

## THE INDONESIAN POLICY ON THE EXPORT OF SEA SAND ON ECONOMY AND COASTAL COMMUNITIES

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### ABSTRACT:

*The reopening of sea sand export permits has raised concerns among the public after being banned for more than 20 (twenty) years. The government has issued Government Regulation (PP) Number 26 of 2023 concerning Management of Sedimentation Products in the Sea. In this case, the reason for adopting this sand export policy is because it is considered to be important in relation to economic income. So, with the notification that the export of sea sand will be allowed to resume, it continues to reap polemics. The policy of reopening sea sand export permits has caused different reactions from various groups or parties. Those who support it assume that sea sand exports can increase state income through Non-Tax State Revenue (PNBP). Apart from that, the sand from the dredging will be used for development and infrastructure. Those who oppose it believe that the sea sand export policy could have a negative impact on the environmental ecosystem, especially coastal areas and small islands. One of them is sea water abrasion which can have a serious impact on the lives of coastal communities. So, regarding this policy there should be a thorough review. The method used in this research is a normative approach method which is carried out by utilizing descriptive analysis research sources. Dredging sedimentation in the form of sea sand from a business perspective has its own benefits, if used properly, the sea sand export policy can add economic value to a region or country in the form of increasing the country's foreign exchange earnings while still paying attention to the welfare of coastal communities.*

**Keywords;** *Sea Sand Exports; Indonesian Economy; Coastal Communities.*

### A. Introduction

Indonesia has faced major challenges in sand management in recent decades. One of the reasons for excessive sand mining in some areas of Indonesia is the high demand for sand as construction material. This is a demand from neighboring countries, especially Singapore. To address this issue, the Indonesian government banned sand exports in 2003 to protect natural resources and reduce environmental damage. 20 years later, President Joko

Widodo announced a new policy to restart sand exports in 2023. The reason for this sand export policy is economic revenue.<sup>1</sup>

The reopening of sea sand export licenses has raised concerns among the public after more than 20 years of prohibition. The government has issued Government Regulation (PP) Number 26 of 2023 concerning the Management of Sedimentation Results in the Sea. Article 9 letter c paragraph (2) of Government Regulation No. 26 of 2023 allows the export of sea sand as a form of utilization of sea sand sedimentation, as long as domestic needs are met. With the notification of the re-authorization of sea sand exports, it continues to reap polemics. The government is asked to maintain a balance between economic interests and the long-term sustainability of coastal ecosystems.<sup>2</sup>

The policy to reopen sea sand export licenses has caused different reactions from various parties, both those who support and those who oppose. Yusri Usman, Director of the Center of Energy and Resources Indonesia (CERI), believes that the issuance of the PP is the right thing, but not perfect. If sand mining is done selectively and on a limited scale, it should have a positive impact on Indonesia, provided that the mining is not excessive or well planned and considers the environment. Then this policy also raises concerns for some parties, one of which is Moh Abdi Suhufan as the National Coordinator of Destructive Fishing Watch (DFW) Indonesia, who assesses that the return of this permit can have a negative impact on environmental ecosystems, especially coastal areas and small islands. One of them is sea water abrasion, which can have a serious impact on people's lives and damage facilities and infrastructure.<sup>3</sup>

Regarding the polemics over the sea sand export permit, Minister of Energy and Mineral Resources Arifin explained that the reason for reopening the sea sand export permit is to maintain the economic value of shipping lanes and stockpiles. Sediments on the seabed make the channel shallow and dangerous for ships passing through. This often happens near shipping lanes such as the Strait of Malacca to Batam and Singapore. In addition, sea sand

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<sup>1</sup> Luvian, RA, "Menilik Dampak dan Implikasi dari Kebijakan Ekspor Pasir", Kompas.com, 2023. Diakses pada 2023. <https://kataneizen.kompas.com/read/2023/06/20/195045285/menilik-dampak-dan-implikasi-dari-kebijakan-ekspor-pasir?page=all>.

<sup>2</sup> Subhanie, D. "Pembukaan Kembali Ekspor Pasir Laut Terus Menuai Polemik", *sindonews.com*, <https://ekbis.sindonews.com/read/1120417/34/pembukaan-kembali-ekspor-pasir-laut-terus-menuai-polemik-1686146804>, . Diakses pada 2023

<sup>3</sup> Rizky, M. "Jokowi Buka Ekspor Pasir Laut, Bahayanya Bisa Terjadi Ini", *cnbcindonesia.com*, <https://www.cnbcindonesia.com/news/20230529143950-4-441469/jokowi-buka-ekspor-pasir-laut-bahayanya-bisa-terjadi-ini>. Diakses pada 2023.

also has economic value to the country. Moreover, sediment in the form of mud is better sold abroad than stored in shipping lanes.<sup>4</sup>

Parid Ridwanuddin, Coastal and Marine Campaign Manager of Walhi (Wahana Lingkungan Indonesia), argues that the benefits of sea sand exports to the state treasury are small and short-term. Sea sand mining actually causes environmental damage that endangers the ecosystem and the sustainability of coastal communities. The Blue Sea Fishermen Group, a community of fishermen in Batam, also spoke out and opposed the Government Regulation. President Joko Widodo's decision to open a sea sand export port after being banned for decades has raised concerns for fishermen and residents in the Riau Islands. The sea sand has long been dredged to make land for Singapore.<sup>5</sup>

In this study the author describes previous research that is relevant to the problem under study, namely in 2023, Helena Dwi Yansen et al conducted a study entitled "Analysis of Marine Sedimentation Export Policy (Sea Sand) Against Government Regulation Number 26 of 2023 concerning Management of Marine Sedimentation Products". This study aims to examine and analyze regulations and their impact on the preservation of marine ecosystems and community use without causing damage. The method used is using normative legal research methods. The results of the study show that the implementation of the marine sedimentation export policy has received a lot of criticism because it will endanger the marine ecosystem.

The difference between the above research and the author's research is the object of different problems where the object of the author's problem is broader in scope. The author takes the problem of the impact caused by the re-implementation of the sea sand export policy on the country's economy and coastal communities. so that later this research can provide education for the community and also evaluation by the government in making policies.

The problem that will be discussed in this article is about how the impact of the reopening of the sea sand export policy after 20 (twenty) years of prohibition on the Indonesian economy and also its impact on coastal communities. The purpose of this writing

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<sup>4</sup> Yarwandana, E. (2023) "Heboh Jokowi Buka Ekspor Pasir Laut, Menteri ESDM Bela Begini", [cnbcindonesia.com, https://www.cnbcindonesia.com/news/20230531120002-4-442164/heboh-jokowi-buka-ekspor-pasir-laut-menteri-esdm-bela-begini#](https://www.cnbcindonesia.com/news/20230531120002-4-442164/heboh-jokowi-buka-ekspor-pasir-laut-menteri-esdm-bela-begini#).

<sup>5</sup> Praditya, II. (2023) "Fakta-Fakta Jokowi Buka Keran Ekspor Pasir Laut, Siapa Diuntungkan?", <https://www.liputan6.com/bisnis/read/5302129/fakta-fakta-jokowi-buka-keran-ekspor-pasir-laut-siapa-diuntungkan>.

is made to describe and find out whether the reopening of the sea sand export permit policy is appropriate and provides benefits to the Indonesian economy and coastal communities or vice versa. The benefits of this paper are expected to provide an understanding of the community regarding the impact caused by the continuous export of sea sand and also provide views on the government and other parties in making policies that should be in line with the interests and welfare of the community.

## **B. Research Methods**

The research method used in this paper uses a normative approach method which is focused on knowing the reopening of the sea sand export permit policy so that a complete material picture is obtained regarding the impact of the sand export permit on the Indonesian economy and coastal communities. This research is conducted by utilizing descriptive characterized analytical research sources that prioritize secondary data reinforced by primary data and then evaluated qualitatively based on a legal point of view.

## **C. Discussion**

### **1. The Impact of Sea Sand Export Permits on the Indonesian Economy**

The source of state funding comes from tax and non-tax revenues. Taxes are the main source of government revenue and are used for government expenditures such as routine and development budgets. Non-Tax State Revenue or better known as PNBPN, Based on Article 1 paragraph (1) of Law Number 9 of 2018 concerning Non-Tax State Revenue, it is stated that Non-Tax State Revenue is a levy paid by individuals or entities by obtaining direct or indirect benefits for services or utilization of resources and rights obtained by the state, based on statutory regulations, which become Central Government revenues outside tax revenues and grants and are managed in the state revenue and expenditure budget mechanism.<sup>6</sup>

Sedimentation dredging in the form of sea sand from the business side of sea sand dredging has its own benefits, in addition to being useful for infrastructure development as well as reclamation if utilized properly, sea sand can also add economic value to a region or country in the form of increased foreign exchange earnings from PNBPN and taxes, especially from domestic sales and export activities of sea sand.

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<sup>6</sup> Bachmid, et.al, "Tinjauan Yuridis Terhadap Penerimaan Negara Bukan Pajak Dalam Undang-Undang Nomor 9 Tahun 2018 Tentang Penerimaan Negara Bukan Pajak". *Jurnal Pionir*, Vol. 6 No. 1, 2020.

Long before the existence of Government Regulation No. 26/2023, at a hearing of Committee VII of the House of Representatives with the Director General of IKFT of the Ministry of Industry, the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources, and the Chairman of the Indonesian Cement Association, at the House of Representatives Building, Senayan, Jakarta, on January 26, 2022 confirmed that sea sand mining is an added value of state revenue. Donny Mariadi, Vice Chairman of Committee VII of the House of Representatives, believes that sea sand mining is one of the strategic activities of the region to meet the material needs for infrastructure development and industrial estates, to strategically fill the material stored in the landfill area, including expansion. The improvement of the Port Industrial Estate and port area increases the income of people in coastal areas and regions as well as the state through taxes from domestic sales and export activities of PNB and sea sand.<sup>7</sup>

The Sea Sand Benchmark Price is regulated in the Decree of the Minister of Maritime Affairs and Fisheries (Kepmen KKP) Number 82 of 2021 concerning the Sea Sand Benchmark Price in Calculating Retribution According to Types of Non-Tax State Revenue (PNBP). KKP Ministerial Decree Number 82 of 2021 explains the provisions regarding the reference price of sea sand in calculating tax-free state revenue (PNBP) rates. The price of sea sand utilization for household purposes is IDR 188,000 per cubic meter. The export price is IDR 228,000 per cubic meter. The basic price of sea sand is used as a reference in the disbursement of Non-Tax State Revenue to the Government in the form of business licenses related to sea utilization for sea sand utilization activities.<sup>8</sup>

The economic benefits obtained from the export of sea sand do not necessarily make state revenues increase significantly. Nairul Huda, a researcher at the Institute of Economics and Financial Development (Indef), said that the sea sand export policy has little impact on government revenue. On the contrary, although this policy has advantages and disadvantages, it provides greater benefits for entrepreneurs. The potential export value of sea sand is Rp 733 billion. On the other hand, the potential state revenue from the sea sand export policy is only Rp 74 billion. On the one hand, sea sand export licenses will have an

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<sup>7</sup> Jauhari, A & Surono, A, "Pengaruh Kebijakan Izin Ekspor Sedimentasi Pasir Laut terhadap Keadilan Ekologis pada Kesejahteraan Masyarakat Pesisir Pantai". *National Conference on Law Studies (NCOLS)*, Vol. 5, No. 1, 2023, pp. 68-86.

<sup>8</sup> CNN Indonesia. (2023). "KKP Jelaskan soal Harga Pasir Laut yang Dipatok Sebelum Ekspor Dibuka". <https://www.cnnindonesia.com/ekonomi/20230610101649-92-960044/kkp-jelaskan-soal-harga-pasir-laut-yang-dipatok-sebelum-ekspor-dibuka>.

impact on increasing state revenues even though it is not significant, but it is not worth the risk of damage to the marine ecosystem because the potential value of state revenue is relatively low.<sup>9</sup>

Damage to marine ecosystems can have a negative impact on the economy. Marine ecosystems can function as a source of food for fish, spawning grounds, breeding grounds for various marine biodiversity, to marine tourism destinations with high economic value which is one of the sources of state revenue so that this can have an adverse impact on the potential of state revenue from various sectors, one of which is tourism. Based on BPS data (2023) in 2022 the country's foreign exchange from the tourism sector has increased by 4.26 billion USD. The tourism sector is a sector that can be used as the number one foreign exchange earner to advance national progress.<sup>10</sup>

Prior to the export ban on sea sand, Indonesia was a major supplier of sea sand to Singapore for land expansion through land reclamation. The imported sand was sourced from islands around the Riau Islands. Between 1997 and 2002, an average of more than 53 million tons were shipped annually. In 2007, Indonesia confirmed a ban on the export of sea sand to the Singapore government. About 250 million cubic meters of sand are exported to Singapore annually. The sand is sold at S\$1.3 per cubic meter, but the price can rise to around S\$4. This price difference costs Indonesia around S\$540 million, or Rp2.7 trillion, annually.<sup>11</sup>

To overcome these problems, the government has a central role where it needs to recalculate carefully and study more deeply whether the lifting of the ban on the export of sea sand for approximately 20 years will have a significant impact on government revenue or will actually increase costs due to environmental and ecosystem damage. The Fiscal Policy Agency (BKF) of the Ministry of Finance (Kemenkeu) said that the revenue from the

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<sup>9</sup> Liputan6.com. (2023). "Potensi Pendapatan Negara dari Ekspor Pasir Laut Cuma Rp 74 Miliar". <https://www.liputan6.com/bisnis/read/5337062/potensi-pendapatan-negara-dari-ekspor-pasir-laut-cuma-rp-74-miliar?page=3>. Diakses pada 2023.

<sup>10</sup> Muhamad, RS et.al "Valuasi Ekonomi Dan Persepsi Wisatawan Terhadap Wisata Pantai M Beach Di Kabupaten Lampung Selatan Provinsi Lampung". *Jurnal Ilmu-Ilmu Agribisnis*, Vol. 11 No. 4, 2023, pp. 243-251.

<sup>11</sup> Idris, M. (2023). "Singapura Paling Diuntungkan Dengan Ekspor Pasir Laut RI", Kompas.com, <https://money.kompas.com/read/2023/06/01/074309926/singapura-paling-diuntungkan-dengan-ekspor-pasir-laut-ri>. Diakses pada 2023.

export of sea sand is very small, because this policy is not to boost the country's economy but only as a sectoral policy.<sup>12</sup>

## 2. Impact of the Sea Sand Export Permit on the Welfare of Coastal Communities

Indonesia is an archipelago with 70% of its territory covered by oceans, and has enormous economic potential, including marine resources and marine products such as seaweed. With such abundant resources, fishermen's income should be enough to fulfill their daily needs. However, this is not the case. Around 90 out of 16.2 million fishermen in Indonesia, or less than 14.58 million, are economically and politically powerless and live below the poverty line. As traditional fishermen who belong to the poor community, their lives are very concerning because they are often exploited by capitalists and middlemen, resulting in unequal income distribution.<sup>13</sup>

Information related to the Government reopening the sea sand export policy has drawn many responses from various parties. Responses in the form of criticism are given by various groups. Especially the views of coastal communities who support their welfare. The birth of Government Regulation Number 26 of 2023 which regulates the management of sedimentation results in the sea has drawn criticism because it is considered to pose a serious threat to the environment, especially the marine ecosystem. It is feared that the presence of this policy will greatly threaten the sustainability of life, especially in coastal communities. (Zainal Arifin, Coordinator of LIPI) stated that the granting of sea sand export licenses does contribute to the revenue and expenditure budget (APBN), but environmental factors and the interests of communities around mining should not be ignored.<sup>14</sup>

Geographically, fishermen can be found throughout Indonesia. This is not surprising given that two-thirds of Indonesia's territory is ocean and fishing opportunities are huge. Dani Setiawan, Director General of the Indonesian Traditional Fishermen Association, is concerned about the welfare of Indonesian fishermen. He considers the lack of welfare experienced by fishermen an irony because Indonesia's motto is the largest maritime and

<sup>12</sup> Kontan.co.id (2023) "Kemenkeu Klaim Penerimaan Negara dari Ekspor Pasir Laut Sangat Kecil", kontan.co.id. <https://nasional.kontan.co.id/news/kemenkeu-klaim-penerimaan-negara-dari-ekspor-pasir-laut-sangat-kecil>. Diakses pada 2023.

<sup>13</sup> Anwar, Z & Wahyuni. "Miskin Di Laut Yang Kaya: Nelayan Indonesia Dan Kemiskinan", *Jurnal Sosioreligius*, Vol. 1 No. IV, 2023, p. 1.

<sup>14</sup> Aprialdi. (2023). "Keran Ekspor Dibuka (Pasir Laut Mengalir Jauh)". *Siar*. <https://siar.or.id/2023/06/16/keran-ekspor-dibuka-pasir-laut-mengalir-jauh/#:~:text=%E2%80%9Cizin%20penambangan%20pasir%20lautdi%20satu%20sisi%20akan%20berdampak,Laut%20Pusat%20Penelitian%20Oseanografi%20%28P2O%29%20LIPI%2C%20Zainal%20Arifin.> Diakses pada 2023.

archipelagic country. This really needs to be taken seriously, considering that many of most Indonesians work as fishermen, of course the job is threatened.

In this case, the sand export policy must also consider the impact on local communities in sand exporting areas. The following are some significant negative impacts on the economy of coastal communities, especially fishermen and coastal communities, namely:<sup>15</sup>

1. Decrease in Fishermen's Productivity

The destruction of coral reefs and sea grass beds due to mining activities can reduce fish populations and disrupt the marine food chain. This can reduce fishermen's catches and threaten their livelihoods.

2. Disruption to the Livelihoods of Coastal

Shellfish farming, small-scale fishing, tourism, and others. The destruction of coastal ecosystems due to sand mining can reduce the productivity of these sectors and threaten the economic welfare of coastal communities.

3. Threats to Cultural Heritage

For example, traditional villages, temples and places of worship. This can threaten the preservation of the culture and identity of coastal areas.

4. Economic Injustice

Most of the profits from sand exports tend to flow to large companies and governments, while the most affected coastal communities receive only limited or no benefits. This can increase economic and social disparities among coastal communities.

Seeing the impact that will occur above, there is a need for action by the authorities to be able to prevent these concerns. In fact, it cannot be denied that this regulation has caused rejection from the fishermen. An example of this is the case where dozens of fishermen from Suka Damai Village, North Rupert District held a demonstration around Beting Aceh and Babi Island, North Rupert. In their action, the fishermen demanded to save Rupert Island from the threat of sea sand mining. Andre, a fisherman from Suling Hamlet, also expressed his

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<sup>15</sup> Kholifah, S. (2023). "Dampak Ekspor Pasir Laut terhadap Lingkungan dan Masyarakat Pesisir". Kompasiana.com. [Dampak Ekspor Pasir Laut terhadap Lingkungan dan Masyarakat Pesisir Halaman 2 - Kompasiana.com](https://www.kompasiana.com).



objection to the existence of sea sand mining in his area. According to him, the presence of PT Logomas Utama in the waters of North Rupert is very worrying.<sup>16</sup>

It is sad if the policies that have been passed have an impact that is not proportional to what is happening for the welfare of the community. Considering the impact caused by the opening Seeing the events that occurred should be reconsidered against this existing policy. There should be justice and further action so that no party is harmed.

The government needs to conduct a study as the basis for the formation of technical regulations for the export of sea sand by considering various aspects ranging from the environment and the economic aspects of the surrounding community. In addition, it is necessary to educate the public about the impact of illegal sand mining which has an impact on environmental damage and a decrease in fish productivity in the sea in the long term. Developing sustainable policies to protect marine resources and communities requires the government to collaborate with fishermen, coastal communities and other stakeholders.<sup>17</sup>

#### **D. Conclusion**

After the dismissal of the sea sand export policy in 2003, it is now being re-enacted in 2023 in accordance with Government Regulation (PP) Number 26 of 2023 concerning Management of Sedimentation Results in the Sea. In this case, many responses have been raised from various groups. As well as having implications for negative impacts from various aspects, especially on the country's economy and negative impacts on coastal communities. From the economic impact of the country itself, although this policy has advantages and disadvantages, it provides greater benefits for entrepreneurs. The potential export value of sea sand is Rp 733 billion. On the other hand, the potential state revenue from the sea sand export policy is only Rp 74 billion. The implementation of the sand export policy is not worth the risk of damage to the marine ecosystem because the potential value of state revenue is relatively low. Then, from the negative impacts on coastal communities themselves, namely decreased productivity of fishermen, disruption to the livelihoods of coastal communities, threats to cultural heritage, and economic injustice.

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<sup>16</sup> Ridhwan, N. (2023). "Ramai Penolakan Ekspor Pasir Laut dari Nelayan, Berikut Ragam Alasannya". [Ramai Penolakan Ekspor Pasir Laut dari Nelayan, Berikut Ragam Alasannya - Bisnis Tempo.co](#). Diakses pada 2023.

<sup>17</sup> Amri, I.F et.al. "Sinkronisasi Vertikal PP No. 26/2023 dengan UUD NRI Tahun 1945 Legal Policy Ekspor Pasir Laut". *UNES Law Review*, Vol. 6 No.1, 2023, p.2338-2350.

## E. Advice

The main problem is not the aspect of reopening the sea sand export policy regulated in PP No. 26 of 2023 concerning Management of Sedimentation Results in the Sea. However, how to make the existence and role of the government felt for the benefit of all aspects, both the country's economy and the coastal communities in particular (fishermen). Therefore, the main thing that must be improved is to prioritize impacts that do not cause harm in it. It is also necessary to be able to synchronize legal certainty in it, especially for small fishermen. The country's economy and the welfare of the community need to be considered in depth so that no party feels burdened by the opening of the policy.

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