



## ARRANGEMENT OF THE BATUR UNESCO GLOBAL GEOPARK TOURISM AREA BANGLI REGENCY

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**Abstract-** Prior to the 1990s, there was no agency that managed Batur tourism objects and resources. In 2017 a tourism area management body was formed, but at that time its authority was limited to the imposition of levies for tourists visiting the Geopark tourism area. It is not clear which agency has the authority to organize tourism areas, so a problem arises: The agency authorized to organize tourism areas and the factors that affect the arrangement of tourism areas. This research aims as evaluation materials in arrangement the Batur Unesco Global Geopark Tourism Area in Bangli Regency. The research method used is empirical legal research. The analysis techniques that will be used are Legal-Content Analysis and Futuristic Analysis. This legal research aims to analyze the problem, namely the agency authorized to organize the Batur UNESCO Global Geopark tourism area in Bangli Regency. The authority of the management body is limited only in collecting fees, whereas for a significant increase, the authority of the agency is not only to collect tourist fees, but also to organize the area to increase its tourist attractiveness. The results of the discussion of the regulation of the authority for structuring tourism areas are the Bali KSDA and the Bangli Regional Government, as well as the not yet implemented regional arrangement based on natural preservation, community empowerment, and environmental economic progress.

**Keywords:** Authority, Bangli Regency, Spatial planning and Tourism

### I. INTRODUCTION

Ecotourism and cultural-based tourism development is one of the government's priorities in the context of accelerating Indonesia's economic growth in the global era. Since the issuance of Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, it is stated in a general explanation that the granting of the widest possible autonomy to the regions is directed at accelerating the realization of community welfare through improved services, empowerment, and community participation. Before the 1990s,

the tourism objects and resources of Batur did not have an institution that managed them, so that in that year it could be said that they were running independently, so the results is the distribution is not managed because there is no institution. Based on Regent Regulation Number 7 of 2017 concerning Changes in the Status of Management of Objects and Attractions of Batur to become the Batur Unesco Global Geopark Tourism Management Agency with Regent Decree Number 800.05 / 759/2018 concerning the Appointment of the Supervisory Board, Director, Deputy Director, Secretary, Head of Division and Head of Division at the Batur Unesco Global Geopark Tourism Management Agency. With the issuance of the Regent's Decree, there is an explanation of the duties and authorities of the Management Agency in intensifying and extending so that its performance can be seen from the receipt of levies that have increased sharply twofold when compared to 2018, an increase of about 130%. This research is both empirical and normative legal research using the mixed-method nomotative and normative. The research method used was document review, interview - FGD, and observation. The analysis technique used is Legal-Content Analysis and Futuristic Analysis. This legal research aims to analyze the problems, namely:

1. What agency has the authority to organize the Batur UNESCO Global Geopark tourism area in Bangli Regency?
2. What are the factors that influence the arrangement of the Batur Unesco Global Geopark tourism area in Bangli Regency?

However, the authority of the management agency is not only to collect tourist fees, but also to organize the area to increase its tourist attraction.

## **II. CONCEPTUAL REVIEW**

### **2.1 Spatial Planning Concept**

Spatial planning is a form of structural and spatial use patterns, whether planned or not (Ikmal, 2017). Thus, the law of spatial planning according to Law Number 26 of 2007 is a law in the form of a spatial structure (is the arrangement of residential centers and a network system of infrastructure and facilities that functions as a support for community economic activities which hierarchically have functional relationships) and spatial patterns is the distribution of spatial use in an area which includes spatial designation for protection functions and spatial designation for cultivation functions). The development of the area must be able to guarantee the continuity of soil and water conservation, ensure the availability of groundwater and surface water, and overcome flooding by considering the sustainable carrying capacity of the environment in area management (pasal 8b) (In the explanation of Lestari, 2018).

### **2.2 Geopark Concept**

Geoparks are unified geographical areas where sites and landscapes of international geological significance are managed with a holistic approach to protection, education and sustainable development (UNESCO 2016 In Fornaro & Fernandes, 2018). Geopark is a single or combined geographic area, which has a Geological Heritage Site (Geosite) and valuable natural landscapes, related to aspects of Geological Heritage (Geoheritage), Geological Diversity (Geodiversity), Biodiversity (Biodiversity), and Cultural Diversity (Cultural Diversity) as well as being managed for the purposes of conservation, education, and community economic development in a sustainable manner with the active involvement of the community and local government, so that it can be used to foster public understanding and concern for the earth and the surrounding environment. Regional government-owned enterprise (BUMD) is a business entity which is wholly or most of the capital owned by the region.

## **III. RESEARCH METHOD**

The research classified into empirical legal research. Amiruddin & Asikin (2008) stated that the use of empirical legal research is, "... to find out how the law is implemented, including the

law enforcement process". In this study, the authors describe precisely the condition and relationship between a symptom and other symptoms regarding the Structuring of the Batur Unesco Global Geopark Tourism Area in Bangli Regency, so that the approach is sociological juridical. The empirical approach is used to analyze, not only as a set of normative rules of law, but law is seen as a symptomatic community behavior and patterns in people's lives that always interact and deal with social aspects such as politics, economy, social the culture of various individual inventions will be used as the main material in the disclosure of the problems studied by adhering to normative provisions (Muhammad, 2004).

The data used in this study are primary data and secondary data. "Primary data is data that comes from field research, namely data obtained directly from the first source in the field, namely both from respondents and from informants". The primary data of the research is from UNESCO Global Geopark Batur Tourism Area Management Agency, Bangli Regency Government, Bali Natural Resources Center in Denpasar. Secondary data is data that comes from library research, namely data obtained not directly from the first source, but from data that has been documented in the form of legal materials. Furthermore, in this study used Interview technique in collecting data. The interview technique is carried out by asking questions that are designed to obtain answers that are relevant to the research problem to respondents and informants. Amiruddin & Asikin (2008) stated that, "A standardized interview, which is an interview accompanied by a list of questions compiled beforehand".. In this study, researchers only used a part of the overall research object. Taking samples for research is called sampling. This research uses non-probability / non-random sampling technique. Bambang Sunggono (2016) stated that, "In non-random sampling, the chance for each unit or individual population to be a sampling is not the same, there is even a population unit whose probability value to be selected as a sample unit is = 0 or 1".

#### **IV. DISCUSSION**

The diversity of living natural resources in the form of an ecosystem is interrelated, the existence and continuity of each other should be maintained in order to remain in a harmonious, harmonious and balanced condition. Thus, legal protection is necessary so that this balance is maintained and of course there is a need for community assistance so that the law can be implemented according to the rules. The rule of law requires restrictions on the power of the ruler and the actions of citizens so that both the ruler and the citizens must submit to it to the law (Sibuea, 2010). According Ansori (2017) Law and society are things that cannot be separated from one another. That is why Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia has laid a constitutional basis for the use of living natural resources and their ecosystems in Indonesia from an early age.

Environmental law enforcement is not only intended to punish environmental destroyers or polluters. But it is also intended to prevent actions or actions that can cause environmental destruction and / or pollution. Therefore, environmental law enforcement is not only repressive, but also preventive. Mas Achmad Santosa (2016) stated that administrative law enforcement in the environmental sector is preventive.

From the study of this collaboration, several things were found, including:

1. That the authority to organize this tourism area is the authority of the central government cq BKSDABali. Even if the district government is interested in managing it, with the BKSDA agreement with the status of the right to Manage. This raises problems for district and customary village governments that do not yet have regulations but want the authority to organize the tourism area. Which in the future needs to be considered, because the main objective of structuring the tourism area is not only to preserve the environment, but also to empower the economy of the surrounding community in synergy.
2. Cooperation has not been fully realized. One of them is the institutional aspect, which was formed by the Bangli Regency Government to be limited to the Batur Unesco Global Geopark Tourism Management Agency.

3. Based on the Regional Government Law, article 331, it is not the management agency that has the authority to carry out spatial planning, but regional government-owned enterprise.

Spatial planning aims to create a safe, comfortable, productive, and sustainable national territory with an archipelago perspective and national resilience by:

- a) the realization of harmony between the natural environment and the artificial environment;
- b) realizing integration in the use of natural and man-made resources by taking into account human resources; and
- c) the realization of spatial function protection and prevention of negative impacts on the environment due to spatial use.

### **Juridical/legally**

Regarding this legal structure, Friedman (2001) explains:

*“To begin with, the legal system has the structure of a legal system consist of elements of this kind: the number and size of courts; their jurisdiction. Structure also means how the legislature is organized....what procedures the police department follow, and so on. Structure, in way, is a kind of cross section of the legal system...a kind of still photograph, with freezes the action.”*

Based on Friedman's explanation above, it is known that the structure of the legal system consists of elements of the court, its jurisdiction (including the types of authorized cases they are examining), and the procedures for appeal from court to court. The structure also deals with the arrangement of the legislative body, the powers and obligations of the president, and the procedures that must be followed by the police, as well as several other provisions. In short, this legal structure consists of legal institutions that carry out existing legal instruments.

The structure is also a pattern that shows how the law is carried out according to its formal provisions. This structure shows how the courts, lawmakers and legal entities and processes run and are run.

### **In the perspective of legal substance.**

The legal substance according to Lawrence Friedman (2001) is:

*“Another aspect of the legal system is its substance. By this is meant the actual rules, norm, and behavioral patterns of people inside the system ...the stress here is on living law, not just rules in law books”.*

The relation between substance and structure is that this substance means the product produced by people who are in the legal system which includes the decisions they issue, or the new rules they draft.

The substance also includes living law, not just rules in law books.

### **Non-juridical factors.**

Legal culture according to Friedman (2001) states that:

*“The third component of legal system, of legal culture. By this we mean people’s attitudes toward law and legal system their belief ...in other word, is the criminate of social thought and social force which determines how law is used, avoided, or abused”.*

To ensure the achievement of the legal function as social engineering for a better direction, it not only requires the availability of law in the sense of rules or regulations, but also guarantees the realization of these legal principles into legal practice, or in other words,

guarantees that law enforcement (Law enforcement) is going well. In this case, the operation of the law is not only a function of legislation, but also a bureaucratic activity for its implementation.

In this regard, Mr. I Made Sasmika as the Head of the Central Batur Village, Kintamani Bangli District explained that:

“The people of Batur Tengah Village, Kintamani Bangli District, especially those in the Penelokan Kintamani area, mostly depend on their livelihoods in the tourism sector, besides some of them are also farmers. This is in line with the number of tourist visits to the Penelokan Kintamani area. The community has developed many tourism services and facilities such as hotels / inns, restaurants, cafes and other businesses with the aim of increasing the attractiveness of local and foreign tourists”.

## V. CONCLUSIONS AND SUGGESTIONS

### Conclusions

1. Tourism management agency has limited authority to only collect fees for the arrival of visitors to tourism areas and has not been authorized to arrange the area as they expected, such as creating a camping area, creating a central parking area according to the concept of a natural tourism park
2. Factors that influence the arrangement of this tourism area are the first to be juridical, including legal substance, where: The substance of the regulation must clearly regulate it. The legal structure, where the Public Order Regency as the Regional Regulation enforcer must strictly implement the local regulatory norms, and the Local Community Legal Culture which indirectly supports the arrangement of this tourism area. Meanwhile, the non-juridical factor refers to the policy aspect of the Central Government to invite district governments and local communities.

### Suggestion

1. The management agency must be changed to regional public company so it has the legality to carry out the arrangement of the Penelokan geopark tourism area.
2. Enforcement of environmental law is complicated, so it must involve all parties in synergy such as the Bangli Regional Government and local customary villages.

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