of issuing and revoking permits and change in the status of core zone as referred to in paragraph (1) is to be provided for in a ministerial regulation.

17. Article 60 is amended so that it reads as follows:

Article 60

- (1) In managing coastal areas and small islands, the community have the right to :
- a. have access to part of coastal waters given a location permit and management permit;
  - b. propose the inclusion of traditional fishing areas into RZWP-3-K;
  - c. propose the inclusion of the areas of customary law community into RZWP-3-K;
  - d. manage resources in coastal areas and small islands based on the customary law which is not against the law and regulation;
  - e. benefit from the management of coastal areas and small islands;
  - f. obtain information related to the management of coastal areas and small islands;
  - g. file a report and complaint to the authorized party about the losses they suffer from the management of coastal areas and small islands;
  - h. express objections to the planned management announced for a certain period of time;

- i. file a report to the law enforcement agency about alleged pollution, pollution, and/or damage of coastal areas and small islands that harm their life;
- j. file a lawsuit with the court against various problems related to coastal areas and small islands that harm their life;
- k. receive compensation; and
- l. obtain legal counsel and assistance with regard to their problem related to the management of coastal areas and small islands according to the law and regulation.

(2) In the management of coastal areas and small islands the community are obliged to :

- a. give information on the management of coastal areas and small islands;
- b. guard, protect and maintain the conservation of coastal areas and small islands;
- c. report danger, pollution and/or damage of the environment in coastal areas and small islands;
- d. monitor the implementation of plan for the management of coastal areas and small islands; and/or
- e. implement programs on the management of coastal areas and small islands agreed upon at a village level.

18. Paragraph (2) Article 63 is amended so that the article reads as follows:

Article 63

- (1) The government and regional governments have the obligation to empower the community to improve their welfare.
- (2) The government and regional governments have the obligation to encourage the business activities of the community by improving their capacity, giving them access to technology and information, capital, infrastructure, market guarantee, and other productive economic assets. (3) In an effort to empower the community, the government and regional governments shall create, grow and improve awareness and responsibility in :
  - a. decision making;
  - b. management;
  - c. partnership between the community, business world, and the government/regional governments;
  - d. the development and application of national policies in the environmental field;
  - e. the development and application of preventive and proactive efforts to prevent the degradation of the supporting capacity and accommodating capacity of coastal areas and small islands;
  - f. the use and development of environmentally friendly technology;
  - g. the provision and dissemination of information on the environment; and
  - h. giving awards to people for their services

in the management of coastal areas and small islands.

- (4) Further provisions on guide to empowering the community are to be provided for in a ministerial regulation.

19. Article 71 is amended so that it reads as follows:

Article 71

- (1) The use of space of part of waters of coastal areas and the use of part of small islands which do not comply with the location permits as referred to in Article 16 paragraph (1) shall lead to the imposition of administrative sanctions.
- (2) The administrative sanctions as referred to in paragraph (1) come in the form of warning, temporary freezing, and/or revocation of location permits.
- (3) The use of the waters of coastal areas and the waters of small islands which do not comply with the management permits as referred to in Article 19 paragraph (1) shall lead to the imposition of administrative sanctions.
- (4) The administrative sanctions as referred to in paragraph (3) come in the form of :
  - a. written warning;
  - b. temporary suspension of activity;
  - c. closure of location;
  - d. revocation of permit;
  - e. cancellation of permit; and/or
  - f. administrative fines.

- (5) Further provisions on administrative sanctions as referred to in paragraphs (2) and (4) are to be provided for in a government regulation.

20. Article 75 is amended so that it reads as follows:

Article 75

Anybody who uses space of part of the waters of coastal areas and part of small islands without a location permit as referred to in Article 16 paragraph (1) shall be sentenced to a maximum of 3 (three) years in jail and fined a maximum of Rp500,000,000.00 (five hundred million rupiah).

21. In-between Articles 75 and 76, 1 (one) article, namely Article 75A is inserted as follows:

Article 75A

Anybody who uses resources in the waters of coastal areas and small islands without a management permit as referred to in Article 19 paragraph (1) shall be sentenced to a maximum of 4 (four) years in jail and fined a maximum of Rp2,000,000,000.00 (two billion rupiah).

22. In-between Articles 78 and 79, 1 (one) article, namely Article 78A is inserted as follows:

Article 78A

Conservation areas in coastal areas and small islands already designated by the law before the enactment of this law become the authority of the minister.

Article 78B

When this Law begins to come into force, the existing permits to use resources in the waters of coastal areas and small islands shall remain valid and be adjusted to this Law no later than 3 (three) years.

Article II

This Law shall come into force as from the date of promulgation.

For public cognizance, this Law shall be promulgated by placing it in the Statute Book of the Republic of Indonesia.

Stipulated in Jakarta

On January 15, 2014

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

sgd.

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On January 15, 2014

THE LAW AND HUMAN RIGHTS MINISTER OF

THE REPUBLIC OF INDONESIA,

sgd.

AMIR SYAMSUDIN

STATUTE BOOK OF THE REPUBLIC OF INDONESIA

OF 2014 NO. 2

ELUCIDATION

OF

LAW NO. 1/2014

ON

AMENDMENT TO LAW NO. 27/2007 ON

THE MANAGEMENT OF COASTAL AREAS

AND SMALL ISLANDS

I. GENERAL

The state ideology Pancasila and the preamble of the 1945 Constitution have mandated the state to take responsibility for protecting the entire Indonesian nation, promoting public welfare and creating social justice for the entire Indonesian nation. The state responsibility for protecting the Indonesian people is carried out by controlling natural resources owned by the state including the management of coastal areas and small islands.

The management of coastal areas and small islands has so far not given the state adequate authority and responsibility for the management of coastal areas and small islands through the mechanism of granting coastal area concession rights (HP-3).

The HP-3 mechanism reduces the right of the state to control the management of coastal areas and small islands so that provisions on HP-3 set by the Constitutional Court through Decree No. 3/PUU-VIII/2010 are declared contradicting the 1945 Constitution and has no legal binding force.

The enactment of Law No. 27/2007 on the Management of Coastal Areas and Small Islands is very strategic to ensure the continued management of resources in coastal areas and small islands and improve the welfare of the community residing in the coastal areas and small islands. However, the implementation of Law No. 27/2007 on the Management of Coastal Areas and Small Islands has not given optimum gains. Therefore, to optimize the management of coastal areas and small islands, the state is responsible for the the management of coastal areas and small islands by allowing other parties (individuals or private parties) to control them through licensing mechanism without reducing state authority to make policies (beleid), implement regulation (regelendaad), conduct management (bestuursdaad), conduct control (aad), and conduct supervision (toezichthoudensdaad).

This way the state will continue to control and supervise the management of coastal areas and small islands intact.

The management of coastal areas and small islands is also done by constantly recognizing and respecting units of customary law community and their traditional rights according to the principles of the Unitary State of the Republic of Indonesia, and recognizing and respecting local community and traditional community residing in coastal areas and small islands.

Based on the considerations, it is necessary to amend Law No. 27/2007 on the Management of

Coastal Areas and Small Islands according to the development of and need for law in the community. In general, this law covers the granting of rights to the community to propose strategic plan, zoning plan, management plan, and action plan for the management of coastal areas and small islands; regulations on location permits and management permits to anybody and customary law community, local community, and traditional community using resources in coastal areas and small islands; regulations on the use of small islands and surrounding waters; and the granting of authority to the minister, governors, and regents/mayors in the management of coastal areas and small islands.

## II. ARTICLE BY ARTICLE

### Article 1

#### Point 1

#### Article 1

Sufficiently clear.

#### Point 2

#### Article 14

#### Paragraphs (1) and (2)

Sufficiently clear.

#### Paragraph (3)

Inputs, responses and suggestions for improvement from various main stakeholders, government agencies, provincial governments, and regency/

municipal governments in their territories are sent effectively through available communication networks.

Paragraph (4)

Sufficiently clear.

Paragraph (5)

Provincial governments are obliged to improve and publish final plans for the management of coastal areas and small islands based on inputs, responses and suggestions for improvement from the responding parties.

Paragraph (6)

Sufficiently clear.

Paragraph (7)

If final plans for the management of coastal areas and small islands do not receive responses and/or suggestions until the time limit specified by this law the plans should be considered final.

Point 3

Sufficiently clear.

Point 4

Article 16

Sufficiently clear.

Point 5

Article 17

Paragraph (1)

Sufficiently clear.

Paragraph (2)

Referred to as "traditional fisherman" is a fisherman using a boat without engine, catching fish hereditarily, having a fixed fishing area and catching fish to meet daily needs.

Paragraph (3)

Sufficiently clear.

Paragraph (4)

Port area covers the surrounding area of the port interest and the working area of the port.

Public coast is part of public utilization area used by the community among others for religious, social, and cultural interests, tourist recreation. Sports and economic activity.

Point 6

Article 18

Sufficiently clear.

Point 7

Article 19

Sufficiently clear.

Point 8  
 Article 20  
 Paragraph (1)  
 Referred to as "facility" can among others be light requirement and quick service.

Paragraph (2)  
 Sufficiently clear.

Point 9  
 Article 21  
 Sufficiently clear.

Point 10  
 Article 22  
 Sufficiently clear.

Point 11  
 Article 22A  
 Sufficiently clear.

Article 22B and Article 22C  
 Sufficiently clear.

Point 12  
 Article 23  
 Sufficiently clear.

Point 13  
 Article 26A  
 Paragraph (1) up to Paragraph (3)

Sufficiently clear.

Paragraph (4)

Letter a  
 Sufficiently clear.

Letter b  
 Referred to as "public access" is entrance in the form of facility including:

- a. the community's access to coastal border in the face of coastal disaster;
- b. the community's access to coast to enjoy the natural scenery;
- c. fishermen's and fish farmers' access to fishery activities, including access to drinking water or clean water;
- d. access to public services; and
- e. the community's access to religious and customary activities in the coast.

Letter c and letter d  
 Sufficiently clear.

Letter e  
 Indonesian participants include the government, provincial governments, regency/municipal governments, state-owned companies, regional government-owned companies, micro, small and medium businesses, cooperatives and private national companies.



Letter f and letter g

Sufficiently clear.

Letter h

Referred to as "ecological aspect" is aspects affecting the conservation of the environment/ecosystem on small islands.

Referred to as "social aspect" is aspects affecting the life (social cultural system) of the community in small islands.

Referred to as "economic aspect" is aspects affecting the viability of business/investment and the level of the community's prosperity in small islands.

Paragraph (5)

Sufficiently clear.

Point 14

Article 30

Paragraph (1)

Integrated research is conducted to ensure the objectivity and quality of research results.

Paragraph (2) up to Paragraph (4)

Sufficiently clear.

Point 15

Article 50

Paragraph (1)

Referred to as "national conservation area" is

a conservation area in coastal areas and small islands managed by the government.

Paragraph (2) and Paragraph (3)

Sufficiently clear.

Point 16

Article 51

Sufficiently clear.

Point 17

Article 60

Paragraph (1)

Letter a

Sufficiently clear.

Letter b

Referred to as "traditional fishing area" is a fishing area for fishing activities conducted by traditional fishermen.

Letter c up to letter l

Sufficiently clear.

Paragraph (2)

Sufficiently clear.

Point 18

Article 63

Sufficiently clear.

Point 19

Article 71

Sufficiently clear.

Point 20

Article 75

Sufficiently clear.

Point 21

Article 75A

Sufficiently clear.

Point 22

Article 78A

Referred to as "conservation area in coastal areas and small islands" includes nature reserve and nature conservation reserve in coastal areas and small islands, in the form of national park/marine national park, marine wildlife reserve, marine nature reserve, marine tourist park, and marine nature preserve in-

cluding :

- a. Seribu Islands (Marine) National Park;
- b. Karimunjawa Islands National Park;
- c. Bunaken (Marine) National Park;
- d. Wakatobi Islands (Marine) National Park;
- e. Taka Bonerate (Marine) National Park;
- f. Cenderawasih Bay National Park; and
- g. Togean Islands National Park.

Article 78B

Sufficiently clear.

Article II

Sufficiently clear.

SUPPLEMENT TO STATUTE BOOK OF  
THE REPUBLIC OF INDONESIA NO. 5490

(S)