The Authority of Lampung Provincial Government in Managing Fisheries Resources in Era of Regional Autonomy

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Abstract

The COVID-19 outbreak has had a major impact on the marine and fisheries industry in Indonesia. This is also felt by fishermen in Lampung Province with the decline in demand for fishery products in the domestic and international markets in Lampung Province. The overall decline in the fisheries production cycle is influenced by the decline in demand from consumers. The local government has an important role to help restore the condition. The problem in this research is how the authority of the local government of Lampung Province in the management of fisheries resources in the era of regional autonomy and how the efforts of the marine and fisheries office of Lampung Province in an effort to achieve fisheries production in the era of regional autonomy. The research method used is normative research with statute approach. The results of this study are in accordance with the Governor's Regulation on the determination of the main tasks and functions of the Lampung Province Maritime and Fisheries Service as an implementing element of local government in the field of marine and fisheries led by a Head of Service who is responsible to the Governor. The goal is to implement the commitment of the Governor and Deputy Governor elected in 2019-2024 on marine and the Berjaya Fishermen Program to prioritize the welfare of the fishing industry, especially fishermen and their families. The Lampung Provincial Maritime and Fisheries Service provides solutions in the form of feed assistance in collaboration with Lampung University, fish nurseries and distribution in four districts and cities as well as Mobilizing registration and licensing to increase the capacity of
A. Introduction

In the era of regional autonomy, district/city administrators have the authority to manage the potential of their regions, one of which is fisheries resources.\(^1\) Law Number 23 of 2014 as amended for the second time into Law Number 9 of 2015 concerning Regional Government (Local Government Law).\(^2\) And amended by Law No. 11 of 2020 on Job Creation and partially revoked by Law No. 1 of 2022 on financial relations between the central government and regional governments. Article 14, paragraph (1) of the Law states that in the field of mining, energy, and mineral resources, the implementation of regional government affairs is different from the affairs of the central and provincial governments.\(^3\) In line with this change in authority, local governments are expected to act actively to maximize the potential of fisheries resource management.\(^4\) Fish stock management becomes difficult when central and local government policies are not in line. However, the abundant fish resources in Indonesia are underutilized.\(^5\) This condition is caused by development activities in water bodies that have ignored environmental sustainability as a whole. The exploitation of Indonesia's fisheries resources is still characterized by various violations, including pollution, overfishing, destructive fishing, and illegal transshipment.\(^6\)

The Law on Regional Government states that the provincial government has the right to issue licenses for the sale and processing of fishery products between districts or municipalities in one provincial area in the field of management and marketing. While Lampung Provincial Regulation Number 12 of 2014 stipulates that fishery business marketing activities must be organized and facilitated by the Lampung Provincial Government. The obligation of the provincial government in issuing fisheries processing business licenses is not stated in Lampung Provincial Regulation Number 12 of 2014, and it is unclear whether the provincial government must provide facilities or infrastructure in the form of licenses to market fisheries products. Responding to Local Government. Authority in monitoring marine and fisheries resources The Regional Government Law determines that as far as 12 miles of marine and fisheries resources are under provincial or regional authority.\(^7\) Meanwhile, Lampung Provincial Regulation Number 12 of 2014 does not specify the jurisdiction of regional authorities in conducting surveillance. According to Lampung Provincial Regulation Number 2014, the Lampung Provincial Government Executive is only obliged to monitor and control natural resources and fisheries in the provincial area. In order to ensure the implementation of resource

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\(^7\) Anwar, Shafira, and Sunarto. *Hlm 64*
monitoring and regulation, by establishing a monitoring and control team by including community participation.

The strategic issues / problems that exist in the Lampung Provincial Fisheries Fisheries Service are:

1. The marine and fisheries industry is also affected by the global COVID-19 outbreak, including:
   a. Scarcity of stocks in the Fish Handling Unit (UPI) due to decreased demand for commercial fishery products from Lampung.
   b. The main factors causing the decline in demand for fishery products in both local and external markets are the completion of marketing activities, assembly activities, and opening access to other regions.
   c. The production cycle of farmers and, ultimately, fish production as a whole is affected by the decline in demand.
   d. The provision of aquaculture opportunities (such as seed and feed) and associated distribution channels are also subject to "social restrictions".

2. Patronage from the marine and fisheries industry sector in the Kartu Petani Berjaya (KPB) program is still below standard in terms of program integration, in-app menu, primary fisheries, and criminal involvement in the KPB program.

3. The dynamics of institutional rules, programs, and activities require adjustments to the regions due to dynamics and policy changes in connection with difficulties and obstacles in the marine sector with the Job Creation Law and the handover of the position of Minister of Maritime Affairs and Fisheries.

4. In Lampung Province, the Cultivator Exchange Rate (NTPi) is still below 100, indicating that cultivation activities have not resulted in optimal utilization or improved the economic level of business actors.

5. The problem of limited intensive and traditional pond management, the threat of disease, and reduced carrying capacity and environmental quality are contributing factors.

6. Five percent of the 10,121 fishing vessels in Lampung Province are licensed. This condition is more dominant due to the handling of vessel reports including several organizations of the Kesyahbandaran and Port Authority Office (KSOP) which has human resources entrusted to take measurements on a fleet of 2 vessels for 1 Lampung Region.

7. Obtaining permits and using sea space faces obstacles, such as the low consistency of financial managers in obtaining permits and improvements in designation and utilization that are not yet in accordance with regulations.

8. In the field of monitoring marine and fisheries resources, the addition of provincial authority based on Law Number 23 of 2014 has not been supported by adequate human resources, adequate infrastructure, or additional budget allocations.

9. Not ideally using a cold chain system to maintain the quality of fishery products. Limited powers and the government's usual financial plan, poor people's offices and foundations are enforced and not coordinated.

10. All relevant stakeholders should be involved in the comprehensive management and resolution of coastal waste management, starting with the reduction of waste (pollution) sources and disposal in coastal areas.
11. Budget limitations and uncertainty of port status of asset transfer Personnel, Financing facilities and Infrastructure, and Documents (P3D) result in the development, maintenance, management of fishery port infrastructure and facilities in Lampung Province built and managed by districts and cities experiencing stagnation.

The Berjaya Fishermen Program, wealthy fishermen, and their families, as well as the Governor and Deputy Governor Promises related to marine and fisheries sector-related activities for 2019 to 2024:

1. Support the expansion of the aquaculture industry, offer marketing assistance, and guarantee the seafood market.

2. Participation of fishermen and their families in the growth of the fish processing industry.

3. Provision of social security and insurance for fishermen.

4. Offering scholarships to the children of outstanding fishermen with various intellectual backgrounds, up to the university level.

5. Establishing Public Fuel Filling Stations (SPBU) at the Cultivation Center and Fish Auction Place (TPI).

It aims to minimize the risk of conflict or clash caused by the unintegrated preparation of regulations regarding the utilization of fisheries resources, it is necessary to make efforts to process new legal products or laws and regulations regarding the management of marine and fisheries resources in the context of harmonization and synchronization of regulations in the fisheries sector. The formulation of the problem in this study is how the authority of the Lampung provincial government in managing fisheries resources? how the role of the Lampung provincial marine and fisheries office in efforts to achieve fisheries production in the era of regional autonomy.

This research uses normative research methods, the approach used in answering the problem using a statutory approach (statute approach). Data collection uses secondary data to be further analyzed. Secondary data that has been collected is analyzed descriptively qualitative in the form of legislation related to the topic, library materials, legal document files, and others obtained indirectly.

B. Discussion

1. The Authority of the Regional Government of Lampung Province in the Management of Fisheries Resources in the Era of Regional Autonomy

The role of local governments in enforcing the Job Creation Law can be said to be minimal (the spirit of reform and regional autonomy is declining). The accessibility of business actors who have previously processed permits in their respective regions is one of the difficulties due to the centralization of risk-based licensing authority. The government must ensure public access to justice and equal opportunity as one of the principles of good governance. The central government must have the option to ensure that the licensing framework is accessible to all levels of society in all corners of Indonesia. The reduction of risk-based licensing processes in the regions, especially in the marine and fisheries sector, is another consequence of the

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centralization of licensing authority, along with the increasing difficulty of government oversight and community outreach in monitoring public functions.

The Job Creation Law restores the central government’s authority in spatial planning and licensing, among other fields. In fact, generally local governments better understand the actual situation in their respective regions. The job creation law centralizes the authority to issue permits including those related to spatial planning to the central government, which were previously issued by regional governments. As a result, the elimination of the role of the Regional Government has the potential to harm the community while protecting the marine ecosystem which is the livelihood of the local community. Article 176 of the Job Creation Law also changes a number of regional government authorities, for example, the authority over licensing in article 350 of Law Number 23/2014 on Regional Government. Article 350 paragraph (1) of the Local Government Law states that local governments are obliged to provide licensing services in accordance with the provisions of laws and regulations.

The Job Creation Law adds the authority of the central government in this matter, “The regional head is obliged to provide Business Licensing services in accordance with the provisions of laws and regulations and norms, standards, procedures, and criteria set by the Central Government,” Article 350 paragraph (1) of the Local Government Law after being amended by the Ciptaker Law. Then the Ciptaker Law also gives extra authority to the central government in licensing matters. They can take over licensing affairs if there are local governments that do not carry out and do not heed two warnings. This is demonstrated by the Lampung Provincial Government, which issued Regional Regulation Number 1 of 2018 on the Zoning of Coastal Areas and Small Islands. In this regulation, all coastal and marine areas are regulated into capture fisheries zones, cultivation zones, water tourism utilization zones, and so on.

The Job Creation Law transfers licensing authority to the central government, as explained in Section V. The President of the Republic of Indonesia leads the central government of the Republic of Indonesia, assisted by the Vice President and his ministers. In accordance with the One Stop Integrated Service and online-based policy, the relevant agency directly responsible to the President will hold the licensing authority, namely the Investment Coordinating Board (BPKM). As a result, the central government will assume a large number of responsibilities. This concentration of power allows for abuse of power. The central government must implement good governance in the implementation of its responsibilities to avoid this. The problem seen today is that big government has not fully become a regulatory organization in Indonesia.

In terms of utilization of Lampung provincial waters within a radius of 4 to 12 miles, the provincial and district/city governments have the following authorities:

\[\text{Dian Agung Wicaksono, “(Quo Vadis of the Constitutional Court’s Standing in Reviewing the Law of Job Creation and Its Implications towards Regional Government’s Confusion in Implementing Authority to Regulate),” RechtsVinding 11, no. April (2022): 77–98.}\]
1. management, exploitation, exploration, and conservation of fisheries and forest areas;
2. arrangement and selection of spatial plans;
3. legal requirements on the management of fisheries and marine resources;
4. cooperating with other regions to manage and use resources and environmental services;
5. issuing shipping licenses and fishing licenses;
6. collecting levies from persons, groups, or businesses that utilize marine resources to pay for environmental services from the utilized sea in accordance with the provisions applied.

Spatial planning of marine waters in Lampung Province is completed by the provincial government. Planning and guaranteeing the spatial planning of Lampung’s marine waters is carried out based on applicable regulations and guidelines. Sea sand entrepreneurs operating within the Province are subject to the supervision and control of the Provincial Government. Transportation management, export trade, mining, dredging, exploitation of sea sand and prevention of sea destruction are aspects of the control and supervision of sea sand entrepreneurs. Supervision is carried out in reference to laws and regulations, which are carried out in an integrated and coordinated manner.

Sea sand business activities must be carried out in the sea sand utilization zone in accordance with laws and regulations before a sea sand exploitation permit can be issued. The utilization of sea sand is possible in the area known as the sea sand utilization zone which consists of:

1. Conditional Utilization Zone.
2. Open Mining Zone.

Surveys and observations regarding Valuable Objects from Drowned Shiploads (BMKT) in the sea waters of Lampung Province require permits related to monitoring from the Governor in charge of waters and seas and the Regent/Mayor in charge of waters and seas. BMKT supervision in marine waters in Lampung Province is carried out by the Supervisory Team:

1. Supervisors from the Provincial Maritime and Fisheries Service;
2. Experts who have substantial skills in the field of underwater archaeology;
3. Officers of the Indonesian Navy and National Police.

The Provincial Government issues regulations governing the utilization of fisheries resources:

1. fishing equipment;
2. Fishing schemes that must be complied with by fishing vessels in accordance with the Law, or applicable cruise ship safety regulations;
3. types, quantities, and sizes of fish that are not allowed to be caught;
4. the location, flow, and period of fishing;
5. protecting fish resources and their surroundings from pollution and damage, and restoring and improving them;
6. adding new fish species to the stock;
7. safety of fish farming
8. control and prevention of fish diseases and pests;
9. any additional measures believed necessary to fulfill the objectives of fish resource management;

10. Potential and distribution of fish farming land in Lampung Province; and

11. Potential of some fish species

Utilization of resources and fisheries in Lampung Province must be supervised and controlled by the Lampung Provincial Government. The Successful Fishermen Program, a fisheries work effort chosen by the Governor and Deputy Governor, aims to help fishermen and their families develop by:

1. Providing guaranteed seafood markets and marketing assistance to support the expansion of the aquaculture industry.

2. Engaging fishermen and communities in the growth of the fish processing sector.

3. Social security and insurance for seafarers.

4. Providing scholarships to seafarers' children up to university level.

5. Oil depots for seafarers by establishing public refueling stations in aquaculture centers and fish auction warehouses.

In relation to its main responsibilities, the Lampung Province Maritime and Fisheries Service carries out Mission 5, namely balancing rural and urban economic strength, sustainable regional development and shared prosperity. In particular, we will support the efforts of Mission 6. Related to the Regional Technical Implementation Unit (UPTD) and the Office in the implementation of current programs and activities for each sector. Grant programs, marketing promotion and quality improvement, capital promotion, encouragement of technological and industrial innovation, provision of facilities and infrastructure, construction and development of agricultural centers, productivity and economic value enhancement, etc. Fisheries, Livestock, Food Crops, Agriculture, Horticulture and Sustainable Land Management.

2. The Role of the Lampung Provincial Maritime and Fisheries Service in Efforts to Achieve Fisheries Production in the Era of Regional Autonomy

The principle of Regional Autonomy provides broad, real and responsible authority, the implementation of regional equity and development will gradually be increasingly left to the regions.16 The role of regional organizers in fisheries production is very important. The Lampung Province Marine and Fisheries Service has a role in increasing fisheries production in order to prosper the autonomous region. In its implementation, the fisheries service has a target in increasing fisheries production. Although the target has not been achieved, the commitment to fisheries production will increase to 90.2% in 2021 compared to the previous year. The increase in feed producer prices due to limited availability of higher quality seeds and propagules for aquaculture production, including local fish species, and dependency on imported raw materials (fishmeal), Standard Operating Procedure (SOP) for making sailing approval for fishery vessels According to PERMEN KP No.3 of 2013 article 11 (1) the captain or owner of a fishery vessel must apply for the issuance of a sailing approval letter. owner of a fishing vessel must apply for the issuance of a sailing approval letter sailing approval letter in which there is a skipper's statement, evidence that fulfills the ship's obligations and a letter of feasibility of operation from the fishery vessel. fulfill the ship's obligations and a letter of feasibility from the fishery vessel.

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operation from the fishery. the difficulty of fishermen obtaining fuel oil (BBM) in capture fisheries production, the occurrence of IUU fishing (Illegal, Unreported and Unregulated), and the process and requirements for vessel documents that depend on other ministries hinder the achievement of this goal. Community adaptation to the COVID-19 pandemic has increased purchasing power and increased production, and has implemented a number of solutions to support the achievement of the Key Performance Indicator (KPI) of the proportion of catch in fisheries production. Solutions from the Lampung Provincial Maritime and Fisheries Service are as follows:

1. Nutritional support by Lampung University aimed at supporting commercial aquaculture capital and improving the performance of communities in conducting aquaculture businesses. Individual groups were distributed, and seed assistance was also provided. As part of local economic recovery efforts, we assisted producers of catfish, tilapia seedlings, carp seedlings, and fish feed, especially during the pandemic. The distribution of fish seeds and feed is done to ensure the sustainability of fisheries, especially smallholder aquaculture, for members of small-scale Fish Farming Organizations (Pokdakan). Catfish seeds, tilapia seeds, goldfish seeds, and fish feed were distributed to 40 organizations with a total of 547 members spread across nine districts/cities in Lampung.

2. In 4 districts and cities, iconic fish species such as jelawat and baung fish were restocked and distributed. The population of jelawat fish was 200,000, while the population of baung fish was 220,000.

3. Independent feed development in the form of floating fish feed equipment in collaboration with Lampung University. Lampung University's self-managed fish feed machine research aims to provide high-quality fish feed at a reasonable cost. The objective of this activity is to independently produce high-quality and low-cost fish feed to assist fish farmers in lowering production costs and maximizing income.

4. Fishing ports should be revitalized, and there should be more gas stations for fishermen.

5. Infrastructure support for the capture fisheries industry. 1,200 units of folding traps and 86 coolers to support the business infrastructure of the capture fisheries sector. It is expected to increase the creation of fisheries and work on fishing local government assistance and to follow the nature of fishing by doing insect chains.

6. Security for anglers as Triumphant Angler Protection (ANB). Traditional fishermen, small fishermen (using fishing boats < 10 GT), and fishing crews < 30 GT living in Lampung and aged < 60 years or over 60 years (Elderly) are the target demographics for the 2021 Berjaya Lampung Province Fishermen Insurance. Through the 2021 Dinas budget, the Lampung Provincial Government will provide Berjaya Fishermen Insurance assistance. Berjaya Fishermen's Insurance assistance is in the form of payment of fishermen's insurance premium money (dues) to the insurance company (BPJS Ketenagakerjaan). Berjaya Fishermen Insurance for Lampung Province in 2021 is intended for 700 young fishermen who will receive coverage for 12 months, and 300 (Three Hundred) older fishermen, who will receive coverage for 12 months.

7. encouraging socialization regarding the registration and licensing of capture fisheries industry actors so as to improve the ability of fishermen and facilitate access to licensing and vessel documents. Thirty people, including fishermen around Lempasing and skippers participated in this activity.

8. promoting the use of environmentally friendly fishing gear and preventing the use of illegal fishing gear in the form of destructive fishing surveillance activities with the aim of monitoring, preventing and enforcing laws on illegal fishing. The issue of rampant use of fish bombs, electrocution, and potassium in fishing, was monitored at 15 monitoring sites in each District or Municipality. The consequence of this action is that disaster fishing exercises have been directed (supervising) and observed, facilitated with Law Enforcement Officials (APH) and Fisheries Monitoring Community Group (Pokmaswas) to complete joint observations, aimed at raising awareness through the introduction of advance notice signs in Tanggamus, West Coast, and East Lampung Regimes and seizures as a daze tool used by anglers in Tulang Bawang Rule.

The Lampung region has ± 950 km of coastline and approximately ± 24,820 km2 of coastal front waters. Many people depend on this subsector for their livelihoods because of the potential difficulties and large catches. What is meant by "fisher household" is a family whose main source of income and place of business is the fisheries sector. Other fishing households include Fishery Households (RTPP) of Aquaculture Fisheries, RTPP of Cultivators, RTPP of Sea Fishermen, and RTPP of Fishermen in Public Waters. The farmer RTPP has the highest value, while the fishermen RTPP that fishes in public waters has the lowest value.

To build the information legitimacy of Indonesian economic actors, starting in 2016, the Department of Marine Affairs and Fisheries introduced the signature Ministry of Marine Affairs and Fisheries (KKP) and Key Actors Card for Marine and Fisheries Sector (KUSUKA) programs. The cooperation between this program and the Civil Servant Assistance and Fisheries Extension. All districts and cities in Indonesia have a Fisheries Extension program (PPB) by registering all current fisheries industry actors by name and address. In addition, the data becomes a database that helps the Ministry of Marine Affairs and Fisheries manage statistical data and manage government assistance programs.

Community empowerment in Lampung Province is carried out by the Department of Marine Affairs and Fisheries to monitor fisheries resources. In Lampung Province, fishing community groups participate in this endeavor. Due to the limited capacity of the monitoring team to prevent criminal offenses in the fisheries sector and the limited infrastructure and capacity of Pokmas members to identify various types of violations in the sector, community monitoring operations in Lampung province were generally unsuccessful.

The program employs 8 civil servant investigators, including 5 fisheries civil servant investigators and 2 regional civil servant investigators, in the context of fisheries crimes in Indonesia's Zone Economic Exclusive (ZEE), as referred to in Article 73(2) of Law No. 45/2009, which was amended into law. This law allows Fisheries Civil Servant Investigators (PPNS) to investigate criminal acts related to fishing in the Indonesia's Zone Economic Exclusive, including fishing, cultivation, processing, and harvesting.

The 2019-2024 Strategic Change Plan lists three goals for the realization of the vision and mission for 2019-2024 of the Lampung Provincial Maritime and Fisheries Service so that it can successfully carry out its responsibilities. 2021 is the second year of implementation of the Smart Action Direction for Changes in Fisheries and Marine Governance in Lampung Region,

from the three main targets that have been set, how to behave in the objectives of Lampung Fisheries and Marine Governance, namely:

**Table 1. Smart Action Direction for Changes in Fisheries and Marine Governance in Lampung Region**

<table>
<thead>
<tr>
<th>No.</th>
<th>Performance Indicators</th>
<th>Target</th>
<th>Realization</th>
<th>Achievement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>achievement of fisheries production</td>
<td>398.551</td>
<td>359.480,33*</td>
<td>90.2%</td>
</tr>
<tr>
<td>2</td>
<td>achievement of fisheries exports</td>
<td>21.845</td>
<td>18.482*</td>
<td>84.6%</td>
</tr>
<tr>
<td>3</td>
<td>marine and fisheries business actors who comply with the allocation of space utilization</td>
<td>85</td>
<td>100</td>
<td>117%</td>
</tr>
</tbody>
</table>

Source: Lampung Province Marine and Fisheries Service, 2021

The assessment plans to find out the recognition hazard, progress and obstacles experienced in the mission hazard structure, so that it tends to be evaluated and differentiated to work on the project/training implementation from now on. In addition, the strategic objectives to be analyzed are also carried out at the time of performance evaluation, which include:

1. Expansion of capture fisheries and hydroponic businesses
2. Increase seafood consumption, increase value-added products, and financial complexity are the factors
3. Improved management of islands and small areas that are environmentally responsible

The actual achievement of the performance indicator was 359,480.33 tons, lower than the agreed target of 398,551 tons. This resulted in a percentage performance improvement of 90.2%, which is lower than the target. In terms of seafood export reporting, the achievement was 18,482 tons, against a target of 21,845 tons. This resulted in a performance gain rate of 84.6%, lower than the agreed target. In addition, the percentage of fisheries and fisheries actors who met the allocation for the use of capian space received a bid target of 100%.

**C. Conclusion**

During the period of regional autonomy, local governments have the authority over the management of fisheries resources, especially through the formulation of policies, regulations, and provincial standards/guidelines for fostering, growing fisheries technology engineering and other resources and organizing government affairs in the field of fisheries resource management and development. Local government efforts through the fisheries and marine affairs office in the implementation of fisheries production in Lampung province through artificial feed assistance from Lampung University and the existence of Berjaya Fishermen Insurance (ANB) in providing protection to fishermen and encouraging the socialization of licensing for capture fisheries sector actors through fishermen capacity building activities. Efforts to monitor disturbing fish, socialize environmentally friendly fishing gear and limit unlicensed fishing facilities.
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References

A. Book


B. Journal


### C. Regulation

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Peraturan Daerah Provinsi Lampung Nomor 12 Tahun 2014 tentang Optimalisasi Pemanfaatan Sumberdaya Kelautan dan Perikanan

Undang-Undang Nomor 11 Tahun 2020 Tentang Undang-Undang Nomor 6 Tahun 2023 Tentang Cipta Kerja menjadi Undang-Undang

Undang-Undang Nomor 1 Tahun 2022 Tentang Hubungan Keuangan antara Pemerintah Pusat dan Pemerintah Daerah

Peraturan Pemerintah Nomor 5 Tahun 2021 Tentang Penyelenggaraan Perizinan Berusaha Berbasi Risiko

Peraturan Daerah Nomor 1 Tahun 2018 Tentang Zonasi Wilayah Pesisir dan Pulau-Pulau Kecil

### D. Internet