

The Global Maritime Nexus: Challenges in Managing Marine Area in North Sumatera Province

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Abstract: Global maritime nexus is a strategic idea. Indonesia should realize it in order to ensure the community welfare. This study figures out the answer of study in 8 months in North Sumatera province. This study focuses on the readiness of North Sumatera government in realizing Indonesia as a global maritime nexus in Malacca Strait. One strategy to achieve the vision is regulated it in the regional spatial management. Through in depth interviews and Focus Group Discussion (FGD) which conducted to collect information related to preparedness in policy and challenges of local government in marine management found that the provincial government has local regulation No. 2 of 2017 concerning the regional spatial plan of North Sumatera province (RTRWP) in 2017-2037 which in line with the 2nd and 3rd pillars of the global maritime nexus. The presence of the new RTRWP needs to be socialized in order to disseminate the idea of Indonesia global maritime nexus. It is not only a strategic issue but also an idea which can be applied in the program of local government organizations (OPD) which located contiguous to the sea such as North Sumatera province.

1 INTRODUCTION

Article 25 A of Indonesian Constitution 1945 amendment 4 states that the united country of Republic of Indonesia is an archipelagic country which is characteristic of the archipelago with its territory and boundaries and rights established by law (UUD 1945). Indonesia is the largest archipelagic country in the world which has the potential to become the global maritime nexus. This is in accordance with Law Number 32 of 2014 section 5 (1) which stated, "Indonesia is an archipelagic country composed entirely of islands and covers large and small islands constituting a unified territory, political, economic, social cultural, and historical areas whose territorial boundaries are drawn from the archipelagic base" (UU No 32, 2014).

The potential to become the maritime nexus of the world has been conveyed by the President of the Republic of Indonesia at the East Asia summit, in 2015. He mentioned five pillars that make Indonesia the Global maritime nexus; (1) Rebuilding Indonesia's maritime culture; (2) Commitment to maintain and manage marine resources by focusing on building sea food sovereignty through the

development of the fishing industry by placing fishermen as the main pillars; (3) commitment to encourage the development of maritime infrastructure and connectivity by building sea tolls, seaports, logistics and shipping industries, as well as maritime tourism; (4) maritime diplomacy that invites all Indonesian partners to cooperate in the maritime sector is the fourth pillar of the development agenda; (5) Finally, as a country that is the nexus of two oceans, Indonesia is obliged to build maritime defense forces (Pidato Presiden RI-KTT 9 Asia Timur, 2014).

One of the provinces in Indonesia is North Sumatera. This province has become strategic in realizing the idea of a maritime nexus delivered by the president of Indonesia. First, the province of North Sumatera consists of 33 districts/cities, to the east is directly adjacent to the Malacca Strait (BPS, 2017). Second, the province of North Sumatera has a coastline of 1,300 Km, of which 545 km is the length of the East Coast Line. Both of these conditions place North Sumatera as a province that contributes greatly to the realization of Indonesia as the global maritime nexus. Furthermore, the central government and regional governments in addition to ensuring the achievement of the implementation of

Indonesia's idea as a global maritime nexus should also ensure protection and management of the sea, especially the marine environment of the East Coast of North Sumatera.

Indonesia as a maritime country needs to realize the importance of the function of protection and preservation. This must be realized in order to maintain dependence on natural resources in the sea in quantities and quality that meet the requirements and are available in a sustainable manner. Especially if referring to the extent of Indonesian waters covering an area of 6,166,163 km². The Indonesian sea which contains natural resources will add to land capacity, both biological and non-living. Unfortunately Indonesia still does not ratify or legalize laws and regulations that prevent and protect its waters from all types of ship transportation pollution (Suhaidi, 2017). Therefore, the second pillar of the world's maritime nexus strategy is important because he mentioned the commitment to maintain and manage marine resources by focusing on building sea food sovereignty through the development of the fishing industry by placing fishermen as the main pillars.

The above situations and conditions are opportunities for the Government of North Sumatera Province. It's time for the North Sumatera provincial government to prepare to realize strategic ideas about Indonesia as the global maritime nexus. This is important because opportunities can turn out to be a threat when the central and regional governments, especially North Sumatera province, do not have readiness. These preparations include preparation of policies such as spatial and regional policies and management of the marine environment.

This study focuses on the readiness of North Sumatera provincial government in the field of marine environment in facing the global maritime nexus. Specifically the location discussed in this study is the east coast of North Sumatera province, the Malacca Strait. Two questions are asked to find out what preparations have been made by the North Sumatera provincial government, namely; what policies have the North Sumatera provincial government to realize Indonesia as global maritime nexus? And what is the North Sumatera Provincial Government Challenge in preparation of Malacca Strait management related to Indonesian as global maritime nexus?.

2 RESEARCH METHODOLOGY

This research was conducted by literature review and field. Literature study is carried out by collecting, reading and analyzing legal rules, books and information sources in the form of print or electronic. Field studies are carried out by collecting information through in-depth interviews and focus group discussions (FGD) involving staff or leaders of the agency

3 RESULT AND DISCUSSION

Indonesia is a maritime country. This statement is true and may be believed by every Indonesian citizen. A childhood experience of my sailor's ancestors could be a reinforcement of that belief. The desire to reinforce that Indonesia is a leading maritime country during the current administration (Shanti, 2015). This hope certainly requires Indonesia to be able to utilize all the marine elements around it for the welfare of the people and the progress of the nation. Some writings state that the desire to become a maritime country is actually inseparable from the desire to immediately achieve prosperity and prosperity in Indonesia (Shanti, 2015). Shanti Darmastuti and Emmy Farida Subekti, for example, wrote in the challenges of Indonesian maritime diplomacy towards the global maritime nexus that Indonesia would achieve prosperity and prosperity through economic development of the maritime domain (Shanti, 2015).

Furthermore, Latifah & Dinda Larasati wrote in internal challenges in realizing Indonesia as the global maritime nexus that the strategic idea of Indonesia as global maritime nexus has a positive impact on improving Indonesia's economy in the future. Thee paper stated that the position of Indonesia as an international trade cross into a great economic resource if utilized to the maximum through the global maritime nexus. It was further stated that the president of the Republic of Indonesia was targeting the successful global maritime nexus, the progress of the lower middle-level countries with a per capita income of US \$ 3,592 in 2015 towards the upper middle income countries with a per capita income of US \$ 10,000 in 2045. In other words, if the policy of the global maritime nexus is achieved as expected then Indonesia can be sovereign in terms of the economy (Latifah, 2017).

Both of these writings show that the hope of making Indonesia a global maritime nexus is a hope for the prosperity of the Indonesian people especially in the economy. This paper will then see

whether these expectations can materialize in North Sumatera's east coast stretching along 545 km of beach. Not only the beach but also the location of the rivers of the rivers of the Bukit Barisan mountain range with a relatively high level of population density compared to other regions. Conditions of marine waters in coastal areas are muddy and dominance of mangrove forests.

3.1 North Sumatera Provincial Government Policy to Realize Indonesia as Global Maritime Nexus

This section must be in one column Law No. 17 of 2007 on the National Development Plan of 2005-2025 mentions the appendix on the Vision and Mission of the National Development Of 2005-2025. The vision of Indonesia's development is *Mandiri* (independent), *Maju* (forward), *Adil* (equal) and *Makmur* (prosperity). The seventh mission of the 2005-2025 national development is "Creating Indonesia as an independent, advanced, strong, nation-based Islands Country" (UU No 17, 2007). The meaning of this mission is to foster marine-oriented development for the community and government, and to increase the comprehensive and sustainable use of human resources, national marine areas and marine technology for the sovereignty and welfare of the Indonesian.

Potential marine resources need to be managed optimally and sustainably in order to realize the ideals of Indonesia as a Global maritime nexus and in an effort to provide maximum benefits for the welfare of the people. Based on that, on February 20, 2017, the President of RI has signed Perpres No. 16 of 2017 on Indonesian Marine Policy. This Indonesian Ocean Policy is a general guideline of marine policy and implementation steps through programs and activities of ministries / institutions in the field of maritime that are prepared in order to accelerate the implementation of the Global maritime nexus.

Thus, Law No. 17/2007 (National RPJP 2005-2025) and Indonesian Maritime Policy have provided direction for maritime and maritime development covering aspects that are very relevant to the Preamble of the Preamble to the 1945 Constitution. This policy and law has also identified crucial issues in the effort to utilize and management of marine resources, thereby encouraging policy makers to harmonize and synchronize regulations leading to the unification of maritime law and national maritime which is now fragmented partially.

One Act that is also important to note is Law No. 23 of 2014 concerning local government. This law provides an explanation of the distribution of marine affairs and fisheries affairs at the central, provincial and district / city governments.

Table 1: Affairs of maritime affairs and fisheries at the provincial government according to Law No. 23 of 2014 on Regional Government.

No	Sub affairs	Province government
1	Marine, Coastal; and Small Islands	a. Management of marine space up to 12 miles outside oil and gas b. Issuance of sea space permits and utilization under 12 miles outside oil and gas c. Empowerment of coastal communities and small islands
2	Fishing	a. Fish management and marine areas up to 12 miles b. The issuance of fishing fisheries business licenses for fishing vessels measuring above 5 GT to 30 GT c. Determination of development sites and management of provincial fishing ports d. Issuance and fishing vessel with a size above 5 GT up to 30 GT
3	Cultural Fisheries	Issuance of IUP in the field of fish cultivation whose business is crossed by regency / city in 1 (one) Province
4	Supervision of Marine and Fisheries Resources	Supervision of marine and fisheries resources up to 12 miles
5	Management and Marketing	Issuance of marketing business licenses and management of fishery products across regencies / cities in 1 (one) Province

These national regulations have become the basis for the North Sumatera provincial government to ratify the North Sumatera Provincial Regulation No.

2 of 2017 on Spatial Plans of North Sumatera Province in 2017-2037. This law provides a definition of the Provincial Spatial Plan (RTRWP) as a general spatial plan of the province, which is an elaboration of the RTRWN, which contains provincial spatial objectives, policies, spatial planning strategies; provincial spatial structure plan; provincial spatial pattern plan; determination of provincial strategic areas; direction of spatial use of provincial area; and the direction of controlling the utilization of provincial space.

It seems that RTRWP is a technical plan of the National Development Plan (RPN), therefore if the RPN states that the seventh mission of the 2005-2025 national development is "Creating Indonesia as an independent, advanced, strong and nation-based Islands Country based on national interest "(UU No 17, 2007) then RTRWP has similar development planning.

Article 4 of the Regional Regulation of RTRWP The scope of the planning area covers all areas of North Sumatera Province with an overall area of approximately 183,449.17 km² (one hundred eighty three thousand four hundred and forty-nine point seventeen square kilometers) which includes: (a) 72,325.47 km² (seventy two thousand three hundred twenty five point forty seven square kilometers); (b) an ocean of approximately 110,000 km² (one hundred and ten thousand square kilometers); and (c) water bodies of Lake Toba covering an area of approximately 1,123.70 km² (one thousand one hundred and twenty three point seventy square kilometers). Furthermore, RTRWP also made several articles that regulate the steps that must be done by the North Sumatera provincial government related to the five pillars to make Indonesia the World Maritime Shaft. Specifically, the RTRWP is in line with two commitments, namely commitment 2, namely the commitment to maintain and manage marine resources by focusing on building sea food sovereignty through the development of the fishing industry by placing fishermen as the main pillar and commitment 3, namely the commitment to encourage the development of infrastructure and maritime connectivity by building sea tolls, seaports, logistics, and shipping industries, as well as maritime tourism.

Table 2: Article North Sumatera Provincial Regulation No. 2 of 2017 on Spatial Planning of North Sumatera Province 2017-2037 which is in line with the pillar of making Indonesia the global maritime nexus.

Pillars make Indonesia a global maritime	Article of Provincial Regulation of North Sumatera No. 2 of 2017 concerning Spatial Planning for North Sumatera Province in 2017-2037
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nexus		
commitment 2 is the commitment to maintain and manage marine resources with a focus on building sovereignty of sea food through the development of fishery industry by placing fishermen as the main pillar	Article 27	Paragraph (6) mentions the existence of aquaculture area covering the area of fisheries and marine allotment
	Article 39	Plan for the Development of Fishery and Marine Utilization Area; Paragraph (1) The spatial pattern of the fishery and marine designation area includes the area of aquaculture, capture fisheries and processing of fishery products; Paragraph (2) Development of marine aquaculture and capture fisheries areas and public waters, covering all regencies / cities; Paragraph (3) Development of fishery product processing areas is in fisheries producing centers; Paragraph (4) Development of fishery allotment areas is carried out in areas that have potential and are suitable for the development of fisheries and marine, among others: (a). development of agromarropolitan area covering coastal area; west, east coast, and Nias Islands; (b). development of minapolitan areas, covering the west coast, the east coast, and the Nias Islands; (c). development of fish seed center spread throughout the province of North Sumatera; (d). fish landing bases (PPI) to support capture fisheries activities spread across the East Coast and West Coast of North Sumatera as listed in Annex XXVII are an integral part of this regional regulation; (e). development of Fishery Seaport (PPP) in West Coast, East Coast and Nias Islands; (f). construction of an integrated cold storage warehouse to support national fish logistics systems in fish production and distribution centers and fishery products, including Medan City, Sibolga City, Tanjungbalai City, Batubara Regency, Deli Serdang Regency, Central Tapanuli

		Regency, Mandailing Regency Christmas, and the Nias Islands
commitment 3 is a commitment to encourage the development of maritime infrastructure and connectivity by building sea tolls, seaports, logistics and shipping industries, as well as maritime tourism	Article 8	Transportation network system includes marine transportation network system covering (a) port order; and (b) cruise line. This transportation network system plan aims to optimize and development of transportation network structures
	Article 11	Development of a network of rivers, lakes and crossings includes increasing and developing transport service networks rivers, lakes and crossings (ASDP) include (a) nodes of river, lake and crossing networks including seaports that are used to serve crossing transportation, (b) cross-border crossing transportation service networks, namely Medan-Penang (Malaysia), Medan-Kuala Lumpur (Malaysia), Medan-Singapore, Tanjungbalai-Singapore and Tanjungbalai-Malaysia; and (c). cross-province crossing transport service network, namely Medan-Batam, Medan-Lhokseumawe, Medan-Pangkal Pinang, Gunungsitoli-Singkil, Telo-Teluk Bayur Island; and (d) a network of transportation services for rivers, lakes and crossings regencies / cities namely Sibolga - Gunungsitoli, Sibolga - Teluk Dalam, Teluk Dalam - Telo Island, Natal - Telo Island,
	Article 13	Paragraph (1) Development of the port structure is a sea port including: (a) main port; (b). collecting ports; (c). feeder port, which consists of: 1) regional feeder port; and 2)

		the local feeder port. Paragraph (2) The arrangement of the shipping channel includes (a). general shipping lines and crossings; and (b) port of shipping passage.
	Article 14	Paragraph (1) Development of the existing port order within the province; paragraph (2) Development of sea transport along the east coast of North Sumatera by water bus. Paragraph (3) Development of ports along the east coast of North Sumatera to support sea transport along the east coast of North Sumatera. Paragraph (4) Development of ports to encourage economic growth of the region on the west coast of North Sumatera. (5) The development of Kuala Tanjung Port is designated as an international hub port at the western gate of Indonesia in the order of the National Logistics System.

It is seen that the RTRWP which is the basis for its preparation refers to Law Number 17 of 2007 concerning the National Development Plan for 2005 - 2025 has adjusted to the provisions of Law No. 23 of 2014 concerning local government and the idea of the president of the Republic of Indonesia 2014-2019.

3.2 Challenge of North Sumatera Provincial Government in Preparation of Marine Management Related to Indonesian Maritime Nexus

The challenge according to the Indonesian Big Dictionary (KBBI) Online means things or objects that inspire determination to improve problem-solving skills; stimulus (to work harder and so on). The difficulty of doing things is a challenge to work harder as well as the readiness of the North Sumatera provincial government. The study, entitled "The Readiness of Medan City Government (Malacca Strait) In Facing China Maritime Silk Road and Maritime Shaft of the World" finds some

of the challenges faced by North Sumatera provincial government.

First, lack of popularity of the term maritime nexus among the local government institutions. The reason raised by informants when conducting focus group discussions is the limited description of the main tasks and functions stipulated in the governor's 2016 regulation.

"...the language of the maritime nexus has not been used by the provincial government, while the readiness is already there, culinary readiness, tourism, and others. The maritime nexus, now there are also plans for the opening of the field from the silangit to guangzhou, even the North Sumatera provides support facilities, with the support also from the center. The sea why there is no cruise ship as one of the potential, collect data of potential areas then looks for opportunities to be marketed to investors..." (FGD on 5 July 2018)

In addition, the arrangement related to the idea of Indonesia as a maritime nexus is still at the central level as one of the informants found during the in-depth interview.

"...already, there is already, in the sea transportation department on the fifteenth floor, medan merdeka barat..." (Joko, L., 2018)

Secondly, the new regional regulation on RTRWP in North Sumatera is North Sumatera Province Regulation No. 2 of 2017 on Spatial Plan of North Sumatera Province 2017-2037.

"...the maritime nexus has been heard. Local regulation spatial, there are still some District / City there are still unfinished RTRW it, and submitted to bappeda to be hastened ... Bylaws RTRW cannot cover sea affairs because the sea has its own zone. And we cannot map it ourselves, and are being made about marine RTRW / marine zone, tourism industry, sand, etc. ... once gave permission about sand dredging and marine minister angry because there is no national regulation related to the division of marine zone. Marine zones and others will be covered, both fisheries, cultivation, including the disposal of marine waste, there must be a marine spatial regulation..." (FGD on 5 July 2018)

Both of the above research findings are the challenges that become the homework of the North Sumatera provincial government. The strategic idea of Indonesia being the global maritime nexus can only be realized if every region such as the northern Sumatera province along the 1,300 km coastline, of which 545 km is the length of the East Coast Line is willing to work together with the central government. Another important thing is the position of the east coast of northern Sumatra bordering the

Malacca Strait should be maintained and managed the marine environment well. If not, then major losses can occur for the next generation.

4 CONCLUSIONS

Conclusions and recommendations of this research are two things, first, the North Sumatera provincial government has a policy related to the strategic idea of Indonesia as a maritime nexus namely North Sumatera Province Regulation No. 2 of 2017 on Spatial Plan of North Sumatera Province 2017-2037. Unfortunately, this regulation only end of 2017 is present so it still needs socialization RTRW North Sumatera Province 2017-2034 not only to local governments but also development partners and the community. So that the hope of Indonesia as a maritime nexus of the world through the protection and management of the sea on the east coast of North Sumatera facing the Malacca Strait can be realized.

The steps taken by the North Sumatera Provincial Government in the preparation of the management of the Malacca Strait associated with the Indonesian maritime nexus find the challenge of (s) the unfamiliarity of maritime shaft terms in government including the unused use of the term in the local regulatory documents, and (b) about marine spatial planning. Based on these challenges, local governments can coordinate intensively with the central government in terms of marine protection and management on the east coast of Sumatera.

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REFERENCES

- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
- Undang-Undang Nomor 32 Tahun 2014 tentang Kelautan.
- Pidato Presiden RI Joko Widodo Pada KTT ke-9 Asia Timur, di Nay Pyi Taw, Myanmar, 13 November 2014, accessed on 27th July 2018 <<http://setkab.go.id/pidato-presiden-ri-joko-widodo>>

pada-ktt-ke-9-asia-timur-di-nay-pyi-taw-myanmar-13-november-2014/>

Badan Pusat Statistik provinsi North Sumatera, *Provinsi North Sumatera dalam angka 2017*, BPS.

Shanti Darmastuti dan Emmy Farida Subekti, 'Tantangan Diplomasi Maritim Indonesia Menuju Poros Maritim Dunia', Prosiding UPN "VETERAN" JAKARTA, accessed on 25th July 2018 <http://library.upnvj.ac.id/pdf/artikel/prosiding/prosiding_upnvj/pp-fh-upn-17-sep-2015/17-%2032.pdf>

Suhaidi, 'A proposed "special area" to protect the marine environment from the ships pollution in Indonesia'. *J. Bio. Env. Sci.* 11(5), 124-130, November 2017, accessed on 20 July 2018 <<http://www.innspub.net/jbes/proposed-special-area-protect-marine-environment-ships-pollution-indonesia/>>

Latifah & Dinda Larasati, 'Tantangan Internal dalam Mewujudkan Indonesia Sebagai Poros Maritim Dunia', *Jurnal Hubungan Internasional*, Tahun X, No.2, Juli - Desember 2017

Undang-Undang Nomor 17 Tahun 2007 tentang Rencana Pembangunan Jangka Panjang Nasional Tahun 2005-2025

Peraturan Daerah Provinsi Sumatera Utara No. 2 tahun 2017 tentang Rencana Tata Ruang dan Wilayah Provinsi Sumatera Utara Tahun 2017-2037

Focus Group Discussion on 5 July 2018

Joko, L., 2018, Secretary of Pelindo 1, *Resource Person*, interview on 20 June.

