

THE IMPLEMENTATION OF THE RURAL POLICY ABOUT SEA CONSERVATION (CASE STUDY IN MERPAS VILLAGE, KAUR REGENCY, BENGKULU)

*Implementasi Kebijakan Desa tentang Konservasi Laut
(Studi Kasus di Desa Merpas, Kabupaten Kaur, Provinsi Bengkulu)*

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ABSTRACT

This paper comprehends implementation of the rural sea protection regulation in Merpas Village. As a village in Kaur Regency, Bengkulu Province, conserving the sea is a mandatory action due to massive needs from the public for marine-related resources. Research is designed as qualitative descriptive. Then, required data was obtained by several techniques namely: field trips, doing observation, in-depth interviews, studying literature, and making focus group discussion with Merpas Village's stakeholders. Moreover, the theory of policy implementation gap was considered as the grand theory for this research. Results of study reveal that formulation of the rural regulation about sea has not regulated about the violation which is still done by communities outside Merpas. Then, for the operationalization process, villagers have followed the rural regulation such as never using trawl, compressor, and other forbidden activities for fishing. Also, the temporary closing area for fishing has been implemented by villagers of Merpas. However, fishermen from other locations are still seen using those techniques in Merpas. In the last point, the collaboration process has been done optimally for the internal stakeholders. The village has responsibility to maintain relationships with external stakeholders due to the fact that they could synergize in protecting sea-related territory of Merpas Village. From the study, the researcher suggests several points: making mutual understanding with the nearby village to respect the regulation, doing law enforcement to people who violate the rule, and improving external stakeholders.

Kata Kunci:

Implementasi Kebijakan,
Kebijakan Desa,
Konservasi Laut

Abstrak

Riset ini mengeksplorasi implementasi peraturan desa tentang perlindungan laut yang diterapkan di Desa Merpas. Sebagai sebuah desa yang terletak di Kabupaten Kaur, Provinsi Bengkulu, perlindungan laut menjadi hal

fundamental mengingat besarnya kebutuhan masyarakat terhadap sumber daya maritim di wilayah tersebut. Riset dilakukan menggunakan metode kualitatif deskriptif untuk. Kemudian, data diambil dengan menggunakan berbagai cara, yaitu: studi lapangan, pengamatan, wawancara, studi kepustakaan, dan focus group discussion. Kemudian, teori gap implementasi kebijakan digunakan sebagai landasan analitis dalam penelitian ini. Hasil penelitian menunjukkan bahwa tahap formulasi kebijakan belum mengatur secara spesifik terhadap pelanggaran yang dilakukan oleh komunitas di luar Desa Merpas. Selanjutnya, dari tahap operasionalisasi, penduduk desa telah menghindari penggunaan pukat, kompresor, dan teknik-teknik terlarang lainnya dalam menangkap ikan. Kemudian, skema penutupan sementara telah diimplementasikan secara maksimal oleh penduduk desa. Namun, nelayan dari wilayah lain masih terlihat menggunakan teknik-teknik yang dilarang saat menangkap ikan di perairan Desa Merpas. Terakhir, pada poin kolaborasi stakeholder, Desa Merpas telah maksimal dalam bersinergi dengan internal stakeholder. Namun, untuk external stakeholder diperlukan peningkatan kolaborasi mengingat pentingnya mereka dalam perlindungan maritim. Dari riset tersebut, peneliti menyarankan beberapa hal, yaitu: pembuatan pemahaman bersama dengan desa-desa terdekat untuk menjalankan aturan, penegakan hukum kepada pelanggar, dan peningkatan hubungan dengan external stakeholder.

A. INTRODUCTION

As a state with massive marine areas, at least, there are two important aspects which should be concentrated by Indonesia, first of all conservation of the sea, and another point is regulations as a guidance product for the first scheme. Those points could be represented by several policies, for example, the authority launched Marine Protected Area (MPA) Vision 30x45. In this project, expanding conservation area which would be around 30 percent until 2045 would be a main priority of the Indonesian government as mentioned by Director of Conservation and Marine Biodiversity of the Ministry of Marine Affairs Muhammad Firdaus as mentioned by Antara (29/11/2023). In addition, White et al. (2021:2) noted that the MPA was a meaningful instrument due to it could protect the sea, and maintain any productivity from the marine territory based on sustainability concepts. For the second aspect, Indonesia has several regulations about the sea. For instance, the Act Number 32 Year 2014 about Sea exists as a popular law product which rules about sea in Indonesia with its 74 articles, separated by multitudinous concentration points such as: marine area, marine development, marine management, protection of the sea, law on the sea, governance of the sea, etc. Also, from the international regulation, Indonesia is involved with 169 countries which ratified in 1982 the United Nations Convention on the Law of the Sea (UNCLOS) in Jamaica as a well-known law about sea in the international level as mentioned by below figure.

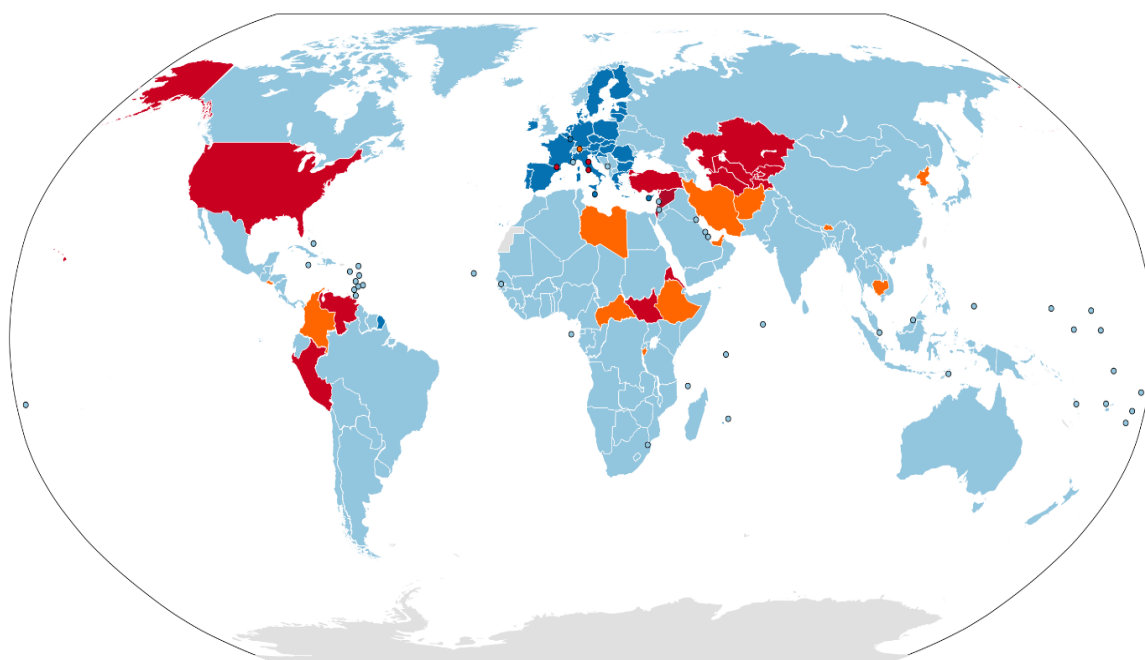


Figure 1
The UNCLOS Condition among Multitudinous States
 Source: United Nations, 2024.

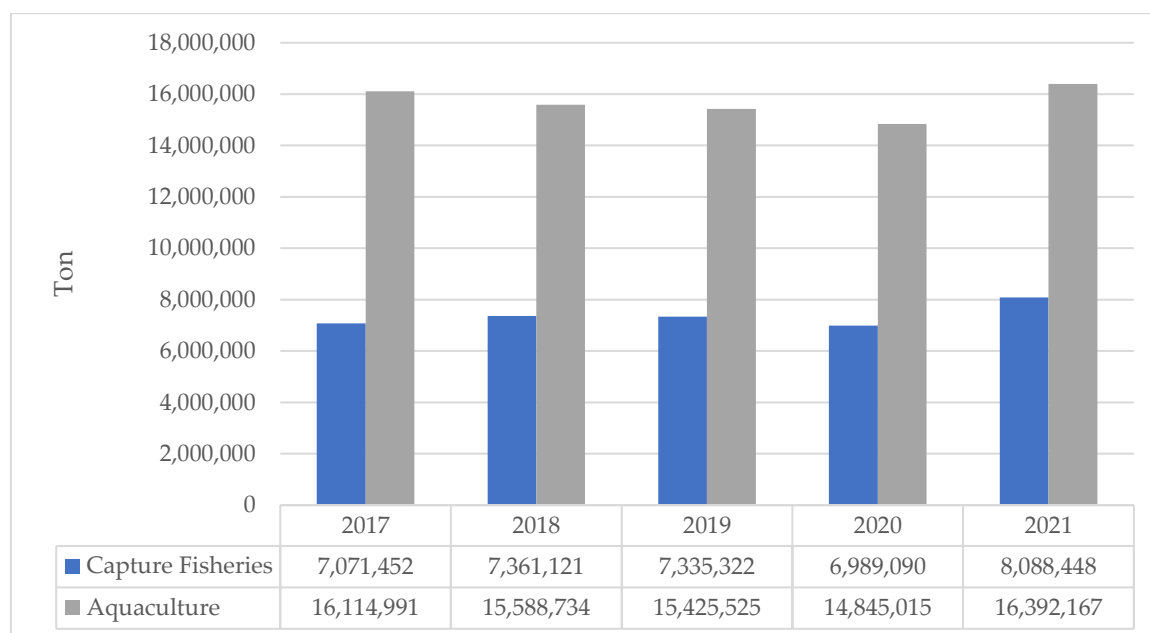
From the earlier statistical map, it could be known that Indonesia and the majority of states such as European Union, Australia, New Zealand, majority of Asia, Africa, and South America countries which are represented by blue color have ratified the UNCLOS, while red area is non-parties which do not sign this regulation, and orange represents non-parties which sign this law.

Although Indonesia has initiated sea conservation, nonetheless, seeing empirically, sea conservation has not been optimal, specifically for people who are located in the coastal line. For example, Kompas (26/1/2023) noted that the lack of participation in marine exploitation still exists. This condition as highlighted by Kompas leads to a situation where the majority of people who live near to the coastal area suffer below the non-prosperity line. Zulkifli et al. (2021:563) wrote that poverty among fishermen is a common phenomenon due to they have a lack of access to the resource marine and sea territory. Also, Prasetyo et al. (2023:2004) explained that the lack of information about sea exploitation could be a reason behind this situation. Moreover, a study which was delivered by Demmallino et al. (2020:1925) mentioned that high pressure of exploitation was noted as an integral factor behind poverty cases in coastal communities.

Moreover, the earlier data is strengthened by the statistic from the Statistical Centre Bureau as published by Kompas (31/10/2023) that noted around 17.7 million of people in 2023 who live near to the sea were classified as a community which suffered from poverty. Going beyond that, around 3.9 million of people from the previous data were categorized as extreme poverty communities.

Empirically, the poverty among them is seen as an ironic fact due to massive potency from fish-related resources. As captured below, Indonesia has enormous statistical data from fish-related resources. For example, from 2017 until 2021, production of capture fisheries type escalated continuously, from 7.071.452 tons to 8.088.488 tons. On the other hand, aquaculture type did not increase significantly, from 16.114.991 tons in 2017, it decreased until 14.845.015 in 2020, although it rose again until 16.392.167 tons in 2021.

Chart 1
Production of Capture Fisheries and Aquaculture from 2017-2021



Source: BPS and Kompas, 2021.

Regarding that, doing sea conservation is necessary to resolve poverty in the marine sector. In doing it, the public participation can be considered. By involving the public, sea conservation is not only a duty of the government, beyond that, it is also a responsibility of the public to take part. Pandey & Sharma (2020:2) explained that the substance of participation could be seen as a pathway where the public could take part and be involved actively in governmental activities. Moreover, Sun & Lyu (2020:1) also noted that being involved in some designed schemes could be identified as an active participation.

This research will address implementation of the sea conservation that takes place in Merpas Village. There are several reasons behind the locus preference. Firstly, this village has the population that needs the sea to fulfil their livelihoods. This economic motivation makes the sea conservation makes the sea resources as important components of well-being of the population. Moreover, with the massive amount of fishing activities and the potential conflicts from utilisation of fishing gears that are not coherent with environmental principles motivates the researcher to explore how the sea conservation in the rural level can shift fishermen behaviors. Also, this village

has issued a rural regulation that protects and manages the coastal areas. This fact provides possibilities to the researcher to identify all aspects of the implementation, encompassing policy formulation, operationalization, and stakeholder collaboration.

Going beyond that, the researcher finds that analyzing the implementation process of sea conservation is important. Through this research, the implementation process can be analyzed to design anticipatory plans for the upcoming era as a way to face multiple challenges from the application from the earlier regulation. Also, with knowing some impacts of the implementation scheme, later, evaluation agenda could be taken appropriately. These written aspects could ensure that suburban residents who inhabit the maritime-related zone could obtain better lives from earning sea-related resources based on eco-consciousness perspectives.

B. RESEARCH METHOD

Qualitative method is used in this research. Explained by Booher et al. (2021:1575), using this method, social phenomena can be addressed comprehensively, providing data related to behavior, perception, and practice of fishermen daily activities after the rural regulation is issued. Using this method, the researcher will explore subjective perspectives from stakeholders that are involved in the implementation process of the rural sea conservation.

Informants of this research encompass several stakeholders: (1) local fishermen, (2) village officials, (3) community leaders, (4) representatives from the tourism office, and (5) residents of Merpas village. Then, data is analysed using descriptive qualitative analysis through several steps: (1) data classification, (2) data display, (3) data verification, and (4) data conclusion.

Then, for the grand theory, this research uses the implementation gaps theory. This theory is proposed by Menard et al. (2020:16) as a tool to identify empirical conditions from the policy implementation. Gaps and challenges that are found in the implementation will be analyzed in order to be avoided during the upcoming implementation. In this theory, Menard et al. explain that implementation gaps can be addressed from identifying several stages, encompassing (1) formulation, (2) operationalization, and (3) stakeholders' relation.

C. RESULT AND DISCUSSION

1. Formulation Process

Process of formulation could be translated as a step to design the policy. From this process, all needs should be accommodated properly. A reason behind this notion is a consensus that public needs should be resolved by issuing public policies. A series of studies have tracked this point. To illustrate, Hill & Varone (2021:144) noted that this step is coherent with several aspects such as agenda setting, and decision making. In those stages, public aspiration could be tracked and mapped in order to create a priority scale. Having this scale could assist the policy implementers due to the released policy later could resolve problems which should be resolved firstly. A similar notion was also elucidated by Capano & Howlett (2020:2) who noted that the formulation is a tool to ensure that the created policy later could be delivered appropriately. As a way to achieve it, obviously, the formulation should accommodate existing issues which would be resolved in the implementation domain.

Regarding the earlier fact, the formulation process of the sea conservation in Merpas Village tried to notice several problems which are related with the conservation of the sea. For example, they accepted several points which should be accommodated in the new regulation

of marine conservation, namely disallowing people to use tools which would be damaged to the environment, and regulating that bombing and using electrification to sea could not be allowed. It is relevant with the spoken points from the interview with the Chief of Merpas Village Kurniawansyah Putra on 1 May 2024. He explained that:

"The activity of bombing and using compressors have not been done by people in this village since long ago. We noticed that the national regulation had ruled that the earlier activities could be damaging to the marine ecosystems. Even more, we already have a rural regulation which rules the same thing. Using those activities for ourselves means we would cease our lives due to resources such as fish, seaweed, octopus, shells, oysters, coral reefs, etc. would die while they are always our commodities which could be sold. However, we knew since long ago that communities from other villages, moreover, other provinces sometimes visit our marine territories. It led me to design a rural regulation which could protect our resources."

A similar argumentation was also postulated by a person who lives in that village. He explained that several activities which could have negative implications to the sea have been restricted as captured by the below transcript.

"Obviously, we have known that using a tool such as a compressor could not be done due to it being banned by the law. We don't have any hesitation to avoid it when we go fishing. On the other hand, sometimes, we still notice other fishermen use that tool." (Syahrul Fahlevi, interview, 1 May 2024)

Regarding the earlier perspectives, the conclusion could be made that capturing fish using non-environmental methods and tools have been restricted., specifically based on the article 4 of the Rural Regulation about Conservation and Management of the Coastal and Sea as written below:

"In all of zones: coastal and sea of Merpas Village disallowed to do fishing which could be damaged sea resources such as: bombing, doing electrification, poisoning fish using chemical materials, taking living reefs, taking fish using prohibited tools like jerry cans and compressor, and throwing litters to river, coastal, and sea."

The earlier regulation has been adherent to the national rule which regulates the sea. For example, article 9 of the Law Number 45 Year 2009 about Fishing writes that a compressor is a part of tools which are not allowed for fishing. Another tool which is regulated by this law product is tiger trawl as noted by this transcript:

"Fishing gears and/or fishing aids that disrupt and damage the sustainability of fishery resources, including but not limited to trawl nets or tiger trawls, and/or compressors."

In spite of the fact that the rural regulation has regulated that non-ecological-related activities in fishing are not allowed in Merpas Village, however, communities from other locations still do. From the formulation process of the policy, people who still do the prohibited activities from outside of Merpas Village have not been ruled. Making regulation points about them would be necessary due to all this time the majority of people who commit to use compressors are not from Merpas Village. It was also noticed by the Secretary of Merpas Village from the previous interview session which said that the village regulation should be a regulation which could control external parties.

"In the formulation process, we were not concentrated properly on external parties. It made a situation that they still do actions which are not coherent with ecological principles." (Esda Taufik, interview, 2 May 2024)

2. Operationalization

Menard et al. (2020:17) explained that the essence of operationalization is taking the formulation outputs to the application realm. In other words, this stage contains implementation schemes which should be done for every policy. Dynamic situations might exist during this phase as mentioned from the deeper explanation from the earlier theory. As a measure, authority should ensure that obstacles could be minimised. Also, it is hoped that non-rigid policy could be identified in the policy implementation due to dynamic conditions requiring flexible treatments. A similar contention also could be tracked when Crable et al. (2022:6) wrote that operationalization of policy is a way to adopt dozens of strategies in realising goals which have been formulated earlier. Then, O'Connor's et al. (2024:117) also postulated that the operationalization stage is an important fragment from the policy process due to it has a purpose to achieve goals which are designed in the formulation scheme as the previous phase.

From the empirical facts, rural people have obeyed the regulation about sea conservation. For example, there is a regulation about temporary closing schemes for fishing which could be identified in article 5 of the Rural Regulation about the Protection and Coastal and Sea Management. The essence of this regulated point is protecting the sea and coastal area. Then, for a duration, it is ruled for three months. Moreover, for the implementation of this regulation is announced by the Chief of Merpas Village after a public meeting has been done in order to map appropriate locations to close the coastal and sea territory for fishing. The Chief of Merpas Village explained that this method is extremely useful. A reason behind this argumentation is people would earn bigger captured living marine resources such as fish and octopus due to the marine creatures would have time to produce and absorb maximal nutrition as captured by the below transcript.

"We should thank the Akar Global Initiative because this organization has educated us about the essence of the temporary closing scheme for capturing fish, octopus, seaweed, etc. We admire that there is an escalation of captured marine living creatures' size after we close our marine zone for three months. For example, before this scheme is implemented, we just capture around 2-3 kilograms for maximal size, on the other hand, after the end of this scheme, we could gain 5-7 kilograms. For earning maximal outputs, we plan to do it again as a continuous scheme for the future." (Kurniawansyah Putra, interview, 30 April 2024)

Then, according to the field research, it could be noticed that fisherman communities in that village never use any disallowed techniques to obtain sea resources. They have a better understanding that using trawl and bombing could not be utilised due to some reasons: forbidden according to the state regulation and could cause negative implications to the sustainable process. The earlier condition could be a representation that consciousness about sea conservation has spread among villagers in Merpas Village. Using a notion from Rousseau & Deschacht (2020:1150) who wrote that public awareness, specifically in environment issues is needed. This idea could be translated that without public consciousness about ecology, then, the implementation of ecological policy would have troubles. It is similar to the postulated notion from Vries (2020:252) who said that awareness on ecological issues is important. Moreover, it should be ensured that consciousness should exist before the ecological policy would be driven from the application realm into the domain of implementation. Additionally,

Papageorgiou (2022:638) examined this issue which made him conclude that communal awareness could ensure that the protection agenda to the sea zone would exist.

From the interview session, they explained that a forbidden technique such as using a compressor is still used by fishermen from another location such as Lampung in view of Merpas Village, which is located near that province. During the people meeting at the Village Hall on 2 May 2024, some members of fisherman communities explained that it is impossible to arrest them by villagers. Initiating a collaboration with law enforcement components such as police and navy is needed as quoted by the below text.

"I used to see people who captured fish with a compressor when I was fishing around last month. However, I was so terrified at that time because they were equipped with several weapons such as knives and spears. To ensure it would never happen again, I strongly argue that having cooperation schemes with police and navy personnels is necessary. We are unable to resolve this problem just with ourselves due to it could cause massive conflicts in the future. Villagers could participate by reporting the seen cases to police, navy, and village apparatus." (Nopri Afriansyah, interview, 2 May 2024).

3. Stakeholders

The last essential component which should be identified is connection to the involved stakeholders. The absence of this network would cause several challenges for the application of the sea conservation regulation in the rural level. Mapping coherent parties which would be involved in the implementation field becomes a necessary occasion due to the essence points of the involved stakeholders.

Then, seeing from the perspectives of academics, the involvement of relevant stakeholders could not be separated from the policy process as captured by a series of studies. For instance, Freeman et al. (2020:5) explained in a research paper that the stakeholder-related perspective is still required due to the fact that they could be utilised for formulating plans, constructing implementation schemes, doing integrated evaluation, etc. Another postulated perspective could be tracked when Beck & Stropoli (2021:1) made a research which highlighted that the involvement of adherent stakeholders is needed because they could affect the program's cycle: formulation, implementation, and evaluation. In other words this contention tries to elucidate that without the existence of involved coherent communities, later, multiple problems could exist such as in multiple steps of the program such as support could not be achieved, implementation would not be coherent with planned points, avoiding challenges is unable to be done, etc. In addition, Freeman (2023:52) also noted that specific communities or groups which have any impacts to the program should be accommodated from the stakeholder mapping agendas. Using this method, later, they could ensure that the application step of the program would not have any hindrances.

In the conservation of the sea of the Merpas Village, there are several stakeholders which could be identified. Their classification is created by two ecosystems, encompassed from internal and external domain. From the internal perspective, it has multiple sub-stakeholders such as: (1) Chief of Village, (2) Secretary of Village, (3) Village Consultative Board, (4) Family Empowerment and Welfare Community, (5) Youth Association of Village, (6) Communal Venture Group, (7) Cadres of Village, (8) Fisherman Community, (9) Bureaucrats of Village, and (10) Villagers. Moreover, the sea conservation in that village also has some external

stakeholders, it includes several relevant groups such as (1) Maritime and Fisheries Bureau of Kaur Regency, (2) Police, (3) Navy Forces, (4) Distributors of Marine Resources, (5) Other Fisherman Communities from Kaur Regency and Lampung Province, and (6) Nearby Villages in Kaur Regency.

The conversation with villagers of Merpas leads to a conclusion that there is a different condition in collaboration with two stakeholders' domains. While the collaboration with internal stakeholders has reached maximal, in another side, cooperation agendas with the external stakeholders are necessary to be ameliorated. The maximal collaboration with the internal stakeholders could be noticed from several pieces of evidence, for example, support from Chief of Village to Communal Venture Group. As a village group which concerns closing areas for fishing, making fishing plans, conserving reefs, Communal Venture Group has been invited to send its proposal to the Village Meeting for the Village Development Plan as happened during the meeting of Merpas Village on 2 May 2024.

"We are quite happy because the Communal Venture Group has been legalised by the state with the Decision Letter about the Determination of Legal Entity from the Ministry of Law and Human Rights. For the Village Development Plan of 2025, this group should distribute its needs before December 2024 due to the Village Meeting being held around January or February 2024. Then, we could determine those plans if they have any urgent conditions to be implemented. It should be continued because we gained constructive benefits from the Closing Territory for fishing which was supported." (Kurniawansyah Putra, public meeting, 2 May 2024)

Moreover, villagers in general agree about conservation agendas in the Merpas Village's territory. They didn't make any interruption during the Village Meeting which reviewed the maritime protection of Merpas. Support from them could be noticed when they obeyed the regulation for closing some territories for fishing, at least for three months. Then, they knew that non-ecological fishing techniques are unable to be done again due to numerous negative impacts to the coastal ecosystems. Another support also exists from the Village Consultative Board about this. Speaking at the Village Meeting on 2 May 2024, Septiana as a member of the Village Consultative Board expressed her understanding that carrying on the protection of maritime in Merpas is necessary.

"...Merpas is known by people for its massive maritime resources, seaweed, octopus, and fish are our main commodities. Ensuring that the regulation about sea protection would exist in the future is our concentration for today. The Village Consultative Board has the same perspective as the Chief of Merpas Village that sea protection should be conserved. In the creation agendas of the Village Development Plan for 2025, we would advocate for sea control and management plans." (Septiana, village meeting, 2 May 2024).

As mentioned above, in the stakeholder issue, the sea conservation in Merpas has obstacles in collaborating with the external stakeholders. Although, there are several mapped groups as external involved parties, on the other hand, maximal collaboration has not been achieved by the Merpas's bureaucrats. For example, the Merpas Village's Chief told to researcher that cooperation schemes with the Maritime and Fisheries Bureau of Kaur Regency have not been optimal. All this time, the cooperation still concentrates on allocating several subsidy components such as: boats, and machines for sailing. A real concrete concern on conservation has not existed.

Another example from non-optimal collaboration with the external parties could be identified that all this time, fisherman who did fishing with compressor have not been arrested. Then, villagers explained that they didn't have time to make a police report about it. Moreover, they said that the absence of the mutual understanding pact between police and village could make an agenda such as making reports about it would not be responded immediately. Also, the law enforcement components such as navy and police have not been concerned with making routine patrol schemes in the sea territory of Merpas. Consequently, external communities such as fishermen from another area still prefer to utilise forbidden fishing techniques which have been disallowed by the state regulation and the village regulation.

D. CONCLUSION

The implementation of sea conservation through the rural regulation has been optimal in several aspects. For example, the formulation process has accommodated all activities which have been restricted by the state regulation such as using trawl, compressor, bombing, doing electrification, taking living coral reefs, and throwing chemical agents. On the other hand, although villagers in Merpas have respect, violation cases still exist from external people like fishermen from another village. In the formulation process of the rural regulation, this violation has not been concerned properly which creates a consequence that people from outside villages still do the forbidden activities.

Then, from the operationalization process, all components of Merpas Village have tried to follow the regulated points. For example, the closing area for fishing has been implemented during three months as a sea mandatory activity from the rural regulation. During three months, people in Merpas don't do fishing, and capture octopus to ensure the marine ecosystem. As a consequence, marine habitat creatures could sustain properly. A similar situation happens in capturing fish and octopus, forbidden methods are not utilised by villagers. A problem still exists when other communities outside Merpas still use trawl and compressor for capturing marine resources. All this time, sanctions to them have not been implemented, and they have not been arrested.

Moreover, for the last point which is connection with stakeholders, villagers have implemented exceptional relationships with internal stakeholders. For example, the Communal Venture Group as a community which is given a mandatory scheme to conserve sea and implement the closing area for fishing has been accommodated by the village's bureaucrats. Then, the Village Consultative Board also supports all marine-related initiatives as reflections of the sea conservation regulation. However, relationships with external parties have to be developed. To illustrate, police and navy could synergize with villagers in protecting marine territory near Merpas as a way to prevent violation activities such as using trawl and compressor for fishing. Also, a mutual understanding with the Maritime and Fisheries Bureau of Kaur Regency as an official institution which concerns maritime-related issues could be designed in order to achieve support from the government-related organizations about this implementation.

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