

## Conference Paper

# Integrated Coastal Area Management of the North Coast of Jakarta in the Use of Coastal Space

Untoro\*, Raihan, Bambang Sukamto

Faculty of Law, Universitas Islam Jakarta, Jakarta, Indonesia

**ORCID**

Untoro: <https://orcid.org/0000-0002-5574-9233>

**Abstract.**

The coastal area is a transitional area between land ecosystems and marine ecosystems that meet each other in a fragile balance. Hence, in the management of coastal areas, spatial plans are needed to support economic growth and the development of coastal areas so that they are ecologically sustainable. This research is normative legal research with a philosophical and conceptual approach. The purpose of this study is to philosophically analyze the concept of integrated coastal area management in the utilization of Jakarta's northern coastal space. The results of the study reveal that the utilization of the north coastal area of Jakarta faces 2 main issues; the first is the biophysical degradation of the coastal environment, namely pollution. The second is the issue of conflict of use and authority in the utilization of the north coast of Jakarta. Integrated coastal area management aims to guide the direction of coastal area development so that it is ecologically sustainable. In addition, integrated coastal area management aims to strengthen and harmonize sectorial management in coastal areas; promote rational economic development and sustainable use of coastal and marine resources, and facilitate the resolution of disputes over coastal areas. The recommendation is to continue referring integrated coastal area management in the management of coastal areas.

**Keywords:** coastal area, coastal space, integrated coastal area management

## 1. Introduction

The northern coastal area of Jakarta, which is one of the coastal areas in Indonesia, is a resource and strength possessed by the Special Capital Region of Jakarta. The coastal area (coastal zone) is a transitional area or transition between land and ocean ecosystems. Thus it can be said that the coastal area is a meeting between land and ocean ecosystems. Because of this integration, the coastal area has a very strategic meaning and position [1]. Potential wealth owned by the coastal area of North Jakarta in the form of biodiversity and non-biological, environmental services, and socio-cultural aspects, as well as tourism aspects. The diversity of biological wealth in the northern coastal area of Jakarta is the wealth of natural resources in the coastal area derived from

Corresponding Author: Untoro;  
email: [untoro\\_uid@yahoo.co.id](mailto:untoro_uid@yahoo.co.id)

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living things (biotics) located in the northern coastal area of Jakarta. Biological wealth in the form of coral reefs (coral reef), seagrass (seagrass), a variety of fish, mangrove forests. Coral reefs (coral reefs) ecologically function as a balancer of the environment, being a place to live for certain types of fish such as tuna. The predicate attached to coral reefs is as a major player for marine biodiversity and productivity. In other words, coastal areas and small islands are the most productive part of Indonesia's sea area [2]. On the other hand, coastal areas are ecosystems that are most easily affected by human activities.

These coastal resources are generally relatively easy to reach by anyone and are then encouraged to use them. Indonesia's large coastal and marine resource potential has not made a significant contribution to national economic development. Its utilization does not consider the carrying capacity of the environment as a result of degradation [3]. The development of economic activities in the north coast of Jakarta cannot be separated from the development of Jakarta as a metropolitan city. To support the development of these economic activities, legal regulations are needed so that the DKI Jakarta Regional Government establishes the 2030 DKI Jakarta Regional Spatial Plan (RTRW) as stated in the DKI Jakarta Regional Regulation Number 1 of 2012. The DKI Jakarta Governor Regulation Number 121 of 2012 is also issued regarding the Spatial Planning of the Reclamation Area. North Coast of Jakarta. The reclamation of the north coast of Jakarta in practice caused resistance, especially from traditional fishermen, until a lawsuit was filed with the Jakarta State

Administrative Court. In terms of socio-economic aspects, coastal communities are mostly dependent on marine fisheries resources, where their livelihoods are vulnerable to shocks and sudden changes [4].

However, the impact of coastal area management through reclamation activities on the north coast of Jakarta and the authority of the agency is a concern in this paper. So that the formulation of the problem in this study, first, how is the decrease or degradation of the physical condition of the coastal environment or biophysics due to reclamation that causes resistance from traditional fishermen? Second, what is the authority of the DKI Jakarta Regional Government in the utilization of the north coast of Jakarta?

## 2. Research Methods

This legal research is a normative research using secondary data, namely data obtained from official documents, books related to the object of research, research reports, such as in the form of a dissertation and legislation. Secondary data is divided into primary

legal materials and secondary legal materials. So in this study also used primary legal materials and secondary legal materials. Primary legal materials are legal materials that have authority (authoritative), which consist of statutory regulations and judges' decisions [5].

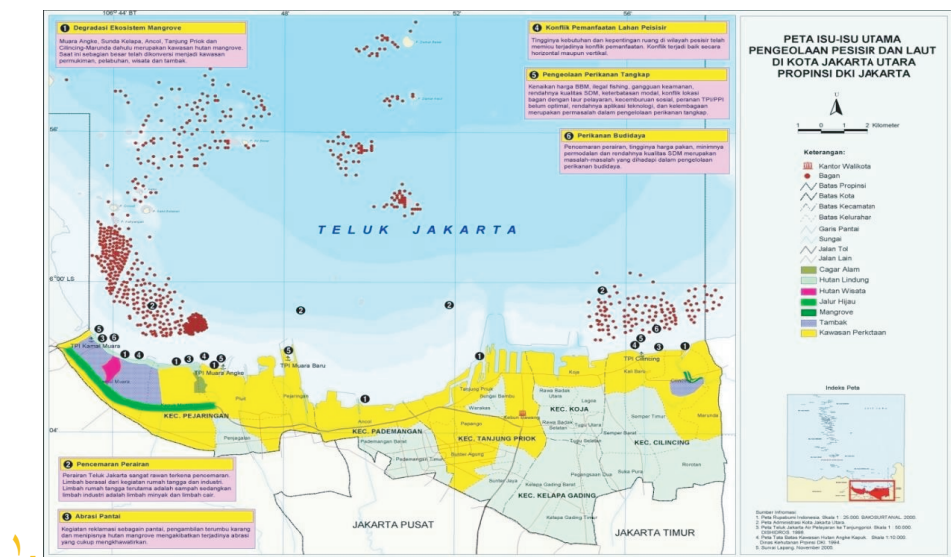
### 3. Research Results and Discussion

#### 3.1. Decrease or degradation of physical conditions of the coastal environment or biophysics due to reclamation that causes resistance from traditional fishermen

Problems in coastal management in Indonesia are management problems and technical problems originating from land and sea and have not been implemented in an integrated manner, but are still sectoral [6]. So deep Planning the management or development of coastal areas needs to look at other aspects such as ecological, economic, socio-cultural aspects. In addition, what needs to be considered is the ability of the coastal environment so that in the use of coastal areas there is an adjustment to the carrying capacity of the area [7]. Because environmental problems will affect the carrying capacity of the environment. Likewise, coastal problems will affect the carrying capacity of the coast. Therefore, attention to the ability of the coastal environment needs to be done to avoid development that only focuses on economic interests. Development activities in coastal areas include reclamation, oil refining, development of residential areas. Likewise, development activities in the northern coastal area of Jakarta, one of which is in the form of reclamation activities, has been rejected. Because however careful the coastal backfill plan will change the quality of the natural ecosystem, which means negative impacts arise. Therefore it is important to understand the purpose of development, which is an effort to improve the welfare and quality of life of the people, carried out by exploring and utilizing natural resources. The consequence is that it brings changes, both positive and negative, to the environmental order [8].

In general, there are 6 main issues in the management of coastal and small islands in North Jakarta, DKI Jakarta Province: first degradation of the mangrove ecosystem. Located in the area of Muara Angke, Sunda Kelapa, Cilincing Marunda. Formerly a mangrove forest area, now most of it has been converted into residential areas, ports, tourism and ponds. In general, the problem of decreasing the physical quality of the coastal environment occurs in mangrove ecosystems, coral reefs and seagrass beds [9]. Second, water pollution. Jakarta Bay waters are very prone to waste pollution from industrial waste (in the form of waste oil and liquid waste) and household waste (in the

form of garbage). Third, beach abrasion. The occurrence of abrasion is quite worrying caused by reclamation of part of the beach, removal of coral reefs, and the depletion of mangrove forests. Fourth, conflict in the use of coastal land. Conflicts over the use of coastal areas are triggered by the high needs and interests of space. Utilization conflicts occur horizontally and vertically. Fifth, capture fisheries management. Some of the problems in the management of capture fisheries, namely: rising fuel prices (BBM), illegal fishing, security disturbances, low quality of human resources (HR), limited capital, conflict of chart locations with shipping lanes, social jealousy, the role of fish auction sites (TPI) is not optimal, the application of technology and institutions is low. Sixth, aquaculture, the problems faced in aquaculture are: water pollution, high feed prices, lack of capital, low quality of human resources (HR). The things mentioned above illustrate that fishermen are always faced with various big challenges, namely the struggle for access to the sea, the availability of sufficient fuel, and the conditions of climate change and weather that are taking place globally [10,11]. The six main issues are illustrated in Fig. 1.



**Figure 1:** Map of the main issues of coastal and small islands management North Jakarta City, DKI Jakarta Province.

The 2019 data from seawater testing in Jakarta Bay waters, namely in Kamal Muara and Cilincing, showed that the heavy metal content of lead (Pb) and cadmium (Cd) and mercury (Hg) did not meet the standards of Minister of Environment Decree No. 179 of 2004. Table 1 shows the results of the tests.

Economically, based on the calculation of the Center for Socio-Economic Research on Maritime Affairs and Fisheries, the Ministry of Marine Affairs and Fisheries of the

TABLE 1: Seawater test results in Jakarta bay waters.

No	Point Ordinat of Sampling Location	Sample Type	Test Parameters	Test Result	Standard
<b>KAMAL MUARA</b>					
1	S604'41, 16972"/ E106044'24,00684" (Stasiun I)	Air laut-ST.I	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.06	0.008
			Cd (mg/L)	not detected	0.001
2	S604'28, 23492"/ E106044'28,7009" (Stasiun II)	Air laut-ST.II	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.067	0.008
			Cd (mg/L)	0.097	0.001
3	S604'41, 18,39028"/ E106044'21,37486" (Stasiun III)	Air laut-ST.III	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.066	0.008
			Cd (mg/L)	not detected	0.001
4	S603'58, 44563"/ E106044'12,08328" (Stasiun IV)	Air laut-ST.IV	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.065	0.008
			Cd (mg/L)	not detected	0.001
5	S604'38, 89596"/ E106044'24,00684" (Stasiun V)	Air laut-ST.V	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.084	0.008
			Cd (mg/L)	not detected	0.001
<b>CILINCING</b>					
1	S604'41, 16972"/ E106044'24,00684" (Stasiun I)	Air laut-ST.I	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.051	0.008
			Cd (mg/L)	not detected	0.001
2	S604'28, 23492"/ E106044'28,7009" (Stasiun II)	Air laut-ST.II	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.041	0.008
			Cd (mg/L)	not detected	0.001
3	S604'41, 18,39028"/ E106044'21,37486" (Stasiun III)	Air laut-ST.III	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.076	0.008
			Cd (mg/L)	not detected	0.001

TABLE 1: (Continued).

No	Point Ordinat of Sampling Location	Sample Type	Test Parameters	Test Result	Standard
4	S603'58, 44563"/ E106044'12,08328" (Stasiun IV)	Air laut-ST.IV	Hg (mg/L)	0.004	0.001
			Pb (mg/L)	0.057	0.008
			Cd (mg/L)	not detected	0.001
5	S604'38, 89596"/ E106044'24,00684" (Stasiun V)	Air laut-ST.V	Hg (mg/L)	not detected	0.001
			Pb (mg/L)	0.057	0.008
			Cd (mg/L)	not detected	0.001

Source: Center for Production Inspection and Certification of Fishery Products DKI Jakarta

Republic of Indonesia in 2016, there are 4 main potential losses due to reclamation, namely:

1. Each lost water area of 1 ha causes economic losses received by fishermen is Rp. 26,899,369,- per year;
2. Each green mussel cultivation business unit affected by the reclamation results in a loss of Rp. 85,599,135 per year for cultivators;
3. Each 1 ha of pond area affected by the reclamation results in a loss of IDR 27,992,943 per year;
4. The cost of relocating and repairing the mangrove ecosystem is Rp. 28,169,381,418 per month for a period of at least 10 years.

The data above strengthens the understanding of the need to maintain the existence and carry out integrated coastal area planning based on sustainability. The principle of integration is developed by: 1) integrating policies with planning for various government sectors horizontally and vertically between the government and local governments; and 2) integrating terrestrial ecosystems with marine ecosystems based on input from scientific and technological developments to assist the decision-making process in Coastal Zone Management and Small Islands [12]. Other experts in the field of coastal area management also argue that integrated coastal zone management (Integrated Coastal Zone Management) is the key to solving problems and conflicts in coastal areas which are very complicated and complex [13]. Therefore, to carry out integration or coordination in order to produce an effective coast, stated by Morten Edvardsen there are 4 dimensions, namely: a. Horizontal integration of policies, management

arrangements and development plans (amongst different sectors, services, and agencies); b. Vertical integration of policies, management arrangements and development plans (from national through to local levels of government); c. Territorial integration taking into account the interrelationships and interdependencies between terrestrial, estuarine, littoral, and offshore components of the zone; d. The consistent integration of policies, plan and management strategies through time [14].

Historically, the Indonesian government has paid attention to the management of coastal areas starting in 1988 with the completion of a study entitled Indonesia's marine environment: a summary of policies, strategies, actions and issues. The next development in 1993 was the marine sub-sector set out in the GBHN as part of economic development. Changes in coastal and marine resource management policies in Indonesia are marked by the issuance of laws on regional governance, namely Law No. 22 of 1999 and Law No. 32 of 2004. The latest development of policies for the management of coastal areas and small islands is marked by the issuance of the law on the management of coastal areas and small islands, namely Law Number 27 of 2007. The understanding of the stakeholders on the importance of planning for the management of coastal areas is the basis for the ratification of the law on the management of coastal areas and small islands. Law No. 27 of 2007 regulates four planning hierarchies that are interrelated in stages. The first hierarchy is strategic plans, zoning plans, management plans, action plans. In 2014 Law Number 27 of 2007 underwent changes with the issuance of Law Number 1 of 2014. This law requires provincial and district/city regional governments to carry out planning for the management of coastal areas and small islands in an integrated manner by involving stakeholders. related interests [15]. As well as providing great opportunities for local governments to manage and empower this potential [16].

### **3.2. The authority of the DKI Jakarta regional government in the management of the north coast coastal area of Jakarta**

The New Order era placed the regulation of coastal and marine areas mostly carried out by the central government, this is indicated by the provisions of Article 9 paragraph (2) of Law Number 24 of 1992 concerning Spatial Planning. Since the issuance of Law Number 22 of 1999 concerning Regional Governments, districts/cities have authority over waters as far as 4 miles from the coastline [17]. Another aspect that must be considered is the management of coastal areas requires a law that can cover several aspects as stipulated in the 1945 Constitution with the aim of: minimizing conflicts of interest; arrange things that have not previously been arranged; in the context of

implementing relevant international conventions [18]. Furthermore, it is necessary to make optimal efforts in the implementation of regional autonomy in the management of coastal areas in accordance with their authority.

The authority possessed by the Regional Government of DKI Jakarta in managing coastal areas is based on several regulations. This is because Indonesia does not yet have a separate law that specifically regulates reclamation [19,20], or the regulations used are still scattered, namely: The authority of the DKI Jakarta Regional Government in the management of coastal areas is based on several regulations, namely: Presidential Decree Number 52 of 1995 concerning the Reclamation of the North Coast of Jakarta; Presidential Regulation Number 122 of 2012 concerning Reclamation in Coastal Areas and Small Islands; DKI Jakarta Regional Regulation Number 8 of 1995 concerning the Implementation of Reclamation and Spatial Planning for the North Coast of Jakarta. DKI Jakarta; DKI Jakarta Regional Regulation Number 1 of 2012 concerning the 2030 Spatial Plan; Regulation of the Governor of DKI Jakarta Number 121 of 2012 concerning Spatial Planning for the Reclamation of the North Coast of Jakarta. It contains two meanings, the first is to provide a legal basis for every government action carried out by a state administrative body or position. The second meaning is only applicable laws and regulations which are the source of the birth of government authority owned by state administrative bodies or positions. This description is also in line with Indonesia as a state of law, as stated by John Locks that the elements of a state of law are government based on the law (the principle of legality); basic human rights are recognized and respected by the authorities; the power of government in the state is not concentrated in one hand but must be given to state institutions so that supervision occurs between state institutions; it is possible to file a lawsuit against the government's actions to assess whether the actions are against the law or not that have been carried out by government officials.

The authority possessed by the DKI Jakarta Regional Government is implemented in the management of the north coast of Jakarta through reclamation activities. In its implementation, the reclamation activities were sued to the Jakarta State Administrative Court. This is a problem faced in coastal area spatial planning. In brief, several aspects of the problems in spatial planning can be mentioned, namely spatial use conflicts; spatial utilization function mismatch; there is no direction for the location of permits/space utilization activities; lack of integrated spatial planning in the watershed system; lack of integrated development between land and coastal areas [21]. The occurrence of a lawsuit against a reclamation permit in the context of a state of law is justified, as described in the paragraph above. An example of a reclamation permit being sued is



the Decree of the Governor of the Special Capital Region of Jakarta Number 2238 of 2014 concerning the Granting of an Island G Implementation Permit to PT Muara Wisesa Samudra. The arguments put forward by the plaintiff are the Decree of the Governor of the Special Capital Region of Jakarta Number 2238 of 2014 concerning the Granting of an Island G Implementation Permit to PT Muara Wisesa Samudra which is contrary to the prevailing laws and regulations; contrary to the general principles of good governance (AAUPB); violates the principle of protection of human rights; so that for the plaintiff the Decree of the Governor of the Special Capital Region of Jakarta Number 2238 of 2014 concerning the Granting of the Island G Implementation Permit to PT Muara Wisesa Samudra, it is clear that there are defects in authority, defects in procedures, and defects in substance as contained in the Decision of the Jakarta State Administrative Court Number 193/G/LH/2015/PTUN-JKT.p. 47.

The laws and regulations that have been violated according to the plaintiff's argument in the issuance of the Decree of the Governor of the Special Capital Region of Jakarta Number 2238 of 2014 concerning the Granting of an Island G Implementation Permit to PT Muara Wisesa Samudra are Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Provisions of Article 33 paragraph (3) is divided into two phrases, namely the Earth, water, and the wealth contained therein are controlled by the State. The second phrase, Earth, water, and the wealth contained therein are used for the greatest prosperity of the people. The two phrases have been interpreted by the Constitutional Court of the Republic of Indonesia in the Decision of the Constitutional Court Number 3/PUU-VIII/2010, namely: The state is authorized and given the freedom to regulate; The state is authorized and given the freedom to make policies; The state is authorized and given the freedom to manage; The state is authorized and given the freedom to supervise. There are four benchmarks to measure whether a policy has been aimed at the greatest prosperity of the people, namely based on: the use of natural resources for the people; the level of distribution of the benefits of natural resources for the people; the level of people's participation in determining the benefits of natural resources; respect for the rights of the people from generation to generation in utilizing natural resources as contained in the Decision of the Jakarta State Administrative Court Number 193/G/LH/2015/PTUN-JKT.p. 22.

The four interpretations and benchmarks against Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia have been revealed in Article 2 paragraph (2) and paragraph (3) of Law Number 5 of 1960 concerning Basic Agrarian Regulations. Article 2 paragraph (2): The State's right to control as referred to in paragraph (1) of this Article authorizes:

a. Regulate and administer the designation, use, supply and maintenance of the earth, water and space. b. Determine and regulate legal relations between people and legal actions concerning earth, water and space. c. Determine and regulate legal relations between people and legal actions concerning earth, water and space. The provisions of Article 2 paragraph (3) of Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles: The authority originating from the state's right to control in paragraph (2) of this Article is used to achieve the greatest prosperity of the people in the sense of happiness, welfare and independence in an independent, sovereign, just and prosperous Indonesian society and legal state. Meanwhile, Bagir Manan formulates the scope of the meaning of being controlled by the State or the State's control rights, namely: (1) Mastery is a kind of ownership by the State. This means that the state through the government is the only authority to determine the rights and authority over it. This includes the earth, water and the riches contained therein. (2) Regulate and supervise use and utilization; (3) Capital participation and in the form of state companies for certain businesses [22].

The laws and regulations that have been violated and the general principles of good governance according to the plaintiff's argument as described above are shown in below:

Pasal 2 Ayat (3) UU Nomor 5 Tahun 1960 tentang UUPA; UU Nomor 27 Tahun 2007 tentang Pengelolaan Wilayah Pesisir dan Pulau-Pulau Kecil; UU Nomor 1 Tahun 2014 tentang Perubahan UU Nomor 27 Tahun 2007 tentang Pengelolaan Wilayah Pesisir dan Pulau-Pulau Kecil; UU Nomor 32 tahun 2009 Tentang perlindungan dan Pengelolaan Lingkungan Hidup; UU Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan; PP Nomor 27 Tahun 2012 Tentang Izin Lingkungan; Perpres Nomor 122 Tahun 2012 Tentang Reklamasi Di wilayah Pesisir dan Pulau-Pulau kecil.

The Plaintiff further argued that with the issuance of the Decree of the Governor of the Special Capital Region of Jakarta Number 2238 of 2014 concerning the Granting of an Island G Implementation Permit to PT Muara Wisesa Samudra, it resulted in the inability to utilize the fishery resources in the Jakarta Bay, which meant the loss of access to fishery resources. This also implies obstruction of access to find fish which is the livelihood of fishermen which has a negative impact on fishermen in the economic sector [23].

## 4. Conclusion

1. In this section we welcome you to include a summary of the end results of your research. Font should be Times New Roman, 10 pt. The decrease or degradation of the physical condition of the coastal environment or biophysics due to reclamation is a change in the landscape, the loss of potential biological resources such as coral reefs, mangroves, damage to mangrove ecosystems and coral reefs.
2. The authority of the DKI Jakarta Regional Government in the utilization of the north coast of Jakarta is contained in the regulation and Presidential Decree Number 52 of 1995 concerning the Reclamation of the North Coast of Jakarta; Presidential Regulation Number 122 of 2012. Concerning Reclamation in Coastal Areas and Small Islands; DKI Jakarta Regional Regulation Number 8 of 1995 concerning the Implementation of Reclamation and Spatial Planning for the North Coast of Jakarta. DKI Jakarta; DKI Jakarta Regional Regulation Number 1 of 2012 concerning the 2030 Spatial Plan; Regulation of the Governor of DKI Jakarta Number 121 of 2012 concerning Spatial Planning for the Reclamation of the North Coast of Jakarta.

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