

Contercyclical and Omnibus Law: Sustainable Welfare Regulation Model in Accelerating Economic Benefit in Tourism During the Unintended Consequences of Covid-19 Pandemic in Coastal Areas

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ABSTRACT

The Indonesian government's response to the Covid-19 pandemic is Government Regulator Number 23 the Year 2020 on National Economic Recovery Policy (Kebijakan Pemulihan Ekonomi Nasional/PEN). This paper aims to elaborate policy response due to the economic sustainability for the community and analyze the consequences of those policies. Firstly, we found that the PEN policy is a survival and recovery kit to guard business sustainability through a stimulant implementation policy by OJK based on POJK No.48/POJK.03/2020. This policy is a Countercyclical policy on the impact of Coronavirus Disease 2019, especially in business operations. Secondly, the Indonesian government creates a structural reform through Law No. 11 the Year 2020 on Omnibus Law to regulate and accelerate foreign investment in Indonesia. These two policies target four sectors of the economy, namely tourism, textile, housing, and automotive. The recent Omnibus Law needs to create models and variant modules as an alternative regarding its implementation of the law, especially during the Covid-19 pandemic. This research mainly focuses on the regulation model as an alternative to the policy implementation on tourism, particularly in the society living in the coastal areas. Tourism has many potential benefits in Indonesia. Nevertheless, it has been impacted negatively due to the Covid-19 pandemic. The coast area is significant since those places contribute to tourism and economic benefit to surrounding and national financial. Based on this research, the regulation model aimed to discuss the land utilities and how the Omnibus Law will challenge and support the structural reformation of tourism. This research elaborates and analyses the impact of the Omnibus Law and the current Indonesian government policy towards indigenous people on land and environment sustainability issues. This research conducts the Check and Balance analyses on sustainability and development towards society, economy, and environment (particularly on land). The research uses mixed methods with judicial normative and empirical approaches and gains data and legal cases to be analyzed.

Keywords: *Coastal Utilization, Covid-19, Tourism, Regulatory Model, Sustainable Welfare-Based.*

1. INTRODUCTION

The outbreak of a disease pandemic caused by the Covid-19 virus has been spread to various countries. The rapid outspread of the Covid-19 virus is caused by transmission through physical contact of body fluids from human to human. Hence the effort required to prevent the spread is the restriction of human mobility. Similar conditions also perceived in Indonesia, Covid-19 cases in Indonesia have reached the following: Positive Patients: 2,345,018; Cured Patients 1,958,553; Deceased Patient: 61,868. [1] Policies taken by Indonesia to prevent the spread of the virus include (1) conducting

social distancing which in its application the compliance rate is 72%, (2) compulsory healthy lifestyle by constantly washing hands which in practice the compliance rate is 80%, and (3) by Independent Isolation and Work from Home which in the implementation process the compliance rate is 49% [2]. This implemented policy in Indonesia has impacted various aspects consisting the following: (1) impact on workers who have been laid off by 2.57%, causing the unemployment rate in Indonesia to become 25.26%. (2) impact of a decrease in income of 41.91%. (3) impact on the Tourism, Textile, Housing, and Automotive sectors decreased up to 70.39 %.

Indonesia's reaction to the impact of the pandemic is to issue PEN or known as the National Economic Recovery Policy, which is regulated in Government Regulation No. 23 of 2020. The focus of the implementation of PEN in 2021 includes (1) *survival and recovery kits* by enacting Countercyclical Policy by OJK according to OJK Regulation Number 11/Pojk.03/2020 as amended by OJK Regulation No. 48/POJK.03/2020 regarding National Economic Stimulus as a Countercyclical Policy on the Impact of the Spread of Coronavirus Disease 2019, which aims to provide Credit Relaxation to Debtors to maintain business continuity through implementation. (2) Structural Reform, through Law No. 11 of 2020 regarding Job Creation to form policy and regulation on accelerating foreign investment to Indonesia, especially the tourism sector. The objective to be achieved by the Indonesian government is that the given Credit Relaxation stimulus makes business activities, particularly the tourism sector remains to survive, simultaneously balanced with the regulatory facilitating investment from outside parties, in order to develop the tourism sector in the coastal region.

Why is development in the area of a coastal region significant? This relates to the Indonesian Ministry of Tourism policy direction, which was launched in 2018, which is commonly known as the "10 New Balis". This program aims to introduce 10 tourist destinations in Indonesia in addition to Bali Island including Lake Toba, North Sumatra, Tanjung Kelayang Bangka, Mandalika NTB, Wakatobi Southeast Sulawesi, Morotai North Maluku, and Labuan Bajo NTT, Seribu Islands Jakarta, Tanjung Lesung Banten, Borobudur Central Java, and Bromo-Tengger-Semeru, East Java.^[3] This program is implemented by facilitating these areas with developing the infrastructure as well as promoting and empowering the area.

The implementation of this program requires no small amount of money to carry out. Therefore, through the policy, the government has created an instrument that can facilitate foreign investment, which is stated in Law Number 11 of 2020 regarding Job Creation or better known as the Omnibus Law. The current regulatory conditions related to the use of coastal areas are regulated in Law No. 27 of 2007 in conjunction with Law Number 1 of 2014 regarding Management of Coastal Areas, and Small Islands states that local governments are required to prepare a Zoning Plan for Coastal Area and Small Islands (known as *Rencana Zonasi Wilayah Pesisir dan Pulau-Pulau Kecil* or RZWP-3-K) by their respective authorities. This policy facilitates various development activities in coastal areas such as housing, industry and trade, transportation, and tourism, which have significantly contributed to the overall development process.

The progress of the implementation of this policy raises further problems, namely due to the piling of

interests among stakeholders towards the sea and water areas which tend to cause overlapping activities, such as shipping, fisheries, mining, telecommunications, marine tourism, conservation, and others. As a result, the case of conflicts of spatial utilization in marine and coastal islands may occur in local and regional contexts as well as national and international. Conflicts that appear on spatial utilization include modern traditional fishing activities, industrial activities-fishery cultivation, marine sand mining, conservation-tourism, telecommunications cables, underwater pipelines, and shipping and water tourism (an area where recreational services are provided carried out in the sea and coastal waters).^[4] What caused this to happen? It is known that based on the search results on the documents of statutory regulations including, we found that the mandated regulation and they are implementing among those regulations were not stipulated within a period of \pm two years as appropriate. For this reason, it is necessary to integrate stakeholders to revise various ecotourism laws and policies in Indonesia comprehensively, systematically, and objectively so that in the dynamics of their implementation, they can optimize the seven pillars of ecotourism development.^[5]

Based on those findings, we conduct a study on regulatory models that can be used as an alternative to implementing policies in the tourism sector, especially on the utilization of Coastal Land. The Regulatory Model focuses on elaborating the application of the Land Use Paradigm Shift in line with the spirit of Structural Reform through the Job Creation Act by considering the following: First; the synergy of Regional Regulations and National Regulations. Second, adjustment of disaster-responsive regulation to the conditions of the Covid-19 pandemic. Third, the Utilization Requirements for investors and local governments who apply reinforcement/empowerment culture as a plus point, human resources, and the community economy around the coast through the transfer of knowledge by paying attention to the selling value of each region for the tourism sector.

2. RESEARCH METHODS

The method used is normative legal research through analyzing Countercyclical Policies and Omnibus Law, especially in the issue of sustainable welfare regulatory models in accelerating tourism economic benefits during the unintended consequences of the Covid-19 Pandemic in coastal areas. The research was conducted with a *library-based* approach that focuses on reading and examining primary and secondary legal sources. Primary legal sources are actual sources of law, namely, laws and court decisions and regulations related to countercyclical and Omnibus Law and economic sustainability to suggest the best models that aim to accelerate the tourism economic benefits. Meanwhile, secondary legal sources

include commentary on the law discovered in legal literature and journals. The approach used by the author for this legal writing in this study is statutory (the *statute approach*).

3. RESULT AND DISCUSSION

3.1 *The Effect of Countercyclical Policies and Omnibus Law on Regulation of Coastal Utilization Conditions and Spatial Planning*

The Indonesian government responded to the first Covid-19 pandemic through Government Regulation Number 23 of 2020 concerning the National Economic Recovery Policy (PEN). The PEN policy is a survival and recovery kit to maintain business continuity through the OJK stimulant implementation policy based on POJK No.48/POJK.03/2020. This policy is a Countercyclical policy on the impact of the 2019 Coronavirus Disease, especially in business operations. Second, the Indonesian government carried out structural reforms through Law Number 11 of 2020 concerning the Omnibus Law to regulate and accelerate foreign investment in Indonesia. The two policies target four economic sectors, namely tourism, textiles, housing, and automotive. Omnibus is a relatively new law, and the Covid-19 pandemic is still a challenge. Therefore, it is urgently needed to create alternative models and module variants. Hence the following discussion related to the relationship between the National Economic Recovery Policy can support the development of coastal utilization and spatial planning.

Law No. 27 of 2007, in conjunction with Law Number 1 of 2014 regarding Management of Coastal Areas and Small Islands, states that regional governments are required to prepare a Zoning Plan for Coastal Zone and Small Islands (RZWP-3-K) in line with their respective authorities. In-Law Number 1 of 2014 regarding Management of Coastal Areas and Small Islands Article 16 paragraph 1 states that permanent use of space from part of coastal waters and small islands must have a location permit. Furthermore, Article 17 explains that the location permit is granted in line with the Zoning Plan for Coastal Zone and Small Islands (RZWP-3-K) that has been stipulated. Law Number 23 of 2014 regarding Regional Government Article 14 states that the administration of government affairs in the forestry, marine, and energy and mineral resources sectors is divided between the Central and the Provincial Regions Government. In addition, Appendix Y states that the management of marine space up to 12 miles outside of oil and gas and the issuance of permits and utilization of marine space below 12 miles outside of oil and gas are the authority of the Provincial Government. This has implications for the obligation of the Provincial Government to stipulate a Regional Regulation on the

Zoning Plan for Coastal Zone and Small Islands (RZWP-3-K).[\[6\]](#)

The spatial utilization in coastal areas and small islands requires supervision and control in its performance. Therefore, for this purpose, it is conducted by the regional head or an official appointed by the regional head accordingly given special authority to ensure the use of space in the coastal and small island's areas in an integrated and sustainable manner. In addition, it is also expected that the participation of the community in supervising the utilization of coastal and small islands areas. According to the results of the Corruption Control Commission (known as *Komisi Pemberantasan Korupsi* or KPK) study in 2014 on the Indonesian Marine Space and Resources Management System, which was conveyed during the activity of the Indonesian Marine Sector's Natural Resources Rescue Movement, displayed several issues, among others: (1) marine spatial planning which is incomplete and remain partial; (2) marine and fishery licensing arrangement; (3) the data and information system related to the sea area, the use of marine space, and the utilization of the resources contained therein, is incomplete and unintegrated; (3) uncontrolled pollution and damage in the sea.[\[7\]](#)

Thus, it can be concluded that various development activities in coastal areas such as housing, industry and trade, transportation, and tourism activities have significantly contributed to the overall development process. However, this development simultaneously has an impact on environmental sustainability and supporting capacity and economic and social changes in this area which, if not handled properly, will ultimately reduce the level of community welfare. The reason for this policy mechanism is not well developed, according to an explanation provided by the Indonesian Forum for the Environment (WAHLI) in its article entitled "The State Failed to Overcome the Crisis," is due to the regulatory principles of the RZWP-3-K, which include (1) conformity, harmony, and balance of power support; (2) the integration of the use of types of natural resources; (3) the obligation to allocate space and access for residents,[\[8\]](#) has not been carried out effectively and unwittingly caused the current prevailing policy opening its access to strategic projects by the government and investors for the utilization of coastal areas which do not prioritize the socio-economic needs of residents.

The development of the policy's implementation to actualize the Zoning Plan's objectives for Coastal Areas and Small Islands has found another problem: the pandemic situation as we acknowledge that one of the objectives of the Zoning Plan of Coastal Areas and Small Islands is tourism development. However, this pandemic situation has caused tourism in Indonesia to suffer a slump. This is indicated by (1) the decrease in the number of tourists by 61 percent when compared to the previous

year; (2) 13 million workers in the tourism sector and 32.5 million workers who are indirectly related to the tourism sector; (3) the decline in foreign exchange earnings from tourism in 2020 between US\$4-7 billion, which was initially targeted at US\$19-21 billion. [9] This condition is very influential in socio-economic life, especially tourism business activities established in coastal areas. This condition reduces an individual's income, thereby reducing their ability to meet their daily needs, including paying off their debt liability, which can appear as an addition to business capital, the repayment of which is highly dependent on whether the business is operating correctly or not.

The reaction given by the government in response to these conditions is the fiscal policy issued by Indonesia in the face of weakening economic development in Indonesia as a result of the global crisis caused by the Covid-19 pandemic, namely the issuance of fiscal policy through countercyclical stimulus. Sri Mulyani Indrawati explained [10] that one of the focus sectors in implementing this fiscal policy is tourism. Intending to increase tourism interest, the government provides several assistance packages, one of which is reducing hotel and restaurant taxes for six months in 10 Indonesian tourism destinations with a compensation of Rp. 3.3 trillion, therefore the Regional Government does not suffer losses from local taxes.

The direction of the Fiscal Policy applied by Indonesia, especially in the tourism sector by reducing taxes with compensation for local governments, is accurate. It is in line with the opinion of Amanda Page-Hoongrajok, who explains the vital role of increasing and strengthening regional income to achieve the effectiveness of implementing countercyclical policies. It is expected that the regions will be able to make regional expenditures with a focus on developing tourist attractions; thus, it will increase foreign investment interest, which will have a significant impact on state revenues. [11] This mindset is also in line with the focus of the subsequent policy development, namely the Omnibus Law Regulation in Indonesia, which aims to shorten the bureaucracy to increase interest in foreign investment in Indonesia.

The previous description has explained that one of the government's reactions to surviving and solving problems caused by the pandemic is through the PEN policy. In addition, providing relaxation on credit is to carry out Structural Reforms, through Law Number 11 of 2020 regarding Job Creation (hereinafter called the Job Creation Act) to develop policies and arrangements for accelerating foreign investment to Indonesia. Especially in this paper is the tourism sector that is expected by being given a credit relaxation stimulus. Business activities, especially the tourism sector, can survive, simultaneously balanced with regulations that facilitate foreign investment, to develop the tourism sector in

coastal areas. Policies with similar objectives have emerged since 2014, as discussed previously, and as we all know, their implementation has not yet met expectations.

The current government solution being offered is by applying the method of drafting regulation of Omnibus Law [12] which is actualized in the Job Creation Law. This regulation is expected to solve the previous problems related to regulation in Indonesia. Why can Omnibus law solve the problem? Because the characteristics of the Omnibus law arrangement are (1) Multisectoral and consists of many content sources with the similar theme; (2) Consists of many articles due to the various sectors covered therein; (3) Consists of many laws and regulations which are collected in one new legislation; (4) Independent, without being affected by other Regulations; (5) Reformulate, negate or revoke part or all of other regulations. [13]

Using the omnibus method in various countries globally, the formation of laws and regulations has the same ontological basis. They will overcome the non-dynamic conditions of applying the law by reformulating regulations that replace them with a new arrangement resulting from reformulation. Therefore, departing from this reasoning, it is expected that in the future, with the enactment of the regulations produced by the omnibus method, it is possible to resolve obesity regulation and the overlapping interests of both from the regulators or the implementers, and thus becomes a solution to solve any problems that arise from the implementation of the policy on the Zoning Plan for Coastal Areas and Small Islands.

3.2 Regulatory Models formulated in the form of Policies by the Central Government and Regional Governments to Support Coastal Community Empowerment in the Tourism sector in order to achieve a sustainable economy during/after the Covid-19 Pandemic

The purpose of the legal methods offered by the author is to become a solution to the regulatory problem in Indonesia; thus, it may be in line with the Omnibus Law method that has been determined as the drafting method of the regulation. Accordingly, the following is the stage pattern in the regulatory model formulating the policies by the Central Government and Regional Governments to Support Coastal Community Empowerment in the Tourism sector in order to achieve a sustainable economy during the period of/post-Covid-19 Pandemic, as follows:

Stage one is to identify the regulatory issues in Indonesia. It has been acknowledged through literacy studies that the main regulatory issue is the difficulty of creating a synergy arrangement. By regulatory synergy

means the synergy between Regional Regulations and Central Regulations. This condition is caused by a conflict of norms resulting in distortion of norms and content of norms and legislation obesity. Norm conflicts arise as a result of 4 (four) main problems, including (1) *Lawmaking process problems*, (2) *Interpretation Problems*, (3) *Capacity Problems*, (4) *Implementation problems*. These problems are also a challenge in the enforcement of the Omnibus Law, where the regulatory system is expected to be a superpower that meets the technical rules and material content that is wrapped by legal morality. [14]

The author tries to compare with other countries in ASEAN which conduct its laws and regulations drafting by using the omnibus method, namely Vietnam. In drafting its laws and regulations, Vietnam keeps holding to the constitutional and legal frameworks and different cultures and historical traditions; thus, in the implementation of drafting the laws and regulations, Vietnam constructs the statutory regulations by adding the consolidation law. This consolidated regulation is interpreted as a process of selecting and grouping regulations in a cluster according to a determined theme with a priority agenda according to the country's needs at that moment [15]. Hence in the context of this course, to achieve synergies through the omnibus law method. It is necessary to have a regulatory consolidation mechanism by compiling all regulations regarding coastal areas' utilization and spatial planning. It will be clarified on these regulations and revoke overlapping and vague provisions, and formulate re-regulation that can facilitate the needs of all stakeholders and the community in the development of coastal utilization and spatial planning.

Stage two, changes of policies to be adjusted to the pandemic situation for investors. Policies were related to planning, decision making and formulation, implementation of decisions, and evaluation of the impact of implementing these decisions on many parties targeted for the policies. Consequently, it is indispensable for the government to be careful and sensitive to enact a public policy. The authors adopt theories and concepts about legal effectiveness. There are several concepts about how to measure or observe the effectiveness of a rule in a society. One that is quite widely used in the literature is the theory of legal effectiveness from Soerjono Soekanto, which conveys that whether or not a law is effective is determined by 5 (five) factors, namely [16]:

1. The legal factor itself
2. Law enforcement factors, namely the parties who form and apply the law
3. Factors of facilities that support the law enforcement
4. Community factors, which is the environment in which the law applies or is applied

5. Cultural factors, namely as a result of work, creativity, and sense according to a human initiative in social life

In relation to changes in policies that adapt to the pandemic situation for investors where the subject to be analyzed is the effectiveness of laws and regulations, it can be said that the effectiveness of law depends a lot on several factors, including [17]:

1. Knowledge of the substance (content) of the regulations
2. Ways to acquire such knowledge
3. Institutions related to the scope of regulations within the community
4. How is the creation process of a regulation, which should not be rushed for instant (momentary) interests, as termed by Gunnar Myrdal as *sweep legislation*, which has poor quality and is incompatible with the public needs

The following is the hierarchy of spatial planning that the law has mandated:



Figure 1. The Hierarchy of Spatial Planning

“Overall, there are four integration clusters, namely two provinces that have obtained approval for the substance of the RTRWP (in the process of confirmation), one province has carried out cross-sectoral discussions, 20 provinces in the process of review/revision, and 11 provinces have not entered the reviewing period/recently stipulate the revised regional regulation,” thus stated by the Director of Regional Spatial Planning Development for Region I, Reny Windyawati [18]. The integration of RZWP3K (Zoning Plan for Coastal Areas and Small Islands) into RTRWP as mandated by UUCK (Law No. 11/2020) and Government Regulation of Implementation of Spatial Planning (PP No. 21/2021). Several concepts of regulatory integration of RZWP3K and RTRWP in Government Regulation No. 21 of 2021 regarding the Implementation of Spatial Planning and local clustering based on the revised status of the RTRWP.

Stage three, Utilization of Coastal Area by investors and local governments who apply the reinforcement/empowerment of culture and surrounding communities to be resilient against the pandemic situation. The discussion will be commenced with the direction of policy the Ministry of Tourism and Creative Economy in 2020 is to develop sustainable tourism to actualize the Tourism Premium in Indonesia by applying 4 (four) principles that prioritize environmental conservation and cultural preservation community and tourists. These principles are applied by taking into account the following: (1) Rich in traditional values; (2) Respect for Nature and Culture; (3) Quality service products; (4) supporting infrastructure; (5) An authentic and exclusive travel experience. To make it happen in development.

Accordingly, pursuant to the direction of the policy, the Regulatory Model formulated in the policy by the Central Government and Local Government to Support the Empowerment of Coastal Communities in the Tourism sector in order to achieve a sustainable economy during the/post-Covid-19 Pandemic, the authors argue that the primary key lies in the pattern of cooperative relationships between the Central Government and Regional Governments and stakeholders and the Community. The reference to form the pattern of cooperative relationships is based on the *Collaborative Governance Assessment*. This cooperative pattern was introduced by Ansell C. and Alison G in 2007 [19] with the following scheme:

One or more public institutions directly involve non-governmental stakeholders in a formal, consensus-oriented, deliberative collective decision-making process to make and implement public policies and managing programs or public assets. In this pattern, the background for the formation of collaborative relationships are the parties, namely the government and stakeholders and the community which conditions are interdependent with each other thus; by applying policy instruments related to mutually beneficial interactions in order to achieve their respective goals, they are still based on the good faith of each party. This pattern consists of 3 stages, as follows: [20] (1) Identifying Obstacles and Opportunities (Listening Phase) ; (2) Debating Strategies to Influence (Dialogue Phase); (3) Planning Collaborative Actions (Optional Phase). Furthermore, for the Collaborative Governance Success Criteria, Goldsmith and Kettl mention that there are essential things that may be used as criteria for the success of a network or collaboration in governance, namely: Networked Structure, Commitment to a Common Purpose, Trust Among Participants, Governance, Access to Authority, Distributive Accountability/Responsibility, Information Sharing, Access to Resources. [21] Therefore based on the description above, when it is associated with the model for the formation of the Omnibus legislation, which is made based on a government collaboration pattern or

Collaborative Governance Assessment, in relation to Coastal Community Empowerment in the Tourism sector in order to achieve a sustainable economy in the period/post Pandemic Covid-19, are as follows:

First, carry out the identification phase regarding the issue. This identification is meant to conduct a structured mapping based on legal subjects and the interests and needs of each party. In addition, mapping is also conducted on the applicable regulation according to the hierarchy level and the field of regulation. Classify articles that are considered one-sided or overlapping according to the regulatory hierarchy. This stage is done with the expectation of obtaining a holistic mapping of needs that arise from each party.

Moreover, the gap between each need is the root of the problems. The problems in this essay are

1. marine spatial planning, which is incomplete and kept partial;
2. Marine and Fishery Licensing Arrangement;
3. The data and information system related to the sea area, the utilization of marine space, and the resources contained therein is incomplete and unintegrated;
4. Uncontrolled pollution and damage at sea.

These problems may be used as directions in determining regulations that may cover their individual needs based on the theory of utilitarianism by Jeremy Bentham. The purpose of the law is to provide the most significant benefit and happiness to as many citizens as possible. Hence, the concept is to put benefit as the primary purpose of the law. The measure is the greatest happiness for as many people as possible. The assessment of good or bad, fair or not of the law, is dependent on whether the law can provide happiness to humans or not. The benefit is defined as happiness. Therefore, the *Networked Structure* condition will be achieved, a condition in which there is no hierarchy of authority, domination, and monopoly. Thus, all parties have equal rights, obligations, responsibilities, authority, and the opportunity for accessibility in achieving common goals. This grouping mechanism is also in line with the method applied in the omnibus law system in drafting legislation.

Secondly, initiating a dialogue with the parties. The dialogue is intended further to identify the purposes between the government and stakeholders and the community to ensure that each has the same Commitment. Thus, it will be the basis for determining policies; consequently, according to the Commitment to a Common Purpose, these parties will be applied to form negation and reformulation of regulations that have been identified as problems to achieve common goals. The authors' common goal referred to in this essay is Community Empowerment in the Coastal area in the Tourism sector. Thus, the current policy direction will be achieved, namely Premium Tourism in Indonesia, by

paying attention to 4 principles that prioritize environmental conservation, cultural preservation, society, and tourists. These principles are applied by taking into account the following: (1) Rich in traditional values; (2) Respect for Nature and Culture; (3) Quality service products; (4) supporting infrastructure; (5) An *authentic and exclusive* travel experience. Thus, Trust Among The Participants and Governance will be seized. The basis of collaboration between the parties is a trust which automatically encourages the appearance of order according to the agreed provisions.

Third, the process of implementing collaborative governance. This stage is a follow-up after collaboration between parties based on trust is formed, and then an order is formed. Further, Access to Authority is required. It is the availability of clear and widely accepted measures or procedures. Therefore, there are authority rules which are clear and accepted by each stakeholder to carry out the role according to their authority. The management mechanism is performed with Distributive Accountability/Responsibility, which is structuring, managing together with stakeholders, sharing several decision-making to all networking members, and sharing responsibilities to achieve the desired results. Hence, in collaborative governance, there must be a clear division of responsibilities, and each stakeholder (including the community) must be involved in making policy decisions.

Furthermore, the formation of information sharing means easy access for members, privacy protection, and limited access for non-members as long as all parties accept it. Accordingly, there must be explicit information sharing and easy access to information obtained for each stakeholder in collaborative governance. When implementing collaborative governance establishes sustainability, it will result in Access to Resources, which is the availability of financial, technical, human, and other resources needed to achieve networking goals. Hence, there must be clarity and availability of resources for each involved stakeholder. Thus, when associated with this discussion, in implementing collaboration, the government needs to have provisions for procedures related to the division of responsibilities in connection with Community Empowerment in the Coastal Area in the Tourism sector.

Furthermore, collective management with stakeholders and sharing a number of decision-making to all members, as well as explicit information sharing, and easy access to information can be shared by each stakeholder, are indicated by the transfer of technology provided to the community from the stakeholders thus becoming a mechanism that empowers residents, significantly to develop tourism in coastal areas.

4. CONCLUSION

The sustainable welfare-based regulatory model encourages the potential utilization of coastal areas for tourism during the Covid-19 period in Indonesia by focusing on:

1. Identification of regulatory problems in Indonesia,
2. Changes of policies to be adjusted to the pandemic situation for investors,
3. Utilization of the coastal areas by investors and local governments who apply reinforcement/empowerment culture and surrounding communities can be resilient against pandemic situations by forming a collaborative government pattern.

The pattern that can be carried out in 3 stages as follows: (1) performing identification stages regarding problems in order to obtain mapping problems; (2) conducting dialogue with the parties to negate and reformulate the regulations that have been identified as problems, thus creating collaboration between the parties is trust that breeds obedience; (3) the process of implementing collaborative governance which is carried out according to procedures as well as to create a management system that concerned to technology transfer between the government, stakeholders and the community, thus creates empowerment and sustainable utilization of coastal areas in order to achieve prosperity.

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