

ASSISTANCE FOR THE DEVELOPMENT OF ACADEMIC TEXT AND RAPERDASUS SUSTAINABLE DEVELOPMENT IN WEST PAPUA PROVINCE

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Abstract

The empirical problem in assisting the preparation of Academic Papers and the Draft of Special Regional Regulations for the Province of West Papua is that there is no synchronization between previous and current legislation regarding sustainable development. Specifically, in West Papua Province, sustainable development is based on the view that natural resources have a limited capacity to accept the impact of human activities. The objectives of this mentoring activity are (1) to develop a framework for academic texts as the main umbrella for the draft of special regional regulations; (2) to draft a special regional regulation on Sustainable Development in the Province of West Papua; (3) evaluate the implementation of Perdasus No. 10 of 2019 concerning Sustainable Development in West Papua Province; and (4) propose new articles (inserts) as a form of an amendment to the existing special regional regulations. The output of this strengthening activity is expected to contribute to harmonizing, regulating, limiting, considering, and covering the scope of special regional regulations related to Sustainable Development in West Papua Province. Participants in the mentoring activity consisted of (1) Provincial Government Elements, (2) Universities, (3) Customary Institutions, (4) Technical Regional Apparatus Organizations, and (5) Members of the DPR and MRP West Papua, totaling 75 people. This mentoring activity resulted in: (1) changes to the provisions of Articles I and II norms, and (2) Insertions of Articles 5, 6A, 26A, and 49A.

Keywords: Assistance, Regulation, Sustainable Development, West Papua.

INTRODUCTION

After the issuance of Law Number 11 of 2020 concerning Job Creation and Law Number 2 of 2021 concerning Amendments to Law Number 21 of 2001 concerning Special Autonomy for Papua Province, it has turned out to have a major impact on the system of governance both at the Central (National) level and the regions, particularly in West Papua Province about natural resource management.

In line with the spirit of regional autonomy and Papua's special autonomy, the West Papua Provincial Government is seriously committed to realizing better, democratic, and oriented local governance through a consensus on sustainable regional development (see Warami, 2020).

The West Papua Provincial Government's commitment has been carried out by issuing a Special Regional Regulation (Perdasus) Number 10 of 2019 concerning Sustainable

Development in West Papua Province which contains objectives, policies, and strategies for managing sustainable development, legal theoretical studies, philosophical, social and legal foundations, and the principles of sustainable development as well as the scope and scope/direction of legislation. Based on these special regional regulations, the Natural Resources in the Province of West Papua Province can be managed and utilized sustainably as a supporter of the regional/national economy and are competitive by prioritizing the principles of preserving land and water areas, seas, and small islands following the value of local wisdom (cf., Bawole and Warami, 2016).

This service activity related to the Preparation of Academic Papers and the Draft of Special Regional Regulations (Raperdasus) on Sustainable Development in West Papua Province aims to (1) develop an academic text framework (NA) as the main umbrella for the draft special regional regulations; (2) drafting a Special Regional Regulation on Sustainable Development in West Papua Province; (3) evaluate the implementation of Perdasus No. 10 of 2019 concerning Sustainable Development in West Papua Province; and (4) propose new articles (inserts) as a form of an amendment to existing special regional regulations.

Based on the description above, there are two main problems in this mentoring activity, namely: (1) How is the development of the implementation of Special Regional Regulation Number 10 of 2019 concerning Sustainable Development in West Papua Province?, and (2) How is the Draft Amendment to Special Regional Regulations Number 10 of 2019 concerning Sustainable Development in West Papua Province?.

IMPLEMENTATION METHOD

This assistance activity in the preparation of academic texts and the draft of special regional regulations in West Papua Province uses the Participatory Training Model proposed by Kamil (2012) in Warami (2021a; 2021b) by innovating several activity steps and adapting to the needs and characteristics of the initiator. . Some of these activity steps are (1) an inventory of FGD activity participants, (2) identifying the needs, sources and possible obstacles to the preparation of academic texts and special regional regulations, (3) formulating and determining the general objectives and specific objectives of the activity. FGDs, (4) compiling academic texts, (5) compiling and recommending the formation of draft amendments to special regional regulations, and (6) producing draft changes to regulations.

Participants in the mentoring activities in the FGD consisted of (1) elements of the Provincial and Regency/City Governments throughout West Papua, (2) Universities, (3) Traditional Institutions, (4) Technical Regional Apparatus Organizations (OPD), (5) Members DPR, the West Papua Special Autonomy Faction, and (5) the West Papuan People's Assembly, which consisted of 75 people and 2 resource persons.

The activity of preparing academic texts and drafting special regional regulations in West Papua Province was carried out at the Aston Niu Manokwari Hotel, Jalan Sowi Gunung, Manokwari on 07-16 March 2022, while the results of the assistance will be implemented by the West Papua Regional Legislation Agency (BALEGDA) to be included in the Regional Priority Program.

RESULTS AND DISCUSSION

The output targets to be achieved from the preparation of academic texts and the draft of special regional regulations in West Papua Province are to harmonize Regional Regulation Number 10 of 2019 into the current legislation and optimize the implementation of these laws and regulations with in-depth analysis to 1) harmonize the new Regional Regulation about the current legislation, what are the substance of the problems and chapters, articles and paragraphs of the Regional Regulation that need to be revised and the efforts to manage natural resources that can be carried out, as well as the conceptual, theoretical, and philosophical/sociological foundations of the legislation; (2) make arrangements for new regional regulation. what are the philosophical, sociological, and juridical considerations or foundations in the formation of new regional regulation; and (3) to limit the scope, scope, and direction of regulation as well as the objectives of regulating natural resources in the new Perda.

The achievement targets of the preparation of academic texts and the draft of special regional regulations in the Province of West Papua are (1) to create a process of unifying the understanding of the Regional Government of West Papua Province with the Regional People's Representative Council of West Papua Province and the people of West Papua Province regarding the urgency of regulation; (2) providing input for legislators and used as an academic reference for interested parties, and (3) guide the formation of a new regional regulation so that the substance that becomes the legal norm is following the studies discussed in the academic text.

In addition, the target for public consultation through FGDs is carried out as the first step in gathering material to be regulated in the draft regional regulations. Public consultations are carried out in line with the current paradigm that in formulating policies and regulations, local governments need to involve the community so that the regulations issued are participatory, so that will applicable, and easy to implement. And as a study material as well as a tool for cross-checking the information or data obtained from all stakeholders (stakeholders).

The achievement targets of the mentoring activities can be presented in the form of the following table.

Table 1. Activity Achievement Target

Type of Outcome of Raperdasus	Evaluation Achievement Indicator
CHAPTER I General Provisions	There are changes: Insert Article II
CHAPTER II Principles, Principles, Goals and Scope	Scope of Changes Article 5
CHAPTER III Determination of Sustainable Development in West Papua Province	There is a Change: Insert Article 6A
CHAPTER IV Space Protection and Management	No changes
CHAPTER V Biodiversity Conservation and Area Management	There are changes: Insert Article 26A Insert Article 49A
CHAPTER Green Economy Development	No changes

CHAPTER VII Rehabilitation and Restoration	No changes
CHAPTER VIII Environment sanitation	No changes
CHAPTER IX Duties and Authorities of Local Government	No changes
CHAPTER X Community participation	No changes
CHAPTER XI Monitoring and Evaluation	No changes
CHAPTER XII Research, Development, and Innovation	No changes
CHAPTER XIII Education, Socialization, and Education. Public	No changes
CHAPTER XIV Institutional	No changes
CHAPTER XV Inter-Regional Cooperation	No changes
CHAPTER XVI Guidance and supervision	No changes
CHAPTER XVII Reporting	No changes
CHAPTER XVIII Financing	No changes
CHAPTER XIX Investigation	No changes
CHAPTER XX Sanctions and Criminal Provisions	No changes
CHAPTER XXI Transition Terms	No changes
CHAPTER XXII Closing	There are changes: Insert Article II

Source: Bawole (2022) Academic Manuscripts and Raperdasus Documents

The outputs achieved from the provisions of the change in norms are as follows:

Article I

Several provisions in the West Papua Province Regional Regulation Number 10 of 2019 concerning Sustainable Development were amended so that they read as follows:

1. The provisions of Article 5 are amended so that Article 5 reads as follows:

Article 5

The scope of this Special Regional Regulation regulates:

- a. Spatial
- b. Protecting living natural resources,
- c. Non-living natural resources,
- d. Artificial resources,
- e. Conservation of living natural resources and their ecosystems,
- f. Cultural heritage, and
- g. Biodiversity and climate change with due observance of the rights of Indigenous Peoples and to the greatest extent for the welfare of the Population
- h. Determination of sustainable development
- i. Community participation;
- j. Monitoring and evaluation;
- k. Research, development, and innovation;

- l. Education, socialization, and public awareness;
 - m. Institutional;
 - n. Cooperation between regions;
 - o. Guidance and supervision;
 - p. Reporting;
 - q. Financing;
 - r. Investigation; and
 - s. Sanctions and criminal provisions.
2. Between Article 6 and Article 7, 1 (one) article is inserted, namely Article 6A which reads as follows:

Article 6A

- (1) Sustainable development that is implemented is based on spatial planning through planning, utilization, and control.
- (2) Sustainable development is carried out by protecting living natural resources.
- (3) The sustainable development carried out takes into account non-biological natural resources.
- (4) The development of sustainable development can be done by optimizing artificial resources.
- (5) Sustainable development that is implemented can take into account the conservation of living natural resources and their ecosystems.
- (6) Sustainable development can pay attention to cultural heritage areas.
- (7) Sustainable development can pay attention to biodiversity and climate change.
- (8) Sustainable development can take into account the rights of indigenous peoples.

3. Between Article 26 and Article 27, 1 (one) article is inserted, namely Article 26A which reads as follows:

Article 26A

Sustainable development and the environment have affairs that include:

- a. Forestry; agriculture, animal husbandry, marine & fisheries
- b. Environment;
- c. Public works and public housing;
- d. Land;
- e. Youth
- e. Youth and sports;
- f. Empowerment of women and protection of children;
- g. Peace and public order as well as the protection of the Papuan people;
- h. Library;
- i. Record management.

4. Between Article 49 and Article 50, 1 (one) article is inserted, namely Article 49A which reads as follows:

Article 49A

- (1) To improve the functions of coordination, synchronization, control, and evaluation of environmental management, the agency that carries out environmental functions is designated as the leading institution.
- (2) The Governments of West Papua Province and Regencies/Cities are obliged to implement the principles of a green economy through the development of organic villages and climate villages to increase the productivity and income of the OAP community according to the principles of sustainable development.
- (3) The return of environmental sovereignty rights through the allocation of natural resource profit sharing, especially for regions or areas that are directly affected by the exploitation of natural resources in the form of fulfilling social needs such as providing quality clean water, structuring sanitation and residential environments, transportation facilities, and infrastructure. and telecommunications, fulfillment of electricity and gas energy needs as well as counseling and increasing knowledge about the preservation of environmental functions.
- (4) Increasing collective awareness to love the environment and knowledge of sustainable development through the facilitation of the construction of environmental education centers, both managed by educational institutions and by community foundations.
- (5) Increasing knowledge of sustainable development from an early age through the education system at all levels.
- (6) Determination of the Mahkota Permatan Papua area as a Strategic Area for Sustainable Development.
- (7) Determination of certain areas in coastal areas and islands as Strategic Areas for Sustainable Development.
- (8) Every investment must allocate the results of natural resource management to be able to meet the needs of the local community as well as the entire community of West Papua.
- (9) Every investment in natural resource management is required to develop a downstream industry located in the West Papua region.
- (10) Every investment in natural resource management is obliged to establish its head office in the Capital of West Papua Province.
- (11) Development of an integrated environmental information system.
- (12) The Provincial Government of West Papua is obliged to carry out non-B3 waste management in an environmentally friendly manner.

Article II

This Special Regional Regulation comes into force on the date of promulgation.

For everyone to know it, it is ordered that this Special Regional Regulation be promulgated by placing it in the Regional Gazette of the Province of West Papua.

CONCLUSION

Based on the results of the assistance activities for the preparation of academic manuscripts and the draft of special regional regulations in West Papua Province, it can be concluded several things as follows. First, it is necessary to carry out synergies and synchronization between the previous and current legislation to obtain mutually supportive and legally binding normative provisions. Second, assistance in the form of a public consultation process must be the main thing in the context of the involvement of each interested party in supporting West Papua as a Province of Sustainable Development. Third, this mentoring activity resulted in (1) Academic Manuscripts containing the basics of historical, juridical, and sociological considerations, (2) Draft Special Regional Regulations concerning changes to the provisions of Articles I and II norms, and (2) Inserts of Article 5, 6A, 26A, and 49A.

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