

2014- Jurnal-Local Communities Empowerment

By Hartoyo

Local Communities Empowerment within Coastal Tourism Development in West Coastal District

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Abstract

Juridical empirical research with the aim finds a model of local communities' empowerment in coastal tourism development through land tenure arrangements in West Coastal District. The findings of this study states that the district along West Coastal District there are 17 points which have any potential to be developed into coastal tourism. Unfortunately the impacts of coastal tourism development from economic, social and cultural aspects haven't been enjoyed by the local communities. This happened because the communities are unprepared to welcome tourists, and lack of coordination between local government and tour operator. Rights to land control in the coastal zone within the tourist development dominant with land ownership status, there were indications of land ownership by foreigners who could potentially cause disputes. There are 11 accommodation managed by husband and wife (citizen-foreigner) from 33 accommodation in West Coastal District. The model is offered in the cooperation with foreign parties in the form of granting Use Rights to property, rental property to foreigners, or by getting up operations and transfer (BOT). Hopefully this model will encourage welfare and survival of west coastal communities so they don't become coolies/porters in their own country.

Keywords: Coastal Tourism, Foreigner, Empowerment

I. INTRODUCTION

West Lampung District has assets of 220 km along coastal areas and very potential to be developed into tourist attraction coast. There are 17 (seventeen) point of attraction coastal which is very potential to be developed, such as: Tanjung Setia beach, Selalau beach, Way Jambu beach, Labuhan Jukung beach, Way Haru beach, Way Sindi beach, and Suka Negara beach. This time all the coastal territory entered into West Coastal District based on Law no. 22 of 2012 on the Establishment of West Coastal District in Lampung Province.

Although it has been only successfully managed about 40 percent, but every year about 3,000 foreigners (America, Australia and Europe) visited. In 2008, West Lampung Regent put tourism as a leading sector in regional development¹. Development of coastal attractions is not yet optimal, partly because there is no spatial planning, lack of structuring and law enforcement, and low quality of human resources. These new findings were associated with Law No. 5/1990 about conservation of natural resources and ecosystems, as well as Law No. 23/1997 about environmental management.

Another important issue is more often found lands of the coastal area with the status of local communities' property rights but physically managed and controlled by foreigners for coastal tourism businesses. This condition is counterproductive with the nature of development itself in improving the communities' welfare. Until now there isn't a clear legal regulation or maybe there is a local government policy but not in line with national land law. It's mean the synergy hasn't occurred between normative conception with empirical facts about land rights. The indication is substantive meaning of land ownership by the state for people prosperity, become more vulnerable and further reduced on domination by foreigners. This phenomenon is national because it's not only occurs in Lampung province but also occurs in other province in Indonesia, and there isn't clear legal regulation.

Further consequences are the access, participation, control and land benefits obtaining for the local communities (in the development of coastal tourism) are getting weaker. If this assumption is correct, then the development of coastal tourism become counterproductive, especially against the original purpose of National Land Law construction for people welfare. Coastal areas governance in order to empower local communities in coastal tourism development through strengthening land rights for local communities becomes important.

The issues are raised in this study are: First, how are normative and empirical conceptions of land rights in the coastal areas of tourism development? Second, how is the model empowerment of local communities in the development of coastal tourism through land tenure arrangements in West Coastal District?

II. RESEARCH METHODS

This type of research is descriptive qualitative analytic, in accordance with the scope of the issues to be achieved.

¹ Media Indonesia, 2008; 2010

Specifically to examine the legal aspects of the land rights are used two types namely: normative legal research (doctrinal research) and empirical legal research (non-doctrinal research). Doctrinal research examines the concept of law as the principles of truth and justice, positive law and judicial decisions, whereas non-doctrinal research examines the concept of law as a social behavior patterns of human beings in society (law in society) and the symbolic meanings revealed in interactive behavior (law in action).

Research location is conducted in the coastal areas of West Coastal District which become coastal tourism are: Tanjung Setia, Mandiri beach, Way Redak, Walur, and Labuhan Jukung Beach. Data collection is conducted by library search and Focus Group Discussion (FGD). Data processing is conducted by classification and data systematization. Systematic data were analyzed by using law analysis or *rechtmatigheidsdaad toetsing*.

III. DISCUSSION

Formation of West Coastal District which is a division of West Lampung based on Law No. 22 of 2012 about the establishment of West Coastal District in Lampung province. West Coastal District consists of 11 districts, namely: Pesisir Tengah District, Pesisir Selatan District, Lemong District, Pesisir Utara District, Karya Penggawa District, Pulau Pisang District, Way Krui District, Krui Selatan District, Ngambur District, Bengkunt District, dan Bengkunt Belimbing District. West Coastal District has an overall area of $\pm 2907.23 \text{ km}^2$ with a population of $\pm 136,370$ inhabitants in 2011 and 117 villages/wards. West Coastal District topography is at an altitude of 0-500 m above sea level.

Tourism sector is mainstay potential of West Coastal District, every of hundreds and even thousands of tourists come to Krui for vacation, surfing and enjoy the beautiful beach. Besides the beach, Krui also has two exotic islands, Pisang beach and Betuah beach which are its natural beauty not less to the islands tourist destinations in the world, but the potential is unexplored¹.

Transportation access to and from the Krui, can be done by road, sea, and air. There are Seray Airport, Kuala Stabas Port, and national road traffic that pass through the entire Krui region more than 200 kilometers along the coastal. Potential crops and forests are also nice and have a high selling value, such as cat eye damar. Cat eye damar is the best quality gum damar in the world and has been recognized internationally derived from Krui.

Krui coastal is now known as West Coastal District region there are many beaches that become a surfing arena for foreigner. Besides Tanjung Setia beach, the coastal region that also the surfing arena are Way Jambu beach, Mandiri beach, Way Redak beach, Walur, Labuhan Jukung, and Pugung.

Tanjung Setia is one of six mainstay attractions in Lampung besides Anak Gunung Krakatau, Way Kambas, Bukit Barisan Selatan National Park, and Ranau Lake. According to Head of Provincial Tourism Lampung Province, Gatot Hadi Utama, each of Lampung has average 35,000 foreign tourists visited. More than half visited to Tanjung Setia².

Tanjung Setia Beach is located in South Coastal Sub district of West Coastal District. Tanjung Setia beach is about 52 km from Liwa, 22 km from the Krui City and can be reached by road. As far as 273 km from Bandar Lampung and can be reached by road via the two-way path of Bandar Lampung. First, Bandar Lampung-Kotabumi-Bukit Kemuning-Liwa-Krui-Tanjung Setia route. Second, Bandar Lampung-Pringsewu-Kota Agung Tanggamus-and across Protected Forest TNBBS-Bengkunt-Tanjung Setia route. Kota Agung-Krui distance is 150 km. For the first pathway can be reached within 7-8 hours, and for the second pathway can be reached within 5 hours under normal conditions. Besides by road, it can be expected through the air in the future, because Seray airport has been awakened, even though its facilities still not perfect.

Located about 22 km from Tanjung Setia to the north we can find Krui City in Central Coastal Sub district. In Krui City we can enjoy the beautiful of Labuhan Jukung beach, that's only about 1 km from city center. In Labuhan Jukung beach, the visitors can swim, catch fish, or dive. If the surfing season arrives, the visitors can also surfing. At certain times, there are signs swimming prohibition at some point on the coast to maintain the safety of visitors.

Approximately 17 miles from Krui to the north, there is a place that is not less beautiful, named Tembakak. Faced with a small island called Pisang Island, Tembakak is a charming place to unwind. This place is a transit place of motorists who cross West Sumatra traffic lanes. In this place, visitors can relax at the top of the rocks, while watching thousands of other large stones were scattered here and there, were unmoved by the waves.

Geographical conditions of West Coastal District with 220 km long coast, there are 17 points which is very potential for coastal tourism development; there is also a waterfall, rafting and other nature (damar garden). Coastal tourism has started to be managed by the private sector are Tanjung Setia beach, Mandiri beach, Walur beach, Way Redak, while Labuhan Jukung partly managed by the local government.

Based on data from the Central Statistics Office of Lampung Province (West Lampung in 2012 Figures),

¹ http://id.wikipedia.org/wiki/Krui,_Lampung_Barat, accessed May 13th, 2013

² <http://traveliciousid.blogspot.com/2012/12/pantai-tanjung-setia-lampung-surga.html>, accessed April 18th, 2013

population density consecutively in Krui Selatan Sub district, Way Krui, and Central Coastal is the highest population density of West Coastal District. On the other hand the density of population in Bengkunt Blimbing Sub district is an area with the lowest population density, but has the most extensive area. This can be seen in the following table:

Table of Area and Population according to Sub district in West Coastal District, in 2011

No.	Sub district	Extensive		Society		People Density (people/km2)
		Km2	%	Amount	%	
1	Pesisir Selatan	409.17	14,17	21.578	15,06	52,74
2	Bengkunt	215.03	7,45	7.524	5,25	34,99
3	Bengkunt Blimbing	943.70	32,69	23.783	16,60	25,20
4	Ngambur	327.17	11,33	17.770	12,40	54,31
5	Pesisir Tengah	120.64	4,18	18.171	12,68	150,62
6	Karya Penggawa	211.13	7,31	14.138	9,87	66,96
7	Way Krui	40.92	1,42	8.222	5,74	200,93
8	Krui Selatan	36.25	1,26	8.417	5,87	232,19
9	Pesisir Utara	127.88	4,43	9.434	6,58	73,77
10	Lemong	454.99	15,76	14.242	9,94	31,30
11	Pulau Pisang	--	--	--	--	--
	Amount	2.886,88*	100,00	143.279*	100,00	49,63

Sources: *West Lampung in 2012 Figures, processed*

* Data according to Law No. 22 of 2012, West Coastal District extensive, ± 2907.23 km2 with a population of $\pm 136,370$

A. Empirical and normative juridical conception About Land Rights in the Tourism Development Coastal Region

Indonesia is an agriculture country that stretches from Sabang to Merauke. Ownership and land tenure by the people and the state has been set in Basic Agrarian Principles (further called BAL). It is asserted that only Indonesian citizens who can have full relationship with earth, water, space and natural resources contained therein (Article 9 (1)). This provision received further application in the Ownership setting of the strongest and the fullest Land Rights that can be owned. Only Indonesian citizens who can own land rights (Article 21(1)). The consequence is land rights by foreigners is limited, they're only given Use Rights or Lease Rights.

Indonesian state in the development of agrarian resources and human resources urgently need national and foreign investment. To keep pace with the rapid legal needs and provide legal certainty for foreigners who want to get land rights in Indonesia, they're given several regulations, including Regulation No.40 of 1996, Regulation No. 41 of 1996 and PMNA / KBPN No. 8 of 1996. These regulations are Government policies in carrying out the mandate of BAL which allows the foreigners who domiciled in Indonesia to get the land with Use Rights status. Similarly, for Indonesian citizen descendant who are limited to own the land with Exploitation Rights for Building status.

So far, it is found land ownership disputes between foreigners or Indonesian citizen descendant with Indonesian citizens who's their names are used / borrowed for and on behalf of Land Right status. Land Right status on behalf of a citizen is actually just borrowed the name. Which one between Indonesian citizens and foreigners or Indonesian citizen descendant make a covenant in the presence of Notary whose contents that Indonesian citizens recognize the ownership of foreigners or Indonesian citizen descendant and both he and his heirs will not do any claim to the land.

Ironically there are some agreements are made between them in just a piece of paper stamped agreement (deed under the hand), even as his trust only on made an oral agreement. They're on behalf of his girlfriend, the driver or his business friends. At the time of harmonious relationships and well established nothing seems to feel aggrieved, but instead in the event of dispute then arises the issue of ownership. For Indonesian citizens feel ownership in the certificate attached to Land Right status is on him. While foreigners or Indonesian citizen descendant adhered to the agreements were made in the presence of Notary, an under hand agreement or oral agreement, that the land was his. This hidden practice shouldn't be happened, if they obey the laws, litigious.

They actually already know about the consequences later about the legal act of borrowed name, but because the legislation limits the status of Use Rights and Lease Rights, so Use Rights or Lease Rights aren't very dislikes by foreigners or Indonesian citizen descendant with a variety of reasons. They look for slit in order to obtain the status of Land Rights over the land. In general, the reason is the land can be used as collateral with a higher value.

This position actually puts foreigners in a weak position¹. Security of land ownership by foreigners is done by saving the certificate on behalf of Indonesian citizens. Saving land certificates on behalf of Indonesian citizens have enormous conflict potential, because foreigners can be charged with criminal offense to hide others certificates.

Indonesian citizens whose their name are borrowed for the certificate and foreigners effort, a cursory look profitable rose when included in the business, but some of them are simply borrowed his name and given some sort income or a relatively small fee and didn't balance with the efforts. It seems Indonesian citizens as owners of the company but it's just a name and didn't have a long-term investment and will always be subject to the will of foreigners or Indonesian citizen descendant. In fact they didn't become masters in their own country.

The emergence of www.privateislands.com site which titled "Island Sale for Sale in Indonesia" who want to sell Siloinak Island, Kandui, and Macaroni in Mentawai Islands cluster reap serious debate. Private Islands Inc which is headquartered in Toronto, Canada, advertises with tag of U.S. \$ 13.6 million (Rp 165.5 T). In fact the three islands that form of communal land originally belonged to indigenous Mentawai people². Unfortunately, central to local government as if washes hands. The reason is no one claimed to have given permission. The problem didn't stop there. Therefore, selling an island means selling a Homeland. It thus violates the 1945 Constitution and Law No. 43 of 2008 about territory of the State.

Indirectly, land ownership by foreigners is done by using and on behalf of the domestic (citizens) or through marriage mechanism. For example, control of the island by foreigners Penyawaan Island control by foreigners in Karimun Jawa cluster of island, Jepara District, on behalf of his wife's native people³. A similar pattern isn't only take place in Karimun Jawa Islands but also in Riau Islands. Singapore rich people who master / have a coastal area of Bintan Island, Natuna Islands, Anambas Islands, up to Small Island then build a resort whose ownership using the name of his wife or local people as partners. Outsiders who want to enter the area must pay the ticket up to Rp 500,000.00. In fact, Singapore entrepreneur and owner of the resort don't need ticket to enter. Even, the yacht docked at the edge resort directly without any obstacles. This means the islands as though already become his.

It could also on behalf the name of the local land up to positioning local government as a business partner, but the sourced from foreign capital. ⁵is will make it easier to get permits including patterns of coastal waters concessions (HP3) are regulated in [Law No. 27 of 2007](#) about [Management of Coastal Areas and Small Islands](#). For example, the Malaysian who co- owns shares ownership of managing up to take advantage of Komodo Island with The Natura Conservation (TNC) and East Nusa Tenggara Regional Government as a tourist area. Komodo Island turned into an exclusive area and traditional fisheries are very difficult to get access and to manage it as a result of private security guard. Similarly, the UK has owned / purchased Bidadari Island in Komodo National Park.

There is also the other pattern of land ownership by foreigners who don't use marriage mechanisms or business partners but through 'collusion' with the local government who traders minded. The presences of HP3 like "moral hazard" for bureaucrats; they will collude with foreigners to local entrepreneurs to smooth licensing for sales up to leasing an island. Moreover, regional autonomy laws allow foreign direct investment to the area.

The conditions above can be fatal because of an individual, business entity, until trader minded bureaucrats (bureaucrats chaser rent) will be vying to take care HP3 in order to get a small island and strategic coastal areas (strait, gulf bay, until delta). HP3 later can be traded back (transferability) to another foreign party through marriage, business partners, up to collusion. That means, HP3 isn't protect small islands that contain unique resources (endemic flora and fauna) waters (reef fish, coral reefs, sea grasses, and mangroves) to the mainland island (birds, monkeys, lizards, snakes, and its vegetation) in order to owned state (state property right). Up to allow traditional fisheries, indigenous to the nomadic tribes (Bajo and Sea Tribe) without being chased by private apparatus (common property right). Instead, let the foreign controlled through the mechanism of sale or rental until closing the access of traditional fisheries and nomadic tribes manage / utilize its resources. This is clearly violated Article 20 paragraph (1) Law No. 43 of 2008 about the boundaries that states every person prohibited from engaging efforts to eliminate, destroy, change, or remove the signs of borders, or do a 'reduction of state area'.

HP3 mechanism that allows control of the small island by entrepreneurs (foreign to domestic) is identical to the reduction of state area. This action threatens our national sovereignty over islands both located in the area of maritime borders, territorial sea, up to specific waters (gulf bays, deltas, estuaries, straits up). Sadly, the governments are positioning the tribe as a thing to accelerate the implementation of HP3 with protecting reasons. It's hard to imagine business interests (owners of capital) that 'profit' oriented side by side with the interests of

¹ Maria S.W. Sumardjono, 2007, *Alternatif Kebijakan Pengaturan Hak Atas Tanah Beserta Bangunan Bagi Masyarakat Negara Asing dan Badan Hukum Asing*, Jakarta: Buku Kompas.

² Media Indonesia, August 29, 2009

³ *Ibid*, Media Indonesia, August 29, 2009

indigenous people that 'culture and ecological' oriented. Surely the interests of capital owners will win because our society is very vulnerable to poverty until economic injustice. The proof, in Kandui Island that will be sold it already took over communal land belonging to Mentawai indigenous turned into a luxury resort. Yet until now, the island still leaves seven custom homes as the symbols of Mentawai indigenous.

The impact for the state, due to the practices mentioned above, the state is harmed. Some of the cases that arise in land disputes is always due to one of the related parties who is since the beginning have bad intentions and dishonest, want to control that isn't his right, increasing needs, affected by third party and the other parties (investors) also didn't fulfill the promises after owning and developing companies advance.

B. Local Community Empowerment Model in Coastal Tourism Development through Land Tenure setting in West Coastal District

In particular, it will be described approaching local communities empowerment model of coastal tourism development associated with land ownership. Acquisition of land by foreigners is inevitable, consider the mobility and the entry into Indonesia territory continues to increase in globalization era today's. Moreover, as the political changes of New Order era, a lot of land is controlled by a group of foreign investors¹. For example, the various regulations are issued by the government, such as the deregulation policy in October 1993 that simplifies the process of Rights of Cultivation and Exploitation Rights for Building² granting. So the beneficiaries of government policies during New Order era until 2005 are large private companies and the government itself³, which is oriented towards economic growth.

Foreigners that entering Indonesia besides having a tourist destination, also seeks to invest in businesses with land acquisition. This is indicated by the number of foreigners who controls the land in several places in Indonesia, including Bali Province⁴; similarly, in the area of West Coastal District.

West Coastal District has assets of 220 km along the coastal areas and very potential to be developed into a tourist attraction beach. There are 17 (seventeen) point of attraction beach that is very potential to be developed, such as: Tanjung Setia beach, Selalau beach, Way Jambu beach, Jukung Labuhan beach, Way Haru beach, Way Sindi beach, and Suka Negara beach. Although it has been only successfully managed about 40 percent, but every year 3,000 foreigners (America, Australia and Europe) visited. In 2008, West Lampung Regent placing tourism as a leading sector in regional development⁵.

Based on a descriptive overview of land ownership by foreigners in other parts of Indonesia such as indicated above that main consideration of borrowing name model or marital is household economy. This happened also in West Coastal District. There are 11 inn that owned by husband and wife (citizens-Foreigners). This means there are elements of foreign land ownership; while some other aspects tend not to be considered in depth, so that the model is not able to maintain some of the social values, and not necessarily useful agrarian economic resource, and not legally valid. Thus, to be considered in borrowing name model are aspects of social, agrarian economic resources, legal, and several aspects related to the land use.

According to Head of Tourism and Creative Economic West Coastal District Lampung it's required a fair cooperation between foreigners and local communities in the development of coastal tourism. He hopes local people not to sell their land to foreigners, but do mutually beneficial cooperation⁶.

In the model of contract / leasing for the building as stipulated in Article 45 of BAL also use household economic indicators as primary consideration. This model less gives certainty and legal protection and doesn't support the creation of an orderly land administration, because this leasing right hasn't obligation to register to Land Office. The benefit of contract / leasing model isn't transferring the rights to the foreigners. Land owners are still able to maintain some communities' social values, and don't reduce the right of land ownership society. Thus, to be considered in contract / leasing model is legal aspects and some aspects related to land use.

Based on the description above, the right concept to be applied in land use between foreigners with local people

¹ Gunawan Wiradi, *Prinsip-Prinsip Reforma Agraria Jalan Penghidupan dan Kemakmuran Rakyat*, Yogyakarta: Laper Pustaka Utama, 2001, p. 163.

² Maria S.W. Sumardjono, *Tanah dalam Perspektif Hak Ekonomi Sosial dan Budaya*, Jakarta: Buku Kompas, 2009, p. 23; Endang Suhendar & Idris Kasim, *Tanah Sebagai Komoditas, Kajian Kritis Atas Kebijakan Pertanahan Orde Baru*, Jakarta: Lembaga Studi Advokasi Masyarakat (ELSAM), 1996, p. 4.

³ Nurhasan Ismail, *Perkembangan Hukum Pertanahan, Pendekatan Ekonomi Politik*, Yogyakarta: Kerjasama HuMa dan Magister Hukum UGM, 2007, p. 247-305.

⁴ Bali Province which is a main tourist destination in Indonesia, in 2001 has had foreigners as many as 971 soul (BPS Bali Province, 2001). Especially in Tabanan, until the end of 2006 has recorded 36 foreigners. Look I Made Sumadra, *Analisis Model Kerjasama Pemanfaatan Tanah Antara Warga Negara Asing Dengan Penduduk Lokal (Studi Kasus di Desa Lalang Linggah Kecamatan Selemadeg Barat Kabupaten Tabanan Provinsi Bali)*, Theses, Manajemen dan Bisnis - Institut Pertanian Bogor, 2008 <http://elibrary.mb.ipb.ac.id/gdl.php>, accessed December 23rd, 2010

⁵ <http://bloggerlampungbarat.wordpress.com/2008/10/13/objek-wisata-pantai-lampung-barat-belum-tergarap-optimal/>, accessed December 23rd, 2010

⁶ Look Tribun Lampung, p. 15. November 11th, 2013

or local government is Use Rights above the ownership ground. Use Rights above the ownership ground is the right to use and / or collect the results of other people's land, which gives authority and obligations that specified in the agreement with the owner of land, which is not a leasing agreement or tillage agreements.

Use Rights above the ownership ground is an alternative that is able to overcome some of the weaknesses in borrowed names model, marriage, and contract / leasing, especially in the aspect of land tenure. This alternative meets the aspect of justice, expediency, and rule of law. Aspects of justice can be seen from two sides. On the first side, foreigners are given the opportunity to have the right to land and buildings. On the second side, the sustainability of the system remains protected because the people don't have to lose their land ownership rights so that the government still can protect the interests of its people. Aspects of expediency, it can be seen from the foreigners that the opportunity to have the right to land and buildings with Use Rights above the ownership ground status is one of the facilities to meet their needs to have a home stay or a business. On the public side can increase the economic income, so does the government, it would provide revenue to the finance state in the form of annual revenue and tax. Legal certainty aspects for land rights holders, in the form of evidence provision that clearly shows the rights over the land, the rights subject, and the rights object (location, spacious, limit) in the form of land certificates.

Use Rights above the ownership ground is a policy that has been set out in Article 42 of the BAL, but can not be implemented effectively so called unsuccessful implementation. Therefore, the implications at the policy level are the need to immediately pass the Law on proprietary as has long been ordered by BAL. In addition, improvements need to be done on PP No. 41 of 1996. In terms of policy implementers' actors, it is necessary to carry out the official readiness in order to implement Use Rights above the ownership ground, in particular the ability of officials to implement policy effectively. Supervision and control needs to be improved, as well as PPAT double position with other positions so far need to be reexamined. Furthermore, at the level of the environment, it needed a good public opinion regarding Use Rights above the ownership ground policy through intensive socialization.

Specifically about land utilization for the construction of hotel / villa / bungalow / home stay needs to be done separate arrangements at least in the form of local regulations. The parties who cooperate land utilization needs to implement business ethics with emphasis on the moral standpoint so that the likelihood of disputes between the parties and its surrounding community becomes smaller.

As for the impact of West Coastal District Government, if the Use Rights above the ownership ground actually implemented is very good, this will be the extension and renewal rights that can add money to the State. This gives an opportunity to the regions and West Coastal communities to get an extension or renewal benefits over land rights.

IV. Conclusion

Land tenure in the coastal zone in order to tourism development is dominant with land ownership, although there are indications of land ownership by foreigners. There are 11 accommodation run by husband and wife (citizens-Foreigners), from 33 inn located in West Coastal District.

The model is offered in cooperation with foreign parties in the form of Use Rights above the ownership ground, rental property to foreigners, or by getting up and transfer operations (BOT). Local communities empowerment model in the development of coastal tourism, so that local communities get benefit over the natural beauty and beaches that are developed as a tourist destination. Community empowerment hopes it will be supported by the local government through regulation and well planning.

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