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Online seminar

SHARING NATIONAL MSP PRACTICES WORLDWIDE: INDONESIA

THURSDAY 11 FEBRUARY 2021
10.00 - 11.30 (Paris time/GMT+1)

Language of the event:
English

Interpretation:
French

| marine spatial planning global |
| United Nations Educational, Scientific and Cultural Organization |
| Intergovernmental Oceanographic Commission |
| Sustainable Development Goals |
| Co-funded by the European Maritime and Fisheries Fund of the European Union |
Topics of discussion

- Sharing national practices amongst different interested groups
- Identification of challenges and opportunities
- Assessments of existing and future conditions
- Stakeholders, effective participation of private sectors
- Synergies and conflicts amongst users
- Transboundary aspects of MSP
Welcome message by
Dr. Tb. Haeru Rahayu
Director General of Marine Spatial Management at the Ministry of Marine Affairs and Fisheries of Indonesia

National interventions
Q&A
Closing

Suharyanto
Director of Marine Spatial Planning

Arief Sudianto
Sub coordinator of Particular National Strategic Area Section

Muhandis Sidqi
Coordinator of Licencing for Marine Spatial Utilization Working Group
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#MSP_IDN
Dr. TB. HAERU RAHAYU, A.Pi, M.Sc
Director General of Marine Spatial Management
Ministry of Marine Affairs and Fisheries of Indonesia
Ir. Suharyanto, M.Sc.

He started his career in 1990 at Regional Development and Planning Board of West Nusa Tenggara Province. Since 2000 until now, he has been working in the field of marine and coastal management. In 2017 he’s assigned as Director of Marine Spatial Planning at Ministry of Marine Affairs and Fisheries. He plays significant roles in formulating national and regional policies regarding marine spatial planning and marine licensing.

He received his bachelor degree in Planology Engineering from Bandung Institute of Technology and master degree in Socio-Economic Information for Natural Resources Management from ITC - The Netherlands. Now he’s pursuing doctoral degree on Tropical Marine Resources Economics at IPB University. He’s also a lecturer at Trisakti University - Jakarta and active as a guest lecturer at several universities in Indonesia.
THE POLICY OF MARINE SPATIAL PLANNING IN INDONESIA

Presented by:
Irvan Suharyanto, M.Sc
Director of Marine Spatial Planning

Jakarta, 11th February 2021

Online Seminar
Sharing national MSP practices worldwide: INDONESIA
IOC - UNESCO
As the world's largest archipelagic state, the ocean plays an undeniably central role in Indonesia. With water areas that is nearly four times larger than that of its land areas, Indonesia derives pivotal benefits from the sea for its economy, geopolitics, culture, and natural environment;

- The extent of Indonesian waters reaches 6.4 million sq.km of sea with approximately 108,000 km of coastline, 17,504 islands, and 440 coastal cities/regencies;
INTRODUCTION

- Indonesia is known as the **second largest fish producer in the world**, second only to China;
- The country has **the world’s largest area of mangrove forests** which cover about 3 million hectares and with more than **600 known coral species** and **37% of the world’s coral reef fish species**, bestowed Indonesia with exceptional coral and fish resources;
- Indonesia has **huge marine natural resources** such as **oil and gas**, **energy**, and **various marine services**;
- Indonesia has one of the **highest levels of marine biodiversity** in the world and is home to **world-renown marine reserves** such as the Bird’s Head Seascape and Sunda Banda Seascape.
WHY DO WE NEED MARINE SPATIAL PLANNING?

While the resources present an abundance of natural capital, there are also material challenges in managing them effectively. Like many other countries, Indonesia's marine and fisheries sector faces urgent pressures:

- Overfishing
- Climate Change
- Unsustainable Fishing Practices
- Coastal and Marine Degradation
- Coastal Development and Marine Pollution
- Conflict of Interest Among Sectors on Marine Space Utilization
- Poor Coastal and Marine Management

‘Marine spatial planning is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that usually have been specified through a political process’ (UNESCO)
THE OBJECTIVES:

ECOLOGY

- to ensure the protection of coastal and marine ecosystems, as well as other important marine habitats

SOCIAL

- to ensure the certainty of space for coastal communities livelihood
- to enhance the harmony of marine space utilization between sectors

ECONOMY

- to ensure spatial and legal certainty in marine and fisheries investment
- to minimize marine spatial conflicts between sectors
- to improve the efficiency of marine resource and space utilization

MARINE SPATIAL PLAN

MINISTRY OF MARINE AFFAIRS AND FISHERIES
MARINE SPATIAL PLANNING IN INDONESIA

As a tool to implement good governance in marine and coastal areas

Marine spatial planning supports the achievement of SDGs (target 14)

As mandate of:
- Law of The Republic of Indonesia Number 11 of 2020 on Job Creation
- Law of The Republic of Indonesia Number 32 of 2014 on Marine Affairs
- Law of The Republic of Indonesia Number 1 of 2014 concerning Amendment to Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands
- the Indonesia Ocean Policy Mission (Presidential Decree No. 16/2017)
THE IMPORTANCE OF MARINE SPATIAL PLANNING
IN MANAGING MARINE – COASTAL RESOURCES

THE MANAGEMENT OF INDONESIA OCEAN SPACE

1. Planning
2. Utilizing
3. Supervising
4. Controlling

MARINE SPATIAL PLANNING
- National MSP
- Inter Regional & Strategic Area MSP
- Provincial MSP

UTILIZING AND SUPERVISING
- Permitting
- Marine Cadaster
- Incentive Disincentive

CONTROLLING
- Monitoring & Ev.s
- Sanctions
# Mandate for Indonesia’s Marine Spatial Planning

<table>
<thead>
<tr>
<th>No.</th>
<th>Planning Document</th>
<th>Mandate</th>
<th>Scale</th>
<th>Total of MSP</th>
<th>Legislaton</th>
<th>Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>National MSP (will be integrated into National Spatial Planning)</td>
<td>Law 32/2014 on Marine Affairs</td>
<td>1 : 1,000,000</td>
<td>1</td>
<td>Government Regulation</td>
<td>Central Government</td>
</tr>
<tr>
<td>2.</td>
<td>MSP of National Strategic Areas (will be integrated into Land based Spatial Planning)</td>
<td>Law 32/2014 on Marine Affairs</td>
<td>1 : 50,000</td>
<td>29</td>
<td>Presidential Regulation</td>
<td>Central Government</td>
</tr>
</tbody>
</table>
| 3.  | MSP of Particular National Strategic Areas (the Outermost Small Islands) (will be integrated into Land based Spatial Planning) | • Law 32/2014 on Marine Affairs  
• Government Regulation 62/2012 on Utilization of the Outermost Small Islands | 1 : 50,000   | 111           | Presidential Regulation | Central Government |
<p>| 4.  | Inter-regional MSP (bay, strait, sea) | Law 32/2014 on Marine Affairs | 1 : 500,000  | 20            | Presidential Regulation | Central Government |
| 5.  | Provincial MSP (will be integrated into Land based Spatial Planning) | Law 27/2007 Jo UU 1/2014 on Management of Coastal Areas and Small Islands | 1 : 250,000 to 1 : 50,000 | 34            | Regional Regulation   | Provincial Government |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>MSP</th>
<th>Progress until 2020</th>
<th>Roadmap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>2021</td>
</tr>
<tr>
<td>1.</td>
<td>National MSP</td>
<td>Enacted (Government Regulation No. 32/2019)</td>
<td>Review</td>
</tr>
<tr>
<td></td>
<td>Total 1 Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Inter-regional MSP</td>
<td>• 1 enacted (Presidential Regulation No. 83/2020 on Makassar Strait MSP)</td>
<td>Developing MSP for 4 locations</td>
</tr>
<tr>
<td></td>
<td>Total 20 Locations</td>
<td>• 9 MSP documents completed &amp; legislation process</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>MSP for Strategic National Area</td>
<td>MSP for 16 locations completed</td>
<td>Developing MSP for 3 locations</td>
</tr>
<tr>
<td></td>
<td>Total 28 Locations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Outermost Small Islands MSP</td>
<td>MSP for 57 locations completed</td>
<td>Developing MSP for 13 locations</td>
</tr>
<tr>
<td></td>
<td>Total 111 Locations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Provincial MSP</td>
<td>• 27 enacted (Regional Regulations)</td>
<td>2 provincial MSP are still developed</td>
</tr>
<tr>
<td></td>
<td>Total 34 Provinces</td>
<td>• 5 MSP documents completed</td>
<td></td>
</tr>
</tbody>
</table>
CURRENT ISSUE

THE INTEGRATION OF SPATIAL PLANNING

The Act 11/2020 concerning Job Creation will mandate to simplify regulation on spatial planning. One regulation will cover both land-ocean based spatial plans and easily accessible.

Source: Directorate General of Spatial Planning – Ministry of Agrarian Affairs and Spatial Planning, 2021
THE INTEGRATION OF SPATIAL PLANNING

- National MSP
- Provincial MSP
- National Strategic area
- Particular National Strategic area

Will be integrated to...

And will established by

- National SP
- Provincial SP
- Strategic Area SP
- Government Regulation
- Provincial Regulation/Ministerial Regulation
- President Regulation

Source: Directorate General of Spatial Planning – Ministry of Agrarian Affairs and Spatial Planning, 2021
CHALLENGES

• Three-dimensional of marine spatial planning and marine cadaster will be developed to support the implementation of Indonesia’s MSP;

• The integration of land and marine spatial planning as a mandate of Law the Republic of Indonesia No. 11 of 2020 on Job Creation to realize good spatial planning;

• MSP does not only offer the promise of economic growth from increased investment opportunities but also can achieve sustainable marine development;

• Marine trans-boundary areas need to be managed effectively and sustainably. Marine management in border areas can be implemented by applying coordinated and collaborated Marine Spatial Planning between neighbor countries.
Arief Sudianto received his bachelor degree in Geography from University of Indonesia in 2001 and master degree in Environmental and Infrastructure Planning from University of Groningen, Netherland, and from Institut Teknologi Bandung, Indonesia in Development Planning and Infrastructure Management in 2008. He joined Ministry of Marine Affairs and Fisheries (MMAF) in 2003 under Directorate of Marine Spatial Planning. Between 2009 – 2013, he was assigned in Technical Unit in Bali namely BPSPL – Denpasar under Directorate General of Marine Spatial Management - MMAF. From 2013 - now, he is working in Directorate of Marine Spatial Planning, MMAF. He started to handle MSP for Outermost Islands and their surrounding waters when he was appointed as Head Section of Particular National Strategic Area in 2017.
NATIONAL MARINE SPATIAL PLAN

Government Regulation of the Republic of Indonesia No.32 year 2019 on Marine Spatial Plan
NATIONAL MARINE SPATIAL PLAN

- Law Number 11 of 2020 on Job Creation
- Law Number 32 of 2014 on Marine Affairs

- 6.4 million square kilometers (which include territorial waters, archipelagic waters, internal waters, EEZ, Contiguous Zone, and the continental shelf)
- Scale 1 : 1,000,000

Government Regulation of the Republic of Indonesia No.32 year 2019 on Marine Spatial Plan

Economic growth, conservation and biodiversity concerns

All sectors

Initiator

Ministry of Marine Affairs and Fisheries, the Republic of Indonesia

The plan will be integrated into National Spatial Plan as a mandate of Law No. 11/2020 where terrestrial and marine spatial planning should be integrated in one regulation
MARINE SPATIAL PLAN FOR WATERS AREA*
1. Marine Spatial Structure Plan
   - Marine growth center
   - Network System of Marine Infrastructures
2. Marine Spatial Pattern Plan
   - Public Utilization Area
   - Conservation Area
   - Sea lanes (shipping lanes, submarine cable and pipelines route, migration of marine biotas route)
   - Particular National Strategic Area

MARINE SPATIAL PLAN FOR JURISDICTION AREA*
1. Marine Spatial Structure Plan
   - Network System of Marine Infrastructures
2. Marine Spatial Pattern Plan
   - Public Utilization Area
   - Conservation Area

Vision of National MSP:
1. Sustainability
2. Prosperity
3. Sovereignty

In National MSP, Conservation Areas are designated at minimum 10% (ten percent) of Waters Area and Jurisdiction Area to support International commitment.

* Waters area: territorial waters, archipelagic waters, internal waters;
* Jurisdiction areas: the Contiguous Zones, EEZ, the Continental Shelf
THE PLAN: NATIONAL MSP OF INDONESIA
INTER-REGIONAL AREA ZONING PLAN

Inter-regional Area means seas which cover two or more provinces which can be as a bay, strait or sea up to beyond 12 NM until jurisdiction area.

- Law Number 11 of 2020 on Job Creation
- Law Number 32 of 2014 on Marine Affairs
- Government Regulation Number 32 of 2019 on Marine Spatial Plan

- Sea, strait, and bay (up to beyond 12 NM from the coastline)
- Several inter-regional areas cover EEZ, the Continental Shelf, and Contiguous Zone
- Scale 1 : 500,000

Regulatory and enforceable through Presidential Regulation

Drivers:
Economic growth, conservation and biodiversity, national security and sovereignty

Sectors included:
Fisheries, marine conservation, biota migration route, marine tourism, mining (oil & gas and mineral), energy, security and defense, submarine pipelines and cables,

Initiator:
Ministry of Marine Affairs and Fisheries, the Republic of Indonesia

Issues:
- Originally, there should be 20 Plans of Interregional Zoning Plan.
- One plan has already enacted as Presidential Regulation (Makassar Strait Zoning Plan)
- Nine zoning plans have already completed and are in the process for enactment, four zoning plans are in the process of development, and others are yet to be developed in the coming years.
CONTENT: Waters Area and Jurisdiction Area

Inter-Regional Zoning Plan

Marine Spatial Structure Plan
1. The arrangement of marine growth center
   a. Marine and Fisheries growth center
   b. Marine industry center
2. Network System of Marine infrastructures
   a. national port system
   b. fishing port system

Marine Spatial Pattern Plan

Conservation
1. Coastal and small islands Conservation Area
2. Maritime Conservation Area
3. Marine Protected Area

Utilization
1. Fisheries zone
2. Aquaculture zone
3. Tourism zone
4. Oil and Gas Mining Zone
5. Oil and Gas Mining Zone
6. defense and security zone etc

Sea Lanes
1. Shipping lanes
2. submarine pipelines/cables lanes
3. Marine bioa migration route

Particular National Strategic Area

Spatial Utilization Direction
1. Main program indications
2. Priority Programs

Control Over Spatial Utilization
1. Zoning regulations
2. Permit system

The plan also contains directions for spatial allocation in Provincial Zoning Plan, National Strategic Area Zoning Plan and Particular National Strategic Area Zoning Plan

Marine spatial allocation for Jurisdiction water refers and complies with the rules of international laws.
EXAMPLE: INTER-REGION AREA ZONING PLAN OF MAKASSAR STRAIT

MAP OF INTER-REGION AREA ZONING PLAN OF MAKASSAR STRAIT

RENCANA POLA RUANG DI PERAIRAN PESHR

Kawasan Penanaman Umum
Kawasan Penanaman Umum, area dimanfaatkan untuk
pengembangan pariwisata yang lebih

Kawasan Konservasi

Kawasan Konservasi
Indah untuk pelaksanaan penanganan

Perairan udara

Kawasan Konservasi, area dimanfaatkan untuk
pengembangan pariwisata yang lebih

Alur Laut

Alur Laut, area dimanfaatkan untuk
pengembangan pariwisata yang lebih
dan

Kawasan Pemanfaatan Umum

Kawasan Pemanfaatan Umum

Kawasan Konservasi

Kawasan Konservasi

Alur Laut

Alur Laut, area dimanfaatkan untuk
pengembangan pariwisata yang lebih

MINISTRY OF MARINE AFFAIRS AND FISHERIES

11
PROVINCIAL ZONING PLAN

34 Zoning Plan
PROVINCIAL MSP (RZWP3K)

- Law of The Republic of Indonesia Number 1 of 2014 concerning Amendment to Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands
- Regulation of the Minister of Maritime Affairs and Fisheries Number 23 of 2016 concerning Planning Management of Coastal Areas and Small Islands

- 34 Provinces
- Scale 1 : 50,000 and 1 : 250,000

Regional Regulation
(27 Provinces have established the MSP as Local Regulation)

The increasing number of activities taking place within marine and coastal areas which could potentially lead to conflicts in resource utilization. Thus activities and investments in marine areas need to be regulated with a permit and approval based on MSP

Marine transport (shipping), pipelines and cables, mining, capture fisheries, marine aquaculture, military, tourism, etc.

Provincial Government with assistance of the MMAF

The Provincial Marine Spatial Plan and Provincial Terrestrial Spatial Plan will be integrated into one local regulation (as a mandate of Law No. 11/2020)
NATIONAL STRATEGIC ZONING PLAN

28 Zoning Plan
NATIONAL STRATEGIC ZONING PLAN

- Law Number 11 of 2020 on Job Creation
- Law Number 32 of 2014 on Marine Affairs
- Government Regulation Number 32 of 2019 on Marine Spatial Plan

- 28 Locations (economic interests, environment protection, natural resources)
- Scale 1 : 50,000

Regulatory and enforceable through Presidential Regulation

Important and Strategic Values for Economic growth, conservation and biodiversity concerns, or natural resources protection (depend on the interests)

Fisheries, marine conservation, tourism, mining (oil & gas and mineral), energy, security and defense, submarine pipelines and cables (depend on the important and strategic values of the sites)

Ministry of Marine Affairs and Fisheries, the Republic of Indonesia

The plan will be integrated into National Strategic Area Spatial Plan (Terrestrial) as a mandate of Law No. 11/2020 where terrestrial and marine spatial planning should be integrated in one regulation
NATIONAL STRATEGIC INTERESTS

National Sovereignty, Defense and Security
- Outermost Islands
- Marine Border Areas
- etc.

Economic Growth
- Free Trade Zones
- Mega Cities
- Urban Areas
- etc.

Natural Resources / High Technology
- National Fish Stocks
- Renewable Energy
- etc.

Environmental Functions
- Conservation Areas
- Marine Biota Migration
- Spawning Grounds
- Sensitive Areas
- etc.
SPATIAL STRUCTURE PLAN

Arrangement marine growth center and Network System of marine infrastructures

*Spatial Structure Plan in National Strategic Zoning Plan refers to National Spatial Plan and National Marine Spatial Plan

SPATIAL PATTERN PLAN

Distribution of spatial allocation of marine areas (based on important and strategic values)

PUBLIC UTILIZATION (ZONES)

- Tourism
- Sea Ports and Fishing Ports
- Energy
- Defense & Security
- etc.

CONSERVATION

- Coastal and small islands conservation areas
- Maritime conservation areas
- Marine Conservation Areas

SEA LANES

- Shipping lanes
- Submarine Pipes/Cables
- Marine biota migration routes

DIRECTION FOR PROVINCIAL MSP

Main activities that should be detailed in Provincial MSP

SPATIAL UTILIZATION DIRECTIONS

MAIN PROGRAM INDICATIONS

PRIORITY PROGRAMS

CONTROL OVER SPATIAL UTILIZATION

ZONING REGULATIONS

PERMIT SYSTEM

MINISTRY OF MARINE AFFAIRS AND FISHERIES
EXAMPLE: NATIONAL STRATEGIC AREA OF BATAM, BINTAN, KARIMUN (ECONOMIC GROWTH INTEREST)
OUTERMOST ISLANDS SURROUNDING WATERS ZONING PLAN

51 Zoning Plan for 111 Islands and surrounding waters
OUTERMOST ISLANDS SURROUNDING WATERS ZONING PLAN

- Law Number 11 of 2020 on Job Creation
- Law Number 32 of 2014 on Marine Affairs
- Government Regulation Number 32 of 2019 on Marine Spatial Plan

- Size of Planning Area
  - 51 zoning plan for 111 outermost islands surrounding waters
  - From coastline up to Territorial Boundary
  - Scale 1: 50,000

- Legal status
  - Regulatory and enforceable through Presidential Regulation Since 2020
  - (before they were under Ministerial Regulation)

- Drivers
  - National sovereignty, defense & security (main approach), prosperity, environment protection

- Sectors included
  - Security and defense, Foreign affairs, Marine Transportation, Fisheries, tourism, marine conservation, mining (oil & gas), energy, submarine pipelines and cables

- Initiator
  - Ministry of Marine Affairs and Fisheries, the Republic of Indonesia

- Issues
  - The plan will be integrated into National Strategic Area Spatial Plan (Terrestrial) as a mandate of Law No. 11/2020 where terrestrial and marine spatial planning should be integrated in one regulation
CLUSTERS OF 111 OUTERMOST ISLANDS IN INDONESIA

30 CLUSTERS OF 90 ISLANDS
21 SINGLE ISLANDS

51 ZONING PLANS FOR 111 OUTERMOST ISLANDS

Sumber: Direktorat Perencanaan Ruang Laut, Ditjen PRL, KKP, 2019
Planning Approach
EXAMPLE: OUTERMOST ISLANDS & SURROUNDING WATERS ZONING PLAN
(MARATUA ISLAND & SAMBIT ISLAND)
How to create MSP in Indonesia?

MMAF Regulation No 32 Year 2020 for Inter Regional, National Strategic Area & Outermost Island surrounding waters MSP
MMAF Regulation No 23 Year 2016 for Provincial MSP

FGDs
PARTICIPATORY MAPPING
PARTICIPATORY PLANNING
PUBLIC CONSULTATIONS

TECHNOLOGY SUPPORT
FIELD SURVEY
ANALYSIS

SCIENTIFIC BASE

MSP IN INDONESIA

STAKEHOLDERS PARTICIPATION

INSTITUTIONAL

NATIONAL POLICY
LOCAL GOVERNMENT POLICY
SECTORAL FGDs
THE MMAF REGULATION NO. 32 / PERMEN-KP / 2020 CONCERNING PROCEDURES OF CONDUCTING MARINE ZONING PLAN

PROCEDURE FOR INTER REGIONAL MSP, NATIONAL STRATEGIC AREA MSP, AND OUTERMOST ISLANDS SURROUNDING WATERS MSP

**STEPS**

- PREPARATION
- DATA COLLECTION & DATA PROCESSING
- DRAFTING THE INITIAL DOCUMENT
- PUBLIC CONSULTATION FOR INITIAL DOCUMENT
- DRAFTING THE INTERMEDIATE DOCUMENT
- PUBLIC CONSULTATION FOR INTERMEDIATE DOCUMENT
- DRAFTING THE FINAL DOCUMENT
- LEGALIZATION PROCESS

**PROCESSES**

- Initiate working team
- Create work plan and working maps
- Coordination and consultations
- Desk Study
- Field Survey
- FGDs
- Mapping process
- Basic maps
- Thematic data
- Description on potential resources
- Existing utilization
- Issues
- Objectives, policies & strategies
- Thematic maps
- Data and issues verification
- Input for Goals, policies & strategies
- Agreement on Initial Document
- Content of Initial Document (Agreed)
- Spatial Structure and Pattern Plan
- Main program indications
- Zoning Regulations
- Spatial Structure and Pattern Map
- Agreement on the plan (including maps)
- Agreement for the program indications
- Agreement on the zoning regulations
- Revised Intermediate Document based on agreement in public consultation(s)
- Legal Drafting

**PRODUCTS**

- Initial Document (including thematic maps)
- Intermediate Document (including draft of spatial structure & pattern map)
- Final Document (including Agreed spatial structure & pattern map)
THE MMAF REGULATION NO. 23 / PERMEN-KP / 2016 CONCERNING COASTAL AREA AND SMALL ISLANDS MANAGEMENT PLANNING

How to create Provincial MSP

Article 23
The Governor assign the Marine and Fisheries Agency to prepare the RZWP-3-K Document.

Article 24
The Marine and Fisheries Agency collect primary and secondary data to construct Thematic Maps.

Article 25
Technical Consultation for Basic & Thematic Maps

Article 26
Preparation of RZWP3K Initial Documents

Article 27
Technical Consultation for RZWP3K Initial Document

Article 28
Public Consultation for RZWP3K Initial Document

Article 29
Drafting the Intermediate Document

Article 30
Technical Consultation for the RZWP3K Intermediate Document

Article 31
Public Consultation for Intermediate Document

Article 32
Drafting the Final Document and the local regulation

Article 33
Submission of Final Documents to MMAF for feedback and suggestions

Final Document Improvement based on the feedback and suggestions

Approval of the MAF Minister for the follow-up

A. BASIC DATA
1. Coastal Line (Peta LPI-BIG)
2. Bathymetry (Peta LPI-BIG/Peta Laut Pushlidros)
3. Provincial Sea Boundaries (Sumber : BIG)

B. THEMATIC DATA
1. Oceanography (Physics, Chemistry, Biology)
2. Seabed Substrates (Sumber : P3GL)
3. Coastal Ecosystems (Coral Reefs, Mangrove, Seagrass)
4. Pelagic and Demersal Fish Resources
5. Social, Economic and Cultural
6. Disaster Risk
7. Existing Marine space utilization
8. Marine space utilization planning

Existing marine space utilization map
Marine space utilization planning map
Spatial & Non Spatial Analysis, suitability criteria
Provincial Marine Spatial Planning
Translated into legal Language into Draft of Local Regulation
THANK YOU

DIRECTORATE OF MARINE SPATIAL PLANNING
DIRECTORATE GENERAL OF MARINE SPATIAL MANAGEMENT
MINISTRY OF MARINE AFFAIRS AND FISHERIES
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#MSP_IDN
Muhandis Sidqi, S.Pi, M.Si

He has been a government official at the Ministry of Marine Affairs and Fisheries since 2003. He was in charge of Sub Division for Program Cooperation, Secretariat Directorate General of Marine, Coastal and Small Islands Affairs in 2005, and in 2016 he joined Directorate of Marine Spatial Planning. Currently he is the Coordinator of Licensing for Marine Spatial Utilization at the Directorate of Marine Spatial Planning.

He received his bachelor degree in Fisheries from Diponegoro University in 1998 and master degree in Environmental Science from Gadjah Mada University in 2002. He also participated in several training courses related to Marine Conservation Area, Coastal Resilience, marine and coastal management.
Marine Spatial Utilization and Marine Licensing
Location License/Marine Location License

Presented by: Muhandis Sidqi

at
Online Seminar
Sharing National MSP Practices Worldwide: INDONESIA
IOC - UNESCO

February 11th 2021
# Marine Spatial Planning and Marine Licensing

## Planning

<table>
<thead>
<tr>
<th>MSP RTRL/RZ.KAW/RZ.KSN/RZ.KSNT/RZWP3K</th>
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</thead>
<tbody>
<tr>
<td>- Strategic Policy</td>
</tr>
<tr>
<td>- Space Allocation Plan</td>
</tr>
<tr>
<td>- Space Utilization Regulation</td>
</tr>
<tr>
<td>- Program Indication of RZWP3K</td>
</tr>
<tr>
<td>- Zoning Map</td>
</tr>
</tbody>
</table>

**GOAL:** Plan for marine space utilization

## Utilization

<table>
<thead>
<tr>
<th>Preparation Program and Budgeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activities to actualize strategic policy and programs set out in the zoning plan, through the accommodation process of: main programs and priority areas into the plan and program budgeting.</td>
</tr>
</tbody>
</table>

## Supervision and Surveillance

<table>
<thead>
<tr>
<th>Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Marine utilization deviation / mismatch against zoning plan</td>
</tr>
<tr>
<td>- Illegal activity</td>
</tr>
<tr>
<td>- Violations Article 35 Law Number 27 of 2007</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surveillance</th>
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</thead>
<tbody>
<tr>
<td>The Operation of Location Licensing</td>
</tr>
<tr>
<td>- Location License issuance</td>
</tr>
<tr>
<td>- Monitoring the Implementation of Location Permits</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Law Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Controlling (dismantle, curbing, etc.)</td>
</tr>
<tr>
<td>- Imposition of Criminal Sanction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOAL:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Monitoring marine spatial utilization activities</td>
</tr>
</tbody>
</table>

## Supercell

<table>
<thead>
<tr>
<th>SURVEILLANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Marine Cadaster (Revocation/Extension/Revision of Licenses)</td>
</tr>
<tr>
<td>- Imposition of Administrative Sanctions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOAL:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Provide legal certainty for marine spatial utilization activities</td>
</tr>
</tbody>
</table>
1. Basic License
   a. Location License/Marine Location License
   b. Environmental Impact License
   c. Building License

2. Management License
   (Business Licensing)
   a. Salt Production
   b. Marine Biopharmacology
   c. Marine Biotechnology
   d. Exploitation of Sea Water for non-energy use
   e. Marine Tourism
   f. Lifting Object the Sunken Ship
   g. Reclamation
   h. etc.
MARINE LICENSING SEQUENCE

1. **MARINE LOCATION LICENSE**
   (MMAF/Local Government)

2. **ENVIRONMENTAL IMPACT LICENSE**
   (Ministry of Environment and Forestry/Local Government)

3. **BUSINESS LICENSE**
   • **COMMERCIAL/OPERATIONAL LICENSE**

4. **THE AUTHORITY**
   (Ministries/Institutions/Local Government)

**EXAMPLE:**

Underwater marine cable (telecommunication)

- Building License,
  Move and dismantle buildings and/
  installations
  (Commercial/Operational License)

- Salvage, underwater License etc.

- Ministry of Transportation

  (Ministries/
   Institutions/Local
   Government)
NATIONAL REGULATION OF MARINE LOCATION LICENSING

- Law of The Republic of Indonesia Number 1 of 2014 on Amendment to Law Number 27 of 2007 on Management of Coastal Zone and Small Islands
- Law of The Republic of Indonesia Number 32 of 2014 on Marine Affairs
- Law of The Republic of Indonesia Number 11 of 2020 on Job Creation
- Regulation of The Government of The Republic of Indonesia Number 24 of 2018 on Online Single Submission (OSS)
- Regulation of The Government of The Republic of Indonesia Number 32 of 2019 on Marine Spatial Planning
- Regulation of The Government of The Republic of Indonesia Number 6 of 2020 on Marine Buildings and Installations
- Regulation of The Minister of Marine Affairs and Fisheries of The Republic of Indonesia KP Number 54 of 2020 on Location License, Management License, and Marine Location
NATIONAL REGULATION OF MARINE LOCATION LICENSING

Article 16 Section (1)
Every Person who exploits a space from part of the Coastal and Small Islands waters exploit permanently is obligated to have a Location License.

Article 47 Section (1)
Every person utilizing Marine space by permanently in waters area and jurisdiction area is obligated to have location permit.

Article 16
Every Person who exploits a space from part of the Coastal and Small Islands waters exploit permanently is obligated to have a Licensing of Marine Utilization (approval of marine spatial utilization activities)
Article 17

(1) The Location License is issued based on the zoning plan of the coastal zone and small islands.

(2) The issuance of the Location License takes into consideration:
   - the sustainability of the coastal and small islands Ecosystems,
   - the Public,
   - traditional fishermen,
   - national interests, and
   - right of innocent passage for foreign vessels.

(3) The Location License is issued for certain extent and period.

(4) The Location License cannot be issued for a core zone within the conservation area, sea lanes, port area, and public beaches.
THE LOCATION LICENSE CANNOT BE ISSUED IN:

Core Zone within the conservation area

The core zone is part of the protected Conservation Area of the Coastal Zone and Small Islands, intended for the protection of habitat and population of Coastal and Small Islands Resources and its exploitation is limited only for research.

Sea Routes

Sea Route is waters which is being utilized, among others, as sea lanes, construction of underwater cable and pipelines, and the migration of marine biotas.

Port Area

Port area includes area for port facilities and area for working facility;

Public Beaches

Public beach is part of the area for public use which has been used by the Public, among others, for religious, social, cultural, recreation, tourism, sport and economic purposes.

The Area of Indigenous People

A group of people which for generations have live in particular geographic area of the Republic of Indonesia, are bound by root ancestors, and has a strong bond with the land, the territory, natural resources, having indigenous governance institutions, and indigenous legal system within their indigenous territory, in accordance with legislation
The Minister of MMAF has the authority to issue and revoke the Location License in:
1. Waters beyond 12 nautical miles
2. Coastal and small island waters within the cross borders provincial area
3. National Strategic Area
4. Particular National Strategic Area (e.g. outermost small islands)

The Governor has the authority to issue and revoke the Location License in the coastal and small island waters under his/her jurisdiction (0-12 nautical miles measured from the coastline)
Si-HANDAL | sihandal.kkp.go.id

Si-HANDAL (Sistem Perizinan Berusaha Perairan dan Laut) is integrated to Online Single Submission System for online Marine License application. It enables every person* to apply for Marine Location License in easy and fast way.

* an individual and/or a corporate/legal entity who has NIB (Nomor Induk Berusaha) or Single Business Number
FACILITATION OF LOCATION LICENSE FOR LOCAL COMMUNITIES

Article 20

1. The Government and Local Government is obligated to facilitate the issuance of a Location License and a Management License for Local and Traditional Communities.

2. The licenses are issued to Local and Traditional Communities, who exploit the space and coastal and small island waters resources, for the fulfillment of their daily needs.

Local Community: a group of people which practice daily living based on customs which have been accepted as public values, however, not depending entirely on particular Coastal and Small Island Resources.

Traditional Community: traditional fishery community whose traditional rights in fishing activities or any legitimate rights are still recognized in particular areas within the archipelagic waters in accordance with international law of the sea.
**Definition**

Indonesian marine cadaster is a continuation of the application of land cadastral principles which include licenses, boundaries and responsibilities for settling in the marine activities

**Goals**

- legal certainty and legal protection
- provide a comprehensive spatial data infrastructure
- good administration

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Rais, 2003

LPPM-ITB, 2003
MARINE CADASTER

Map
Display the issued Location Licenses in defined area.

Type of Geometry
Lines or Area

Filter by Map Extent
Filter and show only the licenses displayed on the map panel.

Attribute Table
Display the type of licenses, issued date, and the authority issued the licenses (Minister of Marine Affairs or Fisheries or Local Governments).

To check the issued Location Licenses, zoom in to the desired location.
Thank you.
Discussion!

www.slido.com

Event code: #MSP_IDN
Thank you all!

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#OceanAction15346

Online seminar
SHARING NATIONAL MSP PRACTICES WORLDWIDE: GERMANY
TUESDAY 16 FEBRUARY 2021
16.00 - 17.30 (Paris time/CEST +1)

Language of the event: English

Interpretation: French and Spanish

Registration / Inscription:
https://on.unesco.org/MSPglobal_Germany