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## IMPACT MANAGEMENT OF ISLANDS IN INDONESIA BY FOREIGN PARTIES ON THE ECONOMIC CONDITIONS OF SURROUNDING COMMUNITIES

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### Abstract

*Based on the website [www.skproperty.org](http://www.skproperty.org) where some news has been found that a small portion of the islands in Indonesia have been managed by foreign parties, this is proven by various foreign websites which state that some of the islands have been sold even though the Agency National Intelligence stated that it was not for sale but to attract foreign investors to want to invest in developments in the area. what is really being sold, to understand this, we are interested in researching the impact of managing the islands by foreigners, methodology research by Literatur Review, and research results it turns out that it is not for sale but is an investment value for the development of the island to attract investors to invest their capital for development and economic growth in the region, Even though in reality attracting investors does not make the lives of the people around the island better, it would be wise if the management of the island through collaboration between the local community, investors and local government can work together to manage the island for marine tourism and grow the community's micro and small business units.*

**Keywords:** Management of island , foreign parties, economic condition

### Introduction

According to the Central Bureau of Statistics, Indonesia is an archipelagic country which has 17,508 large and small islands which make Indonesia the largest archipelagic country in the world, of the 17,508 islands in its journey two islands (Sipadan Island and Ligitan Island) belong to the State of Malaysia, while the other two islands (Kambing Island and Yako Island) belong to the State of Timor Leste. The total number of islands in Indonesia is 17,504 islands. Based on article 33 of the 1945 Constitution, it mandates that land, water and the wealth contained therein shall be controlled by the State and used for the welfare of society.

Small islands in Indonesia consist of 1,766 inhabited islands and 14,905 uninhabited islands, based on the area of the island, almost 96% of the islands are smaller or equal to 100 km<sup>2</sup>, and only about 4% of the islands are with an area of 100 km<sup>2</sup>. Seeing the economic potential of the islands, many parties from abroad who want their ownership in collaboration with certain individuals in Indonesia. We often read and hear about selling islands in Indonesia from social media, both print and electronic.

Strategic Step, early February 2021, the Indonesian people were shocked for the umpteenth time by the sale of an island, namely Lantigiang Island in Selayar Islands Regency, South Sulawesi Province which has been handled by the police, as well as three islands in the Anambas archipelago, Riau Archipelago Province (Chicken Island, Yudan Island, and Pulau Keblo) news spread in print/electronic media keeps repeating itself if the state does not take strategic steps that must be taken immediately, namely certification of small islands, joint operation (KO) of island utilization and allocating space for island communities/fishermen.

The policy of certifying land rights on small islands is the first strategic step taken by the state to control islands as state assets. The certification must take place quickly within a certain period with large numbers expected by the end of Jokowi's administration (end of 2024) for all islands. small areas in Indonesia, especially those that have no population or do not yet have land control by the community, must be controlled in the name of the state, central government, regional government or indigenous communities.

In order for certification to take place quickly, strong legal (regulatory) payments are needed, there is collaboration between the Ministry of Maritime Affairs, especially the Ministry of Agrarian Affairs and the Ministry of National Development Agency and the Government Working Group as well as provincial, district and city regional governments, the Ministry of Home Affairs, the National Intelligence Agency, the Ministry of Finance, The Ministry of Public Housing, the Environmental Watch Group, plays a very important role in helping accelerate the certification of islands which reach 5,000 islands annually..

In general, the certification process is constrained due to claims from island communities who have cultivated the land, especially planting coconut trees or the land is owned by their family or ancestors. assisting the certification process, even willingly donating his land to the State.

In terms of regulations, based on Presidential Regulation 34 of 2019 concerning the Transfer of Shares and land areas for the use of small islands and the use of surrounding waters for foreign investment, basically islands cannot be bought and sold, on each island there is control by the State of at least 30% of Thus the remaining 70% of the island's area can be utilized and 30% of the island's area must be allocated for green open

space, thus the maximum area of the island that can be cooperated with is only 49%. This arrangement is intended so that the management of small islands remains sustainable and consistent. Maintaining the sustainability of island utilization operations with the private sector, State-Owned Enterprises, Micro, Small and Medium Enterprises, Domestic Investment, Foreign Investment will of course provide income for the central and regional governments in the form of Non-Tax State Revenue in accordance with applicable laws and regulations.



**Figure I. Indonesia map**

Source: [www.detik.com](http://www.detik.com)

The image of the map of Indonesia above is a picture of the Indonesian region from Sabang to Merauke with a total of approximately 17,508 islands spread out, both large and small islands. With so many islands, special attention and supervision is needed for the management of the islands in Indonesia.

### **Literature Review**

According to Media Indonesia, the island master plan, before the collaboration on utilization, is first drawn up an island master plan which describes the island's business activities, capacity and volume, with the approval of the Ministry of Finance as the owner of state property, then an island utilization agreement is implemented with a third party as a form of the state's support for the surrounding fishing communities. island, State land control is 30% of the island area, apart from being able to cooperate, space can also be facilitated for the development of basic infrastructure and connectivity for fishermen or places for fishing communities around the island to gather or take shelter, assistance with productive economic means to increase family income, financing infrastructure development and Productive economic assistance as well as facilities and infrastructure can be accessed from Non-Tax State Revenue which is regular contributions and profit sharing from island utilization cooperation partners, through these three policies the State's sovereignty over land and water is ensured and its prosperity is felt by fishing communities around the island, source: <https://mediaindonesia.com/opini/387903/mengending-isu-penjualan-island>. According to the source [www.skproperty.org](http://www.skproperty.org). For the umpteenth time and not the first time, several islands, especially small and outermost islands in Indonesia, appear to be for sale, most recently on February 8 2015 they were offered for sale on Punggu Island in West Manggarai Regency, East Nusa Tenggara with price Rp. 134.2 billion, long before that in 2002 the sale of the islands had occurred and continued until 2014, the sale of the islands itself cannot be separated from the underutilization of the islands and the weak management of the islands by the regional government.

According to data from the Indonesian National Army (TNI) Monitoring and Mapping Center, the number of islands in Indonesia has reached 17,508 islands and only 5,707 islands have names. This figure was corrected by the National Aeronautics and Space Agency (Lapan) which carried out monitoring via satellite and found 18,306 islands in within the territory of Indonesia, in the records of the Ministry of Maritime Affairs and Fisheries about 10 years ago.

According to Media Gatra's special edition of 17 August 2005, there are 92 islands which are in a vulnerable condition, meaning they are at risk of being submerged and taken over by other countries. Apart from that, there are 12 outermost islands which, if left unchecked, will suffer the same fate as Sipadan and Ligitan Islands which were claimed and then transferred ownership to Malaysia.

According to Media Gatra, these twelve islands are Rondo Island bordering Thailand, Sekatung Island bordering Vietnam, Nipa Island bordering Singapore, Berhala Island bordering Malaysia, Marore Island,

Miangas, and Marampit bordering Philippines, Batek Island bordering Timor Leste. , Dana Island is bordered by Australia, Fani Island, Fanildo, Bras is bordered by Palau.

According to State Administrative Law, it must be recognized that supervision of these islands does require a large amount of energy and costs, the efforts of a handful of people to sell ownership of an island to other parties, let alone to foreign citizens or foreign companies show the weak side of such supervision, should the sale of islands -the islands may not occur or the islands are not sold regardless of that in an interesting legal perspective that actually these islands are not sold but are an investment value to attract investors to participate in building facilities and infrastructure in these places and to grow the economy and improve welfare local community.

According to the 1945 Constitution, article 33 paragraph 3, stipulates "Earth, water, air and the natural wealth contained therein shall be controlled by the State and used as much as possible for the prosperity of the people, said earth, water, air and natural wealth". controlled by the state means that the owner of all the islands in Indonesian territory belongs to the state, so that the act of selling islands to foreigners is constitutionally unacceptable.

According to the Agrarian Law article 21 of 1960 concerning the Basic Agrarian Regulations or UUPA it clearly prohibits foreign parties from owning and controlling islands in Indonesia, on this basis it is closed for foreign parties to own and control islands in Indonesia, meaning foreign parties those who wish to buy islands when viewed from the aspect of land law are actions that are contrary to law.

According to Law No. 27 of 2007, concerning the management of Coastal Areas and small islands, it is stipulated that the upper tidal boundary of the island and the lower tidal boundary of the island are public property and cannot be bought and sold, furthermore it is also regulated that small islands are only utilized for the benefit of research, education, and marine tourism.

According to Law No. 27 of 2007 article 20 paragraph 1, it is stipulated that in the event of an attack on the ownership of an island by a foreign party, the violators will be subject to sanctions and be sentenced to a maximum of 10 years and a fine of 10 billion.

Taking into account these legal bases regarding the prohibition of foreign parties owning and controlling islands in Indonesia, in fact, from a regulatory point of view, this is clear, meaning that there are no doubts or ideas about whether or not foreign parties can buy islands in Indonesia, but the most important thing is the role of both the central and regional governments should be more pro-active and anti-pastive in leading the way in protecting the outermost and small islands because all of this is part of efforts to safeguard national sovereignty and frame it under the auspices of the Unitary State of the Republic of Indonesia.

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## Methodology Research

The research methodology used in this research uses a Literature Review methodology, namely comparing various articles that are in accordance with the research theme and theories that support the research results to carry out scientific studies to provide conclusions on the research results. According to page . [www.privateislandsonline.com](http://www.privateislandsonline.com).

**Tabel I. There is a sales value for islands in Indonesia**

No	Island Name	Year	By	Great Value
1	Bidadari Island (5 Ha) in NTT	2005	H. Macmud, a local resident	Rp.459.000.000
2	Panjang Island & Big Meriam Island. NTB	2007	Situs <a href="http://www.karangasemproperty.com">www.karangasemproperty.com</a>	-
3	Makaroni Island/Siniaai Island. (14 Ha) West Sumatra	2009	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	USD.4.000.000
4	Kandui Island / Karangmajat Island (26 Ha). Kep. Mentawai	2009	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	USD.8.000.000
5	Siloinak Island (24 Ha) kep. Mentawai	2009	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	USD.1.600.000

6	Gili Nanggu Island (12 Ha) NTB, West Lombok	2012	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	Rp.9.900.000.000
7	Gambar Island (2.2 Ha) West Kalimantan, Kab. Ketapang	2012	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	Rp. 6.800.000.000
8	Kusu Island, North Maluku, South Halmahera	2014	okezone.com	-
9	Pulau Kumbang (6.8 Ha) Sumatera Barat, Kab. Pesisir	2014	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	USD. 1.800.000
10	Pulau Kiluan (50 Ha) Lampung	2014	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	USD.300.000
11.	Pulau Sebayur 40.000 m <sup>2</sup> NTT, Manggarai Barat	2014	<a href="http://www.brighton.co.id">www.brighton.co.id</a>	Rp. 10.500.000.000
12.	Pulau Punggu (117 Ha) NTT, Manggarai Barat	2015	Skyproperty.com	USD. 11.000.000
13	Pulau Sambergelap (5Ha) Kalimantan Selatan	2015	Banjarmasin Post	Rp. 10.500.000.000
14	Pulau Buka-buka, Tojo Una-una , (1200 Ha), Sulawesi Tengah	2018	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	-
15	Pulau Ajab ( 30 Ha) Kepulauan Riau	2018	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	US. 3.300.000.
16	Pulau Dua Barat (78.400 m <sup>2</sup> · DKI, Kepulauan Seribu	2019	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	Rp. 243.040.000.000
17	Pulau Pahawang Besar (229.095 m <sup>2</sup> ) dan Pulau Pahawang Kecil ( 87.420 m <sup>2</sup> ) Lampung, Pesawaran	2019	Melalui Ray White	Rp. 50 Milyar
18	Pulau Kembang (1.2 Ha/3 are) dan Pulau Yudan ( 11.33 Ha/ 28 are), Kepulauan Riau & Kepulauan Anabas	2020	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	-
19	Pulau Lantigiang ( 10 Ha) Kepulauan Selayar, Sulawesi Selatan	2021	<a href="http://www.privateislandsonline.com">www.privateislandsonline.com</a>	Rp.900.000.000

Source : [www.privateislandsonline.com](http://www.privateislandsonline.com)

The government denied the case of selling the island that it was not being sold but was an investment to gain investors' interest in investing in Indonesia. Even though the government denied there was a sale of islands in Indonesia, attracting investors to manage the island turned out to have quite an effect. big for the lives of the people of the island.

### Discussion

Selling islands in Indonesia to foreigners is an old issue since 2007, this issue has appeared in national and international media, this offer suggests that the islands being sold are in strategic locations, very suitable for tourism, high biodiversity so have a high resale value.

In addition to offers on the Internet, there are actually many ways for the global community to obtain island management rights in Indonesia, for example by leasing with local people, marriage with local residents, and special power of attorney, these methods are because in Indonesia only people with Indonesian resident cards or a registered legal entity in Indonesia that is legally allowed to manage an area on an island, not owning the island. To reduce controversy, Island sales promoters also use promotional tricks such as using the terms

"conservation" or "eco-friendly management" in their advertisements, with the aim of making it seem like this activity supports marine conservation.

Island management in Indonesia is very complex because it deals with many regulations and administration, but there are still those who want to do it because of the potential economic benefits. Last year there were around 29 foreign investors who were exploring investment in small islands, especially uninhabited ones, islands, but there are a number of risks that could arise if the practice of selling islands to foreigners continues, the government needs to review the permissibility of this practice. and prioritizing partnerships with local communities as a more sustainable solution for managing small islands.

The risk of selling the island is a big risk, among other things, it can arise due to the control of the island by foreigners. The first risk is that the access of the people around the coast to the island is limited, one of which is the restriction of access to residents around Bidadari Island, East Nusa Tenggara, which is controlled by the British couple Ernest Lewandosky and Kathleen Mitchison, this case was popular in the public in 2006, Ernest – Kathleen controlled the island on behalf of PT.Reefseekers Kathernest Lestari, the company was accused of forbidding the public or fishermen from entering the island area.



**Figure I. In the Thousand Islands, Residents of Pari Island, Thousand Islands, gathered to commemorate the protest action against legal action against residents who manage Perawan Beach in the area. (Save Pari Island Coalition)**

In the Thousand Islands, DKI Jakarta, there are about 60 out of 110 islands that are controlled by the private sector. To enter the area, people must have a special permit or have an invitation from the island owner. Various discussions eventually narrowed the space for people living around the island, even though an island is uninhabited, coastal communities often use it for gardening or for shelter when the weather is bad.

Mastery of an island by foreign nationals can also potentially generate cultural clashes between island managers and local communities, this issue is important because foreign nationals manage their islands with their own characteristics, if this clash is not anticipated it can lead to agrarian conflicts, another risk is an increase in the price of goods if an island becomes a tourist area, if this happens the access of residents to goods, especially basic needs, becomes increasingly limited.

Other risks are related to the interests of the State, the Law on the Management of Coastal Areas and Small Islands mandates the management of islands for defense, security, economic and ecological functions. Indonesian flag. Joint Management Partnership, rather than supporting investments that open up space for control by foreigners, the government should strengthen partnerships with local communities so that island management is more sustainable, the West Papua government's partnership scheme with communities and civil society organizations and local residents in managing the Papuan Bird's Head Conservation Area can be for example, in this scheme the local government mobilizes perpetual funds from various sources for a number of institutional service programs, growth in community income and improvement of ecosystem quality in the long term. The government can imitate the steps of the West Papua government by supporting various collaborations in the management of small islands that are in accordance with the character of each region, the Ministry of Maritime Affairs and Fisheries actually has a Maritime Partners program that allows the private sector to work with communities to manage the coast and small islands, the government all that remains is to strengthen the program by creating a simpler funding system.

In addition to the private sector, the role of State-Owned Enterprises is also very important because they have large funds and can embrace various levels of society, joint management is very important considering the limited state treasury to develop island infrastructure such as ports, electricity networks, supporting infrastructure such as roads, bridges and etc., it is hoped that joint funding can optimize the management of small islands, especially the 111 islands in the outermost areas in a sustainable manner and increase the role of the community in improving the level of economic welfare.

Understanding Terminology and Regulations for Selling Islands, the issue of selling small islands in Indonesia has again drawn public attention in the last two months, after the news of the auction for the Widi Islands in South Halmahera Regency, similar news emerged, including Gili Nanggu Island in West Nusa Tenggara, Pulau Ajab in Bintan Regency, and most recently the three islands in the Mentawai Islands, the issue of selling islands shows at least three things: first, high public attention to the issue of state sovereignty, second, the lack of understanding of the community and local government regarding regulations for the management of small islands, and third, namely the importance of increasing island literacy for the community.

In the case of the Widi Islands, the auction appears on the Sotheby's Concierge Auctions auction site based in New York. This is related to the Widi Islands Development MoU between the North Maluku Provincial Government, South Halmahera Regency Government and PT. Leadhershship Islands Indonesia (Foreign Investment Company) which was signed in 2015, even though the government finally canceled the MoU, in fact the auction here was only in the form of an auction of shares to seek new investors, with the object of area management and utilization rights, even though it was considered to have violated procedures, in this case it was not there was a transfer of sovereignty, especially since the Widi Islands are clearly part of the territory of the Unitary State of the Republic of Indonesia

In other cases what generally occurs is buying and selling plots of land on small islands, as generally happens on large islands, but it needs to be understood that hak atas tanah certificates of ownership or building use rights do not constitute sovereignty, Indonesian law does not allow legal buying and selling of islands. . In Law No. 27 of 2007 concerning Management of Coastal Areas and Small Islands, these are islands with an area smaller than or equal to 2,000 km<sup>2</sup> and their ecosystem units, small island ecosystems include beaches, tidal areas, coral reefs, mangroves, seagrass. , and the surrounding waters where it is impossible to be granted rights over it which can be traded.

The development of land use regulations on small islands where the high economic value of marine environmental resources and services on small islands has attracted many investors from within and outside the country to invest in utilizing small islands, both by Indonesian citizens and foreigners or foreign capital companies. This creates several problems, including Unclear status of island land ownership, permits for island use, land control and closure of access to and from the island, conflicts over space use with the community and issues of buying and selling islands.

To overcome these problems the government has drawn up regulations and policies related to the management of small islands and adjusted them to developments and needs, one of which is related to land or agrarian aspects and permits, in Law No. 5 of 1960, concerning Basic Basic Regulations -The Agrarian Principle states that "Foreigners cannot acquire land ownership rights in Indonesia" this of course includes land on small islands, if there are foreigners who want to use the land then they can be given Cultivation Rights (HGU) and or Cultivation Rights Buildings (HGB) only to legal entities established according to Indonesian law and domiciled in Indonesia.

In 1996, Government Regulation No. 40 of 1996 concerning Business Use Rights, Building Use Rights and Land Use Rights was issued which, among other things, touched on the granting of HGU, HGB or Land Use Rights which, among other things, touched on the granting of (HGU), HGB or Use rights over a plot of land which is entirely an island or bordering the coast will be regulated separately. Furthermore, on July 14, 1997 the State Minister for Agrarian Affairs, the Head of the National Land Agency issued Circular No. 500 – 1197 which states that: applications for location permits and applications for land rights covering the entirety of one island should be rejected, then in 2016 the Minister of Agrarian Affairs and Spatial Planning, Head of the National Land Agency, issued Minister of ATR/BPN Regulation No. 17 of 2016 concerning Arrangement Land in coastal areas and small islands.

In Article 9 paragraph (2) letters a and c, it is stated that "The granting of land rights on small islands must take into account control over small islands of a maximum of 70% of the island area, or in accordance with the directions of the provincial/district spatial planning plan. city, or small island zoning plan and must allocate 30% of the island area for protected areas, however, if it is necessary for national interests, the government can control and utilize small islands in their entirety, as stated in article 9 paragraph 3 of the ministerial regulation This is to prevent land grabbing on small islands, so on small islands where there is no land control, control is prioritized for the government (article 9 paragraph 5). This is one of the things that underlies the Directorate of Coastal Utilization and Small Islands implementing a utilization mapping program outermost small islands in the name of the Government of the Republic of Indonesia.

Since 2019, the Ministry of Maritime Affairs and Fisheries has also issued Minister of Maritime Affairs and Fisheries Regulation No. 8 of 2019 which limits the area of land use on small islands to at least 30% for green open space, so that the land area of small islands is at least 30% of The area of the island that is controlled directly by the State and can be utilized is a maximum of 70% of the island area, of the 70% that can be utilized, business actors are required to allocate at least 30% for green open space, thus the land area of small islands that can be utilized is actually only 49% .

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This arrangement is also strengthened by small islands and the use of the surrounding waters in the framework of Investment Presidential Regulation No. 34 of 2019 concerning Transfer of Shares and Land Areas for Foreign Use, land arrangements on small islands have been strengthened by the issuance of Ministerial Regulation ATR / Head of BPN Article 194 states that "Granting rights to a plot of land that is entirely an island or bordering the coast cannot be given to one person or legal entity".

Article 195 paragraph 1 of this ATR/BPN Ministerial Regulation also regulates that in the context of foreign investment on small islands with an area of less than 100 km<sup>2</sup>, and there is no spatial planning plan for granting land management rights, a recommendation from the Ministry of Maritime Affairs and Fisheries is required, so that It is increasingly clear that every person or legal entity cannot own the rights to the entire land or area on a small island.

Regarding cases of closed access on small islands which cause conflict with the community, this has also been regulated by Law No.1 of 2014 concerning amendments to Law No.27 of 2007, in article 26 A paragraph 4 letter b, one of the conditions for providing Permits for the use of small islands and the use of surrounding waters for foreign investment by the Minister of Maritime Affairs and Fisheries must guarantee public access. What is meant by public access is access in the form of convenience, including:

1. Community access to take advantage of the coastal border in the face of major disasters
2. Community access to the beach to enjoy the beauty of nature
3. Access for fishermen and fish farmers in fishing activities, including access to drinking water and clean water.
4. Access to public shipping
5. Community access to religious and customary activities on the beach

### **Conclusion**

Learning from various cases of the use of small islands and the polemic over the issue of selling the island, it is necessary to carry out an archipelago literacy program in a more planned, structured and sustainable manner. students, and the general public, especially those directly related to the utilization of small Indonesian islands and how their management policies are.

In terms of archipelagic literacy, the Directorate of Coastal and Small Islands Utilization has coordinated with the Indonesian beach school program, however, the scope of literacy material participants still needs to be enriched, including island typology, small island management policies and material rules for their use, so that the target of this archipelago literacy can be achieved massively, it is necessary to introduce this material in the school environment into the elementary, junior high, high school curricula, as supporting material and the use of various electronic media channels such as websites and existing social media, with increasing archipelago literacy it is hoped that this will reduce the potentials conflicts over resource use and environmental damage as well as increasing legal and sustainable use of the island.

### **References**

- Agenda 21 Indonesia, Publikasi Awal, Strategi Nasional Untuk Pembangunan Berkelanjutan, Kantor Menteri Negara Lingkungan Hidup, Juli, 1997.
- Arifin Rudiyanto, Kerangka Kerjasama Dalam Pengelolaan Sumberdaya Pesisir dan Laut, Makalah Disampaikan pada Sosialisasi Nasional Program MFCDP, 22 September 2004
- Arif Miftahul Aziz, S.Pi, M.Si – Ahli Madya Analisis Pengusahaan Jasa Kelautan, Direktorat Pendayagunaan Pesisir dan Pulau-pulau Kecil, Ditjen. Pengelolaan Ruang Laut, Kementerian Kelautan dan Perikanan.(\*)
- Churchill V. Lowe, The Law of the Sea, Juris Publishing, third edition, 1999.
- Direktorat Jenderal Pengelolaan Kelautan dan Ruang Laut, Republik Indonesia
- Danial Thaib, Evaluasi Kebijakan Pengelolaan Kawasan Pantai Utara Kabupaten Bekasi Dalam Peningkatan Kesejahteraan Masyarakat Pesisir, Dalam Jurnal Green Growth dan Manajemen Lingkungan, Vol. 1 Edisi Desember 2012.
- Dina Sunyowati, Pengaturan Pengelolaan Wilayah Pesisir dan Laut Di Indonesia, Artikel Ilmiah, Departemen Hukum Internasional, Fakultas Hukum, Universitas Airlangga Peter Mahmud Marzuki, Penelitian Hukum, Prenada Media, Jakarta, 2005

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Rohmin Dahuri, Paradigma Baru Pembangunan Indonesia Berbasis Kelautan, Orasi Ilmiah, Institut Pertanian Bogor, 2003 <http://hukum.bunghatta.ac.id/tulisan.php?dw.8>, Artikel perlindungan Kawasan Pesisir dan Kelautan

Kementerian Kelautan dan Perikanan (KKP) juga turut melindungi pengelolaan dari perairan di pulau terkecil Indonesia. Ini diatur dalam Undang-Undang (UU) Nomor 27 Tahun 2007 tentang Pengelolaan Wilayah Pesisir dan Pulau-Pulau Kecil, sebagaimana diubah dalam UU Nomor 1 Tahun 2014.

Regulasi mengatur Hak Pengusahaan Perairan Pesisir (HP3), yang hanya bisa diberikan kepada orang perseorangan warga negara Indonesia (WNI), badan hukum yang didirikan berdasarkan hukum Indonesia, dan/atau masyarakat adat.

Merujuk pada Pasal 23 ayat (4) UU Nomor 1/2014, pemanfaatan pulau-pulau kecil dan perairan di sekitarnya pun wajib mempunyai HP3 yang diterbitkan oleh pemerintah pusat atau pemerintah daerah (pemda) sesuai dengan kewenangannya.

Media Gatra edisi khusus. 17 Agustus 2005

<https://www.idntimes.com/science/discovery/retno-kurnia/menguak-fakta-penjualan-pulau-pulau-kecil-di-indonesia-c1c2>

<https://www.liputan6.com/bisnis/read/4478467/ramai-pulau-indonesia-dijual-online-ini-faktanya>

<https://mediaindonesia.com/opini/387903/mengakhiri-isu-penjualan-pulau>

<https://theconversation.com/dibandingkan-menjual-pulau-ke-pihak-asing-pengelolaan-bersama-warga-lokal-jauh-lebih-baik-206208>

Peraturan Presiden Nomor 34 Tahun 2019 tentang Pengalihan Saham dan Luasan Lahan dalam Pemanfaatan Asing.

Pengaturan pertanahan di pulau kecil telah diperkuat dengan terbitnya Peraturan Menteri ATR/Kepala BPN Nomor 18 Tahun 2021 tentang Tata Cara Penetapan Hak Pengelolaan dan Hak Atas Tanah

Undang-Undang Nomor 1 Tahun 2014 tentang Perubahan Atas UU Nomor 27 Tahun 2007. Dalam Pasal 26A ayat (4) huruf b, salah satu syarat diberikannya izin pemanfaatan pulau-pulau kecil dan pemanfaatan perairan di sekitarnya dalam rangka penanaman modal asing oleh Menteri Kelautan dan Perikanan

Peraturan Menteri ATR/Kepala BPN Nomor 18 Tahun 2021 tentang Tata Cara Penetapan Hak Pengelolaan dan Hak Atas