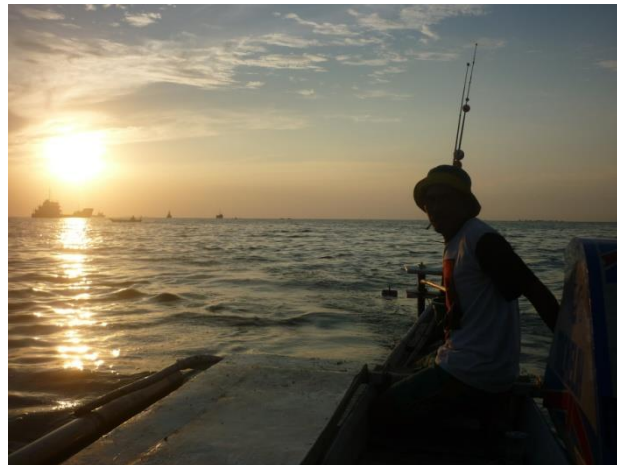




**KNTI**  
Kesatuan Nelayan Tradisional Indonesia

# Small-scale fishing communities and Marine Spatial Planning in Indonesia: legitimizing Blue Growth or securing small-scale fishers livelihoods?

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## Acronyms table

BINGO: Big Environmental Non Governmental Organization
CSO: Civil Society Organization
ENGO: Environmental Non Governmental Organization
FAO: Food and Agriculture Organization
KNTI: Kesatuan Nelayan Tradisional Indonesia
IOC: International Oceanographic Commission
MSP: Marine Spatial Planning
NGO: Non Governmental Organization
OECD: Organisation for Economic Co-operation and Development
PAR: Participatory Action Research
RZWP3K: Rencana Zonasi Wilayah Pesisir Pulau-Pulau Kecil
SDGs: Sustainable Development Goals
SSF: Small-Scale Fisher(ies)
TNC: Transnational Corporation
TNI: Transnational Institute
UNESCO: United Nations Educational, Scientific and Cultural Organization
WFFP: World Forum of Fisher People

Only the acronyms used several times are presented here. Acronyms that are used only one time are explicit in the text. For CSOs acronyms, see Annex 1.

## **Abstract : Communautés de pêche artisanale et Planification de l'Espace Maritime en Indonésie : légitimer la Croissance Bleue ou Sécuriser les moyens d'existence des pêcheurs artisans ?**

La croissance bleue est un concept qui réunit les gouvernements, les multinationales et les ONGs environnementales internationales, alliant maximisation du profit économique et conservation de l'environnement. Les mouvements sociaux de pêcheurs artisans se sentent ainsi pris en tenaille entre les industries extractives et les aires marines protégées, qui impactent souvent leurs moyens d'existence traditionnelle, ce que les pêcheurs appellent Accaparement des océans. Dans ce contexte, les acteurs de la croissance bleue voient la Planification de l'espace maritime (PEM) comme un outil neutre et consultatif de « bonne gouvernance » des océans, alors que les pêcheurs se retrouvent dans le dilemme suivant : doivent-ils considérer la PEM comme un moyen stratégique utilisé par les acteurs de la croissance bleue pour implémenter leur agenda, ou comme une opportunité qui permettraient aux communautés de faire reconnaître leurs droits. Ce dilemme nous amène à la problématique suivante : **Dans quelles conditions la PEM est une opportunité pour les communautés de pêche afin de faire reconnaître leurs droits de pêche et leurs moyens d'existence ?** Le Transnational Institute (TNI) et l'Union des Pêcheurs Traditionnels Indonésiens (KNTI) ont développé un programme commun afin de répondre, entre autre à cette question.

Le cadre théorique de la PEM défini par l'UNESCO et l'IOC permet de comprendre le lien entre PEM et croissance bleue. La PEM y est décrite comme un outil consultatif et neutre, qui permet à toutes les parties prenantes de faire entendre leurs voix, tout en maximisant l'efficacité de la répartition de l'espace. Un focus sur la « Révolution bleue » en Indonésie aidera à comprendre comment le gouvernement Indonésien développe actuellement sa propre politique de PEM, au niveau provincial (RZWP3K), tout en axant sa politique maritime sur le développement d'infrastructures côtières et d'industries extractives et du tourisme. On peut ainsi craindre que le gouvernement Indonésien utilise la PEM comme un outil stratégique légal afin d'implémenter et de légitimer sa politique, sans consulter suffisamment les communautés concernées, qui sont souvent considérées comme trop faiblement éduquées pour participer aux processus gouvernementaux. Une deuxième question se pose alors : dans l'hypothèse que la PEM soit quand même une opportunité pour les communautés de pêcheurs, comment leur donner les informations nécessaires pour qu'elles comprennent le processus et définissent leur propre stratégie le concernant. Les concepts utilisés dans le rapport sont ensuite définis : ONGs, mouvements sociaux, recherche-activiste, participation/consultation, *empowerment*, approche féministe du genre, plaidoyer, stratégie interne et externe. La méthodologie de recherche action participative (RAP) est elle aussi expliquée de manière théorique, et cherche à répondre au double objectif de comprendre le processus étudié, tout en donnant aux communautés la capacité de s'emparer de ce processus. Le fait que la recherche soit un moyen d'éducation permettant d'apporter un changement social concret sur le terrain est en effet différent de la recherche en science sociale telle qu'on la comprend habituellement et utilise le modèle de boucles d'apprentissage multiples.

Afin de développer une méthode de recherche-action adaptée au contexte de la PEM en Indonésie, nous avons conduit une étude préliminaire en Sulawesi du Nord où la PEM a déjà été implémentée. Cette phase de recherche préliminaire s'est focalisée sur deux cas

d'études : l'île de Bangka et la plage de Candi. En effet, à Bangka, la PEM a été utilisée par le gouvernement provincial pour développer un projet minier, sans consulter la société civile. Mais après un changement de gouverneur, la société civile s'est emparée du processus de PEM afin de s'opposer au projet minier, qui a ensuite été stoppé. L'exemple de Bangka montre en fait comment les communautés de pêche peuvent utiliser la PEM pour faire reconnaître leurs droits et pour s'opposer à la politique de la croissance bleue. Au contraire, les habitants de la plage de Candi ont été expulsés de leur village, suite à l'implémentation d'un projet industriel, légitimé légalement par un processus de PEM non consultatif. La PEM peut ainsi impacter grandement les moyens d'existence des communautés de pêcheurs quand le processus n'est pas consultatif. Dans les deux études de cas, le processus de PEM a entraîné des conflits communautaires, n'a pas pris en compte les problèmes de genre. Suite à cette étude, un rapport est en cours de rédaction, et les résultats de la recherche ont été utilisés pour développer la méthode de RAP, en particulier en ce qui concerne l'*empowerment* qui consiste à expliquer aux communautés le contexte de la PEM en s'appuyant les retours d'expérience de Sulawesi du Nord. Afin de collecter des données, nous avons procédé aux classiques interviews individuelles et à des focus groupes avec les communautés, mais aussi à une méthode de cartographie participative, qui permettait dans le même temps de montrer aux pêcheurs les cartes de la PEM produites par le gouvernement, mais permettait aussi aux pêcheurs de comprendre les impacts potentiels de la PEM.

Cette méthode a été appliquée sur le terrain dans 5 lieux différents : Bornéo Nord, la Sulawesi du Sud, Nusatenggara Est, Java Est et Jakarta. Chaque étude de cas développée dans le rapport donne ainsi une idée du niveau de participation des communautés dans la PEM, mais aussi des problèmes relatifs à la PEM spécifiques à chaque contexte : légitimation de projets pharaoniques de poldérisation à Jakarta et Makassar, développement des industries du charbon et du pétrole au Nord de Bornéo, mise en place d'AMP à l'est de Nusatenggara, mines de sable à l'est de Java. On retrouvera ainsi des résultats similaires à ceux obtenus en Sulawesi du Nord, mais avec une compréhension plus holistique de ce que peut être la PEM quand elle est confrontée à la réalité du terrain.

Ces études de cas aboutissent globalement aux résultats suivants :

- La PEM est davantage un outil stratégique utilisé par le gouvernement pour mettre en œuvre le programme de croissance bleue et développer des projets d'infrastructure, qu'un outil participatif permettant aux pêcheurs de faire reconnaître leurs droits légalement.
- La PEM n'est pas assez consultative, et les communautés de pêche ne participent que très sporadiquement au processus.
- La PEM ne prend pas en compte les questions de genre et tend à marginaliser les femmes dans une société déjà patriarcale.
- La PEM peut augmenter les conflits au sein des communautés côtières
- La PEM peut encourager la criminalisation des activistes locaux
- La PEM ne résout pas certains problèmes pourtant très importants pour les pêcheurs
- Même lorsque la PEM est consultative, le gouvernement central peut passer outre.

Ainsi, la première condition pour que les communautés côtières considèrent la PEM comme une opportunité serait d'organiser un véritable processus participatif, où chaque acteur a autant de poids dans les négociations, et où les communautés ont un impact sur la prise de



décision, et en particulier les femmes, déjà marginalisées par une société patriarcale. Cependant, les communautés rencontrées ont maintenant une meilleure connaissance du processus, et vont devoir développer des stratégies, en décidant si elles veulent participer à la PEM, ou bien refuser ce processus. La cartographie participative semble être un outil efficace pour transmettre la connaissance, la partager, et comprendre les problèmes des pêcheurs. Cependant, la PEM ne peut résoudre certains problèmes, et l'application certaines lois indonésiennes et internationales serait un pré-requis avant la mise en place d'une nouvelle politique de gestion (interdiction des chalutiers ou directives sur la pêche artisanale par exemple).

TNI et KNTI vont maintenant continuer leur travail avec les communautés locales, mais aussi publier des documents sur leur travail réalisé à propos de la PEM, afin d'aider les mouvements de pêcheurs mondiaux à développer des stratégies à ce sujet.

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*“Perampasan laut itu, di Brazil ada juga. Tahu Brazil? Ada Ronaldinho di sana. Naaah, Ronaldinho itu, ada juga” – A.M.H.*

*“Susi bikin susah” – Tarakan nelayan*

*“Je crois que j’ai une bonne idée ...” – BP*

## Introduction and problematic

“The grabbing of our resources is nothing new. Yet ocean, water and land grabbing today is taking many new forms and is justified in new ways. We find ourselves in conflict with extractive industries, the expansion of big infrastructure projects, as well as capital-intensive fisheries, aquaculture and agriculture. All of these are known to be worsening climate change, as well as severely polluting our environment.” World Forum of Fisher Peoples’, WFFP Delhi Declaration (2017)

“For many, the ocean is the new economic frontier ... it is increasingly recognized as indispensable for addressing many of the global challenges facing the planet in the decades to come, from world food security and climate change to the provision of energy, natural resources and improved medical care.”OECD (2016, 13)

Blue Growth, Blue Revolution, and Blue Economy ... different words to design the same global process: capital intensive investments in the marine sector, to develop an economy based on private investments in marine resources, coupled with conservation schemes to “invest in a sustainable ocean”. Therefore, two concepts like “investment in marine resources” and “conservation” which were opposed until now, are now “inseparable”, as explained by the two common friends of Blue Growth: Big Environmental NGOs and Transnational Corporations. In this global context of Blue Growth, Marine Spatial Planning (MSP) is considered by international institutions (UNESCO, IOC) as a scientific, neutral, inclusive and participative tool to manage ocean space, and particularly coastal areas. In Indonesia, the government is implementing MSP frameworks (RZWP3K) in each province of the archipelago states, and CSOs, communities and critical academics are questioning this process: is it a participatory process, with proper consultation frameworks, and local communities able to participate in it ... or is it a way for the Indonesian government to push forward its Blue Growth agenda? In fact, the main law regulating Blue Growth in Indonesia is the same which is pushing for MSP. Indeed, the Coastal Law of 2007 was controversial within the Indonesian civil society, because it was legalizing coastal privatization. Therefore, a coalition of Civil Society Organizations (CSOs) sued the law, and managed to prove that coastal privatization is unconstitutional in Indonesia. But the strategic objectives of MSP are strongly questioned by CSOs, as the first attempt to MSP was included in a law trying to legalize coastal privatization.

In the meantime, some fishing communities understand this MSP process as a way to engage with the government, and make their fishing rights recognized, using a clear and transparent participatory process to legalize their fishing and tenure rights on which their livelihoods depend, as explained in the Small-Scale Fisheries (SSF) guidelines (FAO, 2014). In fact, pushing for the recognition of traditional fishing areas in the government mapping would help the communities to make their rights formally recognized, and therefore secure their livelihoods. But lots of questions are pending regarding MSP consultation process. Indeed, regarding how the so called “consultative and participative processes” are organized by the Indonesian government, we can seriously doubt about the opportunity for fishers to make their voices heard. Most of the time, consultation is more a process to legitimize a project, without taking in account the voices of the local communities. Plus, regarding the strong patriarchy within the Indonesian society, gender issues are likely to be critical if consultative processes are organized.

Nevertheless, some communities don’t feel enough organized to engage in such a process and they are asking for empowerment around MSP issues. Indeed, lack of information is often a critical issue for the communities, who don’t feel able to engage in a participative process if they are not enough informed about the issues the result of the process could rise. So it’s likely that spreading information and examples to the communities about RZWP3K in Indonesia would be a first step of empowerment, for them to finally be able to decide on how to engage with MSP frameworks.

Therefore the dilemma for Indonesian fisher's organizations, and particularly KNTI, is the following. On one hand, MSP is likely to be a way for the government and the corporate sector to push for the Blue Growth agenda. This Strategic spatial planning could threaten the livelihoods of several communities, with mining projects, reclamations, or tourism resorts development, evicting communities from their traditional land, and destroying their fishing grounds (what transnational fishers social movements call "ocean grabbing"). On the other hand, if fishing communities are enough empowered to engage with the MSP process, it could be a great opportunity for them to protect their livelihoods and make their fishing rights recognized.

This paradigm is basically leading to the following PROBLEMATIC:

***Under which conditions is MSP an opportunity for fishing communities to make their fishing rights recognized and to protect their livelihoods?***

A participatory action research methodology is be used to understand the social relations/interactions within the small-scale fishing communities, and the impacts that MSP could have on these communities This method will allow the communities to better understand the policy they are facing, and therefore building a common comprehension of this process and a diagnosis of the impacts it could have. We will first discuss deeper the problematic and the analytic model we will use to answer it. Then we will focus on a preliminary research in North Sulawesi. This preliminary research will permit us to build a proper PAR methodology that will be used in 5 field work case-studies. The five case studies will allow us to get findings about MSP on the ground and discuss these findings.

## **1. Contextualisation, problematic and preliminary study**

### **1.1. Research project contextualization**

The Transnational Institute (TNI) and *Kesatuan Nelayan Tradisional Indonesia* (KNTI, Indonesia Traditional Fisherfolks Union) are the two actors leading the research project. TNI is an international research and advocacy institute committed to building a just, democratic and sustainable planet. TNI is a nexus between social movements, engaged scholars and policy makers ([www.tni.org](http://www.tni.org)). KNTI is a small scale fisher social movement, established in 25 regions in Indonesia, with around 300,000 members ([www.knti.or.id](http://www.knti.or.id)). KNTI is also a member of the World Forum of Fisher Peoples (WFFP, <http://worldfishers.org>). TNI is supporting KNTI politically, and the intern will be part of a research project co-lead by KNTI and TNI, about MSP in fishing communities.

### **1.2. What is the definition of MSP linked to the Blue Growth agenda**

As stated in the Delhi Declaration, small-scale fisher peoples are struggling for their livelihoods, particularly regarding access to the resources their livelihoods depend on. In the meantime, lots of actors are newly interested in ocean resources. As explained by the OECD, 'many' are beginning to see the ocean as "the new economic frontier". These actors are the different 'emerging ocean industries', including: "offshore wind, tidal and wave energy; oil and gas exploration and production in deep water and extreme environments; offshore aquaculture; seabed mining; cruise tourism; maritime surveillance and marine biotechnology" (OECD, 2016). These industries are developing new ways of exploiting coastal and ocean resources and states, using their own definition of 'development'. In the meantime, transnational Environmental NGOs (ENGOs) are pushing for another agenda, about the need to conserve ocean resources in the context of "the global environmental crisis", focusing on how to "protect the oceans and keep them healthy" – for example through the creation of MPAs.

These two agendas seems to be contradictive to each other, however in the past years 'development' and 'conservation' are working together, through the concept of 'blue growth'. Under this new paradigm, extraction and conservation are not contradictory. Since the Rio

+20 meeting in 2012, a series of global events have been debating this new concept. Participants are governments, corporations, investors, international institutions and transnational ENGOs. Despite their contradictory interests, these actors are building a common understanding of blue growth. As The Economist explains, this means *“an ocean in robust health and with a vital economy; the purpose, to accelerate the transition to the sustainable use of the ocean.”* Furthermore, all these actors agree that reaching this vision requires a reworking of the current regulatory framework covering ocean-space, from the current ‘fragmented’ and ‘sectoral’ approach towards a more ‘holistic’ one, using ‘multi-stakeholder’ processes to manage conflicts.

However, as stated by the WFFP, the most recent surge of interest in key questions surrounding who should have what rights to which natural resources is highly problematic. According to them, fisher peoples are increasingly being squeezed between extraction and conservation. This has worsened existing dynamics of what they call ‘ocean, land and water grabbing’ as the control and use of resources that coastal communities base their lives and livelihoods on are changing. This grabbing can therefore be characterized as: *“grabbing the power to control land and other associated resources ... in order to derive benefit from such control of resources”* (Borras, S.M., et al., 2012).

One of the tools being pushed globally to ensure a ‘conflict-free’ process around blue growth is Marine Spatial Planning (MSP). Statements from WFF and WFFP have denounced MSP as a regulatory form of ocean grabbing. However, as the policy tool rolls out across different contexts, the global fisher movements’ constituencies are faced with political dilemmas on the ground about whether and how to engage. Drawing on a case from Indonesia – one of the first places where MSP is being rolled out in the ‘Global South’ – the research purpose is to contribute to developing tactics and strategies for fishing communities to engage with MSP.

The first international meeting on MSP was organized in 2007 by IOC and UNESCO and defined MSP as follows: *“A process of analyzing and allocating parts of three-dimensional marine spaces to specific uses, to achieve ecological, economic, and social objectives”* (Ehler, C.N. and F. Douvère, 2006). IOC/UNESCO published the first international MSP guide ‘A Step by Step Approach’ (IOC Manual and Guide No.53) which, according to UNESCO and IOC *“rapidly became an internationally recognized standard”*. After ten years, a Second International Conference on MSP was organized in March 2017, where IOC/UNESCO, joined forces with the EU Commission’s Directorate-General for Maritime Affairs and Fisheries (DG Mare). Here the main objective was to assess the *“contribution of MSP to sustainable blue growth and marine ecosystem conservation”* as well as *“identify priorities for the future of MSP.”* Internationally, MSP has also become an important policy tool in achieving the Sustainable Development Goals (SDGs). As noted in SGD14 relating to the oceans (#14): *“MSP provide[s] an effective framework to guide sustainable development of the oceans and coasts.”*

Key in the definition of MSP is the point about ‘analyzing and allocating space’ and seeing this as a continuous process. Important questions in that regard include from which perspective is the analysis done, what will it take into account and according to which priorities and principles does allocation happen? As noted in their summary of progress in spreading Marine Spatial Planning across the world, Jay and colleagues point out that, *“MSP focuses on efficient allocation of marine space to different marine activities, including nature conservation”* (Jay, S., W. Flanner, J. Vince et al. (2013). What is considered ‘most efficient’ therefore becomes crucial. For neoclassical economists ‘efficient allocation’ generally means that in a situation of scarce resources, who- or whatever can contribute most to GDP, should be allocated these scarce resources – typically drawing on cost-benefit analysis of different economic activities. Basically, the idea is then to set up a multi-stakeholder process guided by considerations around a country’s GDP to decide who should have what rights, to which resources and for how long in coastal and ocean space. According to the OECD report cited

above, based on this approach, MSP can facilitate “best use decision making” (OECD 2016, 229). It is through such tools, coupled with ‘participatory multi-stakeholder’ processes, that the competing uses between different ocean industries and conservation are to be overcome (Figure1).

10 Steps of MSP in the UNESCO Guidelines
<b>(1) Identifying need and establishing authority : make sure that output (marine spatial management plan) will be enforceable</b>
<b>(2) Obtaining financial support</b>
<b>(3) Organizing the process through pre-planning “objective-based” approach</b>
<b>(4) Organizing stakeholder participation</b>
<b>(5) Defining and analyzing existing conditions</b>
<b>(6) Defining and analyzing future conditions</b>
<b>(7) Preparing and approving the spatial management plan</b>
<b>(8) Implementing and enforcing the spatial management plan</b>
<b>(9) Monitoring and evaluating performance</b>
<b>(10) Adapting the marine spatial management process</b>

Figure 1: Theoretical framework of MSP, according to the UNESCO guidelines

However, as scholars working on MSP in the USA have argued, the attempt at side-stepping tricky and contentious political questions through ‘multi-stakeholder’ processes and drawing on cost-benefit analysis is a key symptom of ‘post-political planning processes’, which “produce consensus around empty signifiers, e.g. sustainable development, while concealing the furtherance of hegemonic programmes, e.g. the continuation of neoliberal exploitation” (Flannery et al. 2018, 33). As such, they argue, MSP despite all the promises of neutrality, ‘participation’ and ‘sustainable development’ end up merely consolidating existing practices in the oceans, while sidelining already marginalised perspectives such as those voiced by small-scale fisher peoples. Further to this, as warned by the noted fisheries scholar, Svein Jentoft, MSP’s prioritising of technical knowledge in and of itself can have a marginalising effect and contribute to ‘control-grabbing’ as it may end up “neutralizing rather than empowering disadvantaged and voiceless actors [... through] facilitating elite capture and creating power imbalances that negatively affect knowledge integration from less powerful stakeholders, like small-scale fishers” (Jentoft 2017, 8).

### 1.3. Blue Growth and coastal zoning in Indonesia

*“Our seas should be the center of economic development through marine infrastructure investments, marine economic activities, integration and security of marine transport networks, and sustainable use of marine resources” – Indonesian President Jokowi*

Indonesia is the biggest archipelagic state in the world with around 17.000 islands and a maritime space of 5,8 million km<sup>2</sup>, bigger than the terrestrial space of 1,8 million km<sup>2</sup>. Consequently, the Indonesian state has an important role in the blue growth framework. In 2010, the government launched its so-called *revolusi biru* (blue revolution), aiming to implement the Blue Growth agenda at the national level. The blue revolution focused on attracting investment in the development of maritime infrastructure, in particular mining and reclamation projects, while at the same time advocating for marine conservation for tourism purposes. Jokowi wants to transform Indonesia into what he calls the “world’s maritime axis” and places the maritime sector as one of the four national priority sectors. Yet, at the same time, he insists, it also involves “utiliz[ing] marine resources in the name of the national interest and people’s welfare” (Indonesia Midterm Development Plan 2015-2019). Thus, Indonesia provides a unique opportunity to examine how MSP is being used as a driver for the expansion of the blue growth agenda. This closer look at the way blue growth is translated into regulatory mechanisms via MSP processes would help us to better understand the implications of these policy discourses for SSF.

In 2016, the Indonesian government passed a regulation formalizing the roll out of MSP, through the mandating of every province to map its marine areas. The mapping process consists of two components: a coastal zoning map of the 12 nautical mile area of coastline and small islands (*Rencana Zonasi Wilayah Pesisir dan Pulau Pulau Kecil*, RZWP3K), as well as a National Marine Spatial Plan of the marine areas from 12 miles to 200 miles (RTRLN). Together, this would fully map the EEZ of Indonesia. Until now, only RZWP3K has begun (in 8 Provinces), with some maps already issued with 4 different allocations of areas: conservation, sea lanes, specific national strategic area (these areas can be set aside for 'strategic projects') and public usage. Meanwhile the mapping of the 12-200 mile zone (RTRLN) is at the moment blocked by the coordinating minister of maritime affairs and has consequently not been implemented yet, because of inter-Ministerial conflicts.

As noted above, international discourse frames MSP as a neutral tool for allocating marine space. For Jokowi, key to the establishment of Indonesia as the world's maritime axis, is the development of major infrastructure projects ('Strategic Projects'). These include controversial projects like the Jakarta Bay Reclamation and the National Capital Integrated Coastal Development (NCICD), which are building a wall and 17 artificial islands in the Bay from mined sand imported from other areas of the coast to be developed for tourism and luxury real estate.

Prior to the two mapping-processes, in Jan. 2016, the Government issued the Presidential Regulation No. 3/2016 on National Strategic Project Acceleration (Perpres No. 3/2016) which aims to accelerate the development of infrastructure projects, purportedly to meet basic needs and improve community welfare. This regulation was later revised (through Presidential Regulation No. 58/2017), to ensure that infrastructure development and MSP are linked, so that they are implemented in parallel. To this end, Article 19 stipulates that all infrastructure development must be coherent with the coastal and marine spatial plans. However, this article also gives the Minister of Agrarian and Spatial Planning or Head of National Land Agency (BPN) the authority to change spatial plans in order to accommodate infrastructure projects. This means that if a decision reached by a participatory process is in conflict with 'strategic projects', it can easily be undermined by one Minister.

Infrastructure development and MSP have been given yet another regulatory push by way of the Presidential Instruction No. 1/2016, which gives authority to all national, provincial, municipal and district ministries/agencies, to accelerate the implementation of national strategic projects in their respective areas. The Presidential Instruction furthermore mandates the Ministry of Agrarian and Spatial Planning to override the coastal zoning law that lower levels of government are in charge of implementing, if they do not accommodate strategic projects. Which regulations actually cover coastal areas is also a question – with one covering 0-12 miles and multiple levels of government involved in the managing of this space, and the other one covering 12-200 also understood as covering 0-200 miles, overlapping with the coastal mapping law. As a result, today the conflicts that emerge are not only between government agencies (for example whether to create a mining or a conservation area), but also between different scales of government (e.g. between district and provincial government) with overlapping mandates for the same coastal and ocean spaces. In other words, very often, the state is actually in conflict with itself within and between different scales of government. Despite promises of efficiency and neutrality, new regulatory frameworks like MSP are inevitably channelled through Indonesia's existing political institutions where they are necessarily conditioned and modelled according to broader political-economic logics. Plus, it seems like MSP has already been linked to a particular vision of how ocean resources should be used.

States in capitalist societies balance between two fundamental but contradictory tasks: facilitating capital accumulation and ensuring a minimum level of political legitimacy amongst the population (O'Connor, J. (1973). *The Fiscal Crisis of the State*. New York: St Martin's Press) If Jokowi's blue revolution project will involve the type of ocean grabbing that



infrastructure projects have led to in other places, the two fundamental tasks do indeed seem to collide (The Global Ocean Grab: A Primer, 2014). For example, the current Zoning Plan for Coastal Areas and Small Islands contains the following elements: “allocation of space within the area of public utilities, conservation areas, certain national strategic areas and sea lanes; linkages between terrestrial ecosystems and marine ecosystems, determination of usage of marine space” and in particular “prioritization of marine areas for the purpose of socio-cultural, economic, marine, strategic, and defence and security conservation.” While these elements largely reflect the capital accumulation task, the law also aims to encourage “community access in the use of coastal areas and small islands that have social and economic functions” reflecting more the legitimacy task. Moreover, the state itself is not a coherent homogeneous actor and the fundamental tasks of accumulation and legitimacy are prioritized differently within and across different Ministries and scales of government, which might have conflicting mandates and regulations to follow.

Things are further complicated when we incorporate the village-scale: even if small-scale fishers would manage to participate in the MSP process, it would provide very little security or conflict resolution amidst a number of groups vying for ocean-space. This becomes quite problematic for small-scale fishers in a context where there are a number of powerful interests competing for control of the marine and coastal areas they depend on. For a country like Indonesia with more than 7 million small-scale fishers, relying on coastal resources, this has significant implications. According to KNTI fishermen, the vision of President Jokowi presents considerable threats, as it often contradicts their ways of life – both the ‘development’ aspect, involving mining, land reclamation (Both Ends, SOMO, TNI, 2017) and tourism (TNI, 2018), and the ‘conservation’ aspect in the form of MPAs and blue carbon (TNI, 2014). Therefore, even if MSP would allow elites to coopt the process it could potentially also open up space for fishing communities to contest the process itself – if the balance of forces allows it.

#### **1.4. Problematic and hypothesis**

As explained above, the paradigm of MSP as a tool for implementing the Blue Growth Agenda or a tool for fishing communities to make their rights recognized is leading to the following problematic:

#### **Under which conditions is MSP an opportunity for fishing communities to make their fishing rights recognized and to protect their livelihoods?**

This problematic can actually be divided into two questions:

- (1) Is MSP an opportunity for fishing communities to make their fishing rights recognized and protect their livelihoods or is it simply a tool for the Indonesian government to implement its Blue Growth agenda, threatening the livelihoods of coastal communities?***
- (2) If MSP is an opportunity for fishing communities, what would be the first steps to empower communities, so that they are able to understand and participate in the process?***

To answer the first question we will have to analyze the provinces where MSP regulations have already been issued, to understand if the process was participatory, and how did the fishing communities engage with it. We can already draw the following hypothesis: some communities already faced MSP consequences (North Sulawesi) and we can assume that different situations happened in each community: some communities may have managed to make their rights recognized using MSP, and some may have been strongly impacted by MSP, without making their voices heard via a proper consultation process.

As repartition of space is often a question of negotiation, we can question what the power relationships between communities and other stakeholders (governments, BINGOs, TNCs)

are. As the government is pushing for Blue Growth, we can expect the private sector to be advantaged in the negotiations. However, local CSOs might have organized communities to of corporations and be able to be strong enough in the negotiation process.

Patriarchy is often quite strong in poor communities and we'll have to understand how MSP is taking into account the gender bias, and consulting the voices of women. Some disagreements could exist within the communities about how to engage with the MSP framework and it will be important to analyze how these conflicts are facilitated and solved in the MSP consultation framework.

Most of the time, local communities suffer from a lack of information regarding the projects of governments or corporations; therefore, even if there is a consultation process, we question how communities are able to engage properly in the MSP process. As the government doesn't have enough resources to empower communities about MSP questions, and actually use this lack of information within the communities to qualify people as *"uneducated and not able to take proper decisions in complex processes"*, Indonesian CSOs as KNTI are likely to play an important role in empowering coastal communities around MSP issues.

Therefore it will be important to understand what kind of information communities need to be able to engage in the MSP process. Communities surely need basic information about the national MSP process and some information about how communities did engage with MSP in the area where it's already implemented. Then they would be able to define their own strategy about MSP. It will also be interesting to analyze the strategies of CSOs and communities depending on the cases, to understand how they contradict the blue Growth agenda and make their human rights recognised.

## **1.5. Concepts to be defined**

### **1.5.1. Differences between social movements, CSO and NGO**

Civil Society Organizations will refer to all sorts of organizations that are nor corporation, neither political parties, and try to influence the society, based on the citizen voices. As explained in "ONG depolitisations de la résistance au néolibéralisme", published by CETRI in 2017, NGOs are *« three letters impossible to define »* and a precise definition wouldn't make sense. Plus, a precise definition of what social movements and NGOs are is not the purpose of this report. Still, we will consider that social movements are based on people commitment, people agenda and thus need to have a basis on the ground, with more or less democratic leaders and constituencies. On the contrary NGOs can develop their own political agenda, without the involvement of a grounded people basis (CETRI, 2017). NGOs still have a critical role in supporting social movements, and we could discuss the impacts of the current NGOization on social movements. We will just keep in mind that lot of CSOs are actually hybrids between social movements and NGOs, mostly because of funding issues. All the CSOs discussed in this report can be found in Annex 1, with a short description of their role. Their websites can be found in the website bibliography.

### **1.5.2. Concept of scholar activism**

As our research is grounded in the Indonesian civil society, and as the researchers are scholar-activists developing action research to create positive change, we have to explain the concept of scholar activism. As described by Borras, scholar-activism means:

*"Rigorous academic work that aims to change the world or committed activist work that is informed by rigorous academic research, which is explicitly and unapologetically connected to political projects or movements"*

Concretely, a researcher can develop a rigorous research project to change the society, and thus becoming an activist as well, or an activist can use rigorous research methods for political purposes, and thus becoming a researcher as well; both are scholar-activists. Scholar activists are in relation with research institutions, and they are key allies of CSOs,

generating knowledge from and for social movements. As the purpose of this thesis is not to document the debates around the antagonism between research and activism, the inaugural lecture of Borrás, 14 April 2016, will help the reader to understand better the current discussions around the concept of scholar activism.

### 1.5.3. Concept of action research

As this work is done for a research institute (TNI) and is a master thesis, our first objective is to build a scientific research process with high quality outputs expectations. As we also want to deserve KNTI objectives, we want to bring positive social changes for the communities involved in the process. Therefore we have to explore a methodology relevant to scholar-activism: participatory action-research (PAR).

Action research is “research on the conditions and effects of various forms of social action and research leading to social action” that uses “a spiral of steps, each of which is composed of a circle of planning, action and fact-finding about the result of the action” (Lewin, Kurt, 1946) In other terms, “Action research is an experiment in design, and involves implementing an action to study its consequences” (CCAR). According to the toolkit for PAR published by TNI in 2017, the two principles of PAR are the following: the pursuit of social change and the democratization of the knowledge process. Therefore action research actors try to change the situation and to change power relations by spreading the knowledge. Thus, some elements are different from classical social science, as described by Bacon and al. (2005). Firstly, the researchers don’t have to start by gathering data, as the people participating in the process will be a powerful source of data. Secondly, information has to be gathered in a participatory way, which means people have to be actors of the process. And thirdly, ‘Action’ means the community uses it in the process itself, with the support of the people guiding the research. Thus, it seems like PAR is the best way to fulfil our two goals simultaneously.

As explained in the toolkit for PAR, there are two basic principles for action-research: the pursuit of social change and the democratization of the knowledge process. Therefore, we’ll have to be careful in documenting the process and gathering informal knowledge derived from practice because everyday interactions are the data. AR is different from conventional academic research, as its purpose is directly to bring about change and to understand what provokes change. It is not just a way to understand a certain situation or problem, but is also a process for changing the situation and empowerment of all those engaged, bringing together communities affected by a certain situation to change it.

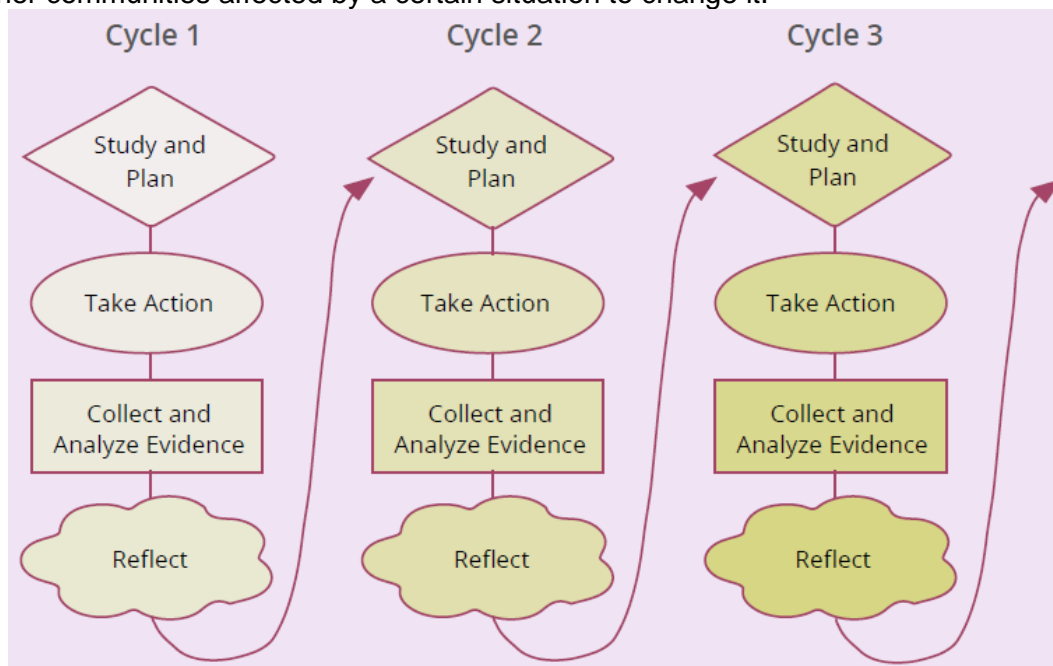


Figure 2: Chris Argyris, Iterative Multiple Loop-learning cycles of PAR (PAR toolkit, TNI)

Therefore, the “research” and the “action” are related and feed each other through an iterative reflective process, and one way of understanding this relationship is through the concept of Multiple Loop Learning, described by Chris Argyris (1974). Multiple loop learning is a dynamic process in which the methods and types of actions develop over time through iterative process of research, action and reflection. As illustrated in Figure 2, repeating cycles of studying and planning, action, collecting and analyzing evidence, and reflecting allow continual development and improvement of the analysis, and provoke continuous change in the circumstances and problems studied. This process enables the creation of so-called “virtuous circles”, a term which refer to the process of *“mutual empowerment between institutional reformers and social actors in the public interest”* (Fox, Jonathan, 2004), based on the idea that *“pro-reform initiatives are likely to have broader and deeper institutional impacts if they are accompanied by processes of strategic interaction between policymakers and civil society counterparts that helps the latter to target and weaken obstacles to change”*(Russell W A, Wickson F & Carew AL. 2008).

In the case of this project it seems like a first circle will allow us to get information about MSP, a second one might be used to spread this information, and a third one to strategize about MSP, depending on each context.

Action research has also to be seen as a political practice, drawing on Paulo Freire’s ‘critical pedagogy’ – the researched are researchers. They hold knowledge and can analyse it, the researched are co-decision makers in the research process. *“Knowledge is always gained through action and for action”* (Torbert. 1981). Action research is an experiment, and therefore an empirical process. Action research challenges traditional social science by moving beyond “reflective knowledge,” created by outside experts sampling variables, to a people-based research. This difference is due to its commitment to empowerment and provide a learning platform for all those engaged. Thus, AR itself is an empowering experience and *“participants develop goals and methods, participate in the gathering and analysis of data, and implement the results in a way that will raise critical consciousness and promote change in the lives of those involved – changes that are in the direction and control of the participating group or community”* (Kidd and Kral, 2005). It is different because of its politicized goals: obtaining and using knowledge to empower communities, particularly poor, marginalized and vulnerable groups, basically doing education and mobilization for action.

PAR includes a broad diversity of methods, such as community meetings, resource mapping, problem identification and visioning, community diaries, timeline analysis, public dialogues, engagement with other actors, events and protests, use of media, re-strategising, and documenting (PAR toolkit). Each case has to be considered, to see which might work and which not. As well as these methods mentioned above, it seems fundamental to develop strong relationships with local organisations and social movements, hold community dialogues and have formal or informal meetings with leaders (Bacon and al., 2005). According to the PAR toolkit, ‘barefoot researchers’ who are from the community are important to document processes and give regular updates in between the visits. Plus, these methods need to be informed by relationships with state authorities and investors and by relationships with the ‘community’. In our case, the relationship with the fishing communities from different part of Indonesia will be fundamental, and the case studies will have to be chosen in accordance with KNTI, the local fisher social movement, as part of the PAR process. Although it depends on your particular research context, it is always important to use a combination of multiple research methods to get a more complete and accurate picture of the local situation that you are trying to understand.

We will have to be aware of some typical challenges that have to be faced in the PAR process: difficulties in defining who is directing the action research process, typical silences of women, young people, old people, (marginalized within the marginalized), role of NGOs on the ground, engagement local gatekeepers and elites with vested interests, expectations that are raised by the process (Bacon and al.2005).

#### 1.5.4. Concept of consultation/participation

We developed our analysis model about consultation looking into the work of Arnstein, Sherry R (1969), who developed a “ladder of participation”, helpful to understand the different levels of consultation with regards to a project affecting local communities for example. The ladder is illustrated on figure 3.

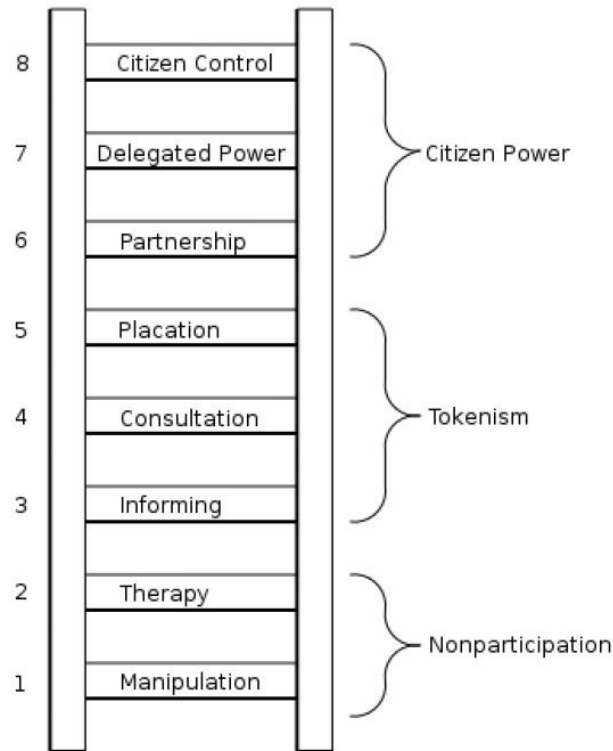


Figure 3: Ladder of participation (Arnstein, Sherry R, 1969)

As explained by the authors, the bottoms of the ladder are (1) Manipulation and (2) Therapy and describe levels of "non-participation", transformed into substitute for genuine participation by the project developer. Its *“objective is not to enable people to participate in planning or conducting programs, but to enable powerholders to “educate” or “cure” the participants”*. Levels 3 and 4 represent levels of "tokenism" that allow people to hear and to have a voice: (3) Informing and (4) Consultation, allowing citizens to hear and be heard. But they still cannot insure that their views will be heard. When participation is restricted to these levels, there is no assurance of changing the status quo. Rung (5) Placation is a higher level of tokenism because people can advise, but powerholders still decide. Partnership (6) enables people to negotiate and engage in the process, while (7) Delegated Power and (8) Citizen Control, give decision-making power to people. This ladder is a simplification, but is helpful to illustrate the gradations of what is called “consultation”, and to use these different levels to analyze so called “participative processes”.

#### 1.5.5. Concept of empowerment

The historical first objective of “empowerment” was to give a voice to the point of view of oppressed people, as explained in Freire’s book *Pedagogy of the oppressed*, 1968. This same author developed the concept of “critical mind” or *conscientizacao*, the process by which oppressed people understand their conditions, and get instruments allowing them to make choices by themselves. This concept is therefore part of PAR, as Freire explained: *“the role of the educator is to give to the oppressed way of changing the world they live in”*. As explained by Calvès, 2009, this notion has a lot to do with development, and thus was soon co-opted by international institutions and government, leading to a radicalization of the concept of empowerment, particularly by feminist movements, as described below.

### 1.5.6. Concept of critical feminist gender approach

In 1987, the book “Development, crises and alternatives visions: Third World women’s perspectives”, is published by feminist activists from the global south, denouncing the following theory: “*the only issue of women in the global south is to be not enough included in the development process*”. Indeed, according to the authors, empowering women is not only about their economic power, but about a radical transformation of economical, political, legal and social structures which perpetuates the domination according to gender, ethnical origin and social class, undermining an equal society. As explained in Calvès, 2009, feminist movements see political mobilization, conscientization and popular education as strategies to ensure development and fight oppression. This radical feminist approach of empowerment is the one used by KNTI and its allies, and therefore is the one that will be used in this report.

### 1.5.7. Concept of advocacy

According to Gerasimova (2017), advocacy science is communication of science which goes beyond reporting the simple reporting of scientific findings. Indeed, advocacy science is often used by CSOs to feed their strategies with scientific results, interpreting it for their lobbying. In practice, it means changing policies, and improving the system, using a “scientifically based” strategy (<http://www.endvawnow.org>). In order terms, science deserves the strategic interests of CSOs, which can develop their own research projects to produce advocacy tools

### 1.5.8. Concepts of inside and outside strategies

Regarding our problematic, and the Indonesian political concept, it seems like communities will either engage with the government to make their rights recognized through MSP, either refuse it and organize protest to explain their disagreement. More broadly, for Indonesian CSOs in general, the paradigm will be the following: “*do we engage with or refuse MSP frameworks?*” This quote is actually defining outside and inside strategies, the first one consisting in engaging and advocating directly with the government/private sector in consultative processes, and the second one consisting in organizing protests, court cases and media campaigns to refuse some government/private sector project. The critical questions related to these strategies are: “*are we going to legitimize an actor we don’t want to legitimize?*” “*What is the most efficient to make our voices heard?*”. Most of the time, social movements use both strategies, the proportion of each depending on their radicalism.

### 1.5.9. Timeline and geography of the PAR project

To develop a proper PAR methodology, we conducted a preliminary study in North Sulawesi, a province where MSP has already been implemented. As we can observe on Table 1, there is overlap between the steps of the PAR. In fact, this process has to be dynamic, with the loops described above. Therefore the report about North Sulawesi was drafted, then discussed with communities and CSOs, who gave some feedbacks, a new draft was written, tested in different meetings before the official validation by the different organizations. The intern participated in the preliminary research, by drafting a desk study and a questionnaire, and by using the inputs of this field work to draft the report. The use of the second report is also likely to happen after the end of the internship period, but this step still part of the broader AR process. We will find a map of Indonesia in Annex 1, to indicate the geographical location of each case study.

N°	Step of the AR methodology	Agenda
1	Preliminary research in North Sulawesi	11/2017-12/2017
2	Drafting a report: RZWP3K in N. Sulawesi	01/2017-06/2017
3	Discuss this report with communities and CSO	04/2017
4	Use this report as a tool for empowerment and advocacy	05/2017-07/2017
5	Impacts of MSP on communities + strategies about MSP	05/2017-08/2017
6	Draft a report with the different case studies of AR	06/2017-09/2017
7	Share the report with the communities: next steps of AR	10/2017-...
8	Spread the knowledge in other fisher social movements	10/2017-...

**Table 1: The 8 steps of our Action-Research methodology**

## 2. A preliminary study in North Sulawesi

North Sulawesi was the first province to implement MSP thus our preliminary study was conducted there, as the first step of our PAR process. According to North Sulawesi (NS) CSOs, the zoning plan for NS was implemented as a top-down and technocratic process by the provincial government. The so-called “Public Consultation Mechanism” was composed of the following steps: experts produced maps of the marine resources, governmental agencies decided on a zoning plan, before presenting it to a minority of CSOs. In fact, the CSOs in question were only informed the day before, and didn’t get any time to prepare their participation. Therefore, SSF communities were not involved in developing the planning process and not even informed of the consultation. All these elements correspond to the two first steps of the participation scale described by Arnstein, Sherry R (1969), and thus participation was largely insufficient which sounds different from UNESCO’s guidelines (Figure 1). The two following cases are examples of what can be MSP on the ground.

### 2.1. The case of Bangka Island

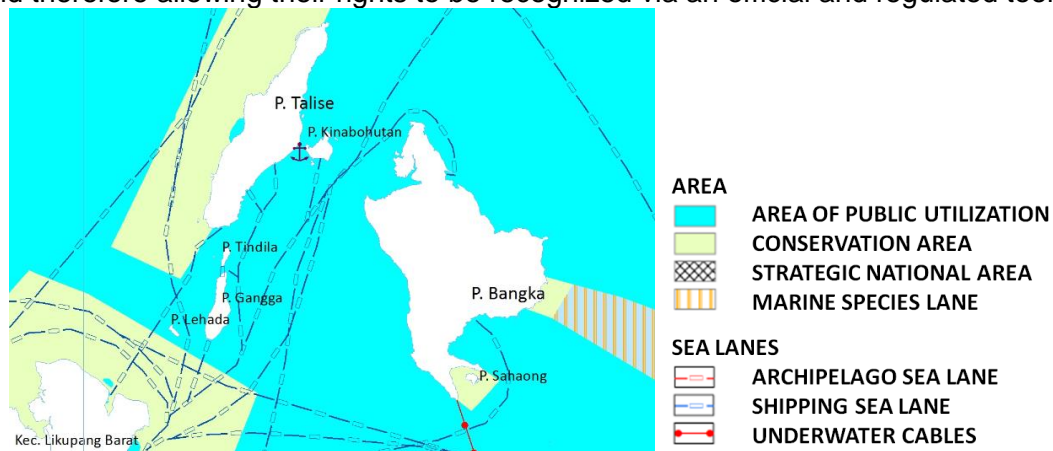
In 2014 the Chinese company PT Micrometal got a permit to explore the coastal area around Bangka Island, in order to develop iron mining in the area. The SSF communities of Bangka Island quickly realized their livelihoods will be impacted by the project, as they depend on coastal areas. Some of the infrastructures were built, without any consultation of the communities who were displaced. The residents who sold their land were relocated to another area of the island with no electricity or facilities, getting only a partial payment by the corporation, and being ostracized by their own communities. Those who decided to stay were criminalized by the policy and the army. Mining development also puts the island at risk of sinking, and some eco-tourism resorts were afraid of impacts it could have on their business. Nonetheless, by drawing on existing connections and corrupt channels of influence, the company managed to develop the project.

To oppose the project, communities, CSOs, academics, and some local tourism resorts came together in the Coalition Save Bangka Island and the *Alliansi Masyarakat Menolak Limbah Tambang* (AMMALTA). The coalition developed international outreach campaigns, social media networking, advocacy with parliament and government; human rights campaigns. But the influence of the corporation, lobbying government, militarizing, corrupting and use mafia was more effective, since the governor was in favour of mining development.

In this context, MSP was introduced and used by the local government as a strategic legal tool to justify mining, in their word: “*if this area is defined as a mining area on the map, there is no reason why a mining project could not be developed in this area*”. The MSP process was entirely ‘top-down’, with no community or CSOs participation (Manipulation (1) on Arnstein, Sherry R ladder (1969)). The strategic priorities were defined by the government, and then used as a tool to justify that this area was a mining area. As we can observe, the MSP-tool was used to justify mining interests in the face of community resistance. Indeed with no purposive prioritising of historically marginalised groups, such as small-scale fishers, MSP-processe makes itself easily lendable to the interests of the most powerful actor.

However, as an example of the way MSP can be manipulated according to the political dynamics of the moment, the tides turned in Bangka Island when the new governor took power: he was in favour of fisheries and tourism. The Save Bangka Island coalition pushed him to change the objectives of MSP. Thanks to the pressures of the civil society, and due to his personal vision of the marine economy, the governor decided to reframe the marine spatial plan. This reframing, opened up spaces for participation of community groups and members of the Save Bangka Island Coalition to advocate for their priorities of small-scale fishers’ rights and local tourism development. The result was that Bangka island is the first Indonesian example of civil society winning against a mining development project on a small island, through the coastal planning process. Indeed, the level of participation reached the step (5) Placation or (6) Partnership of the ladder described by Arnstein, Sherry R (1969).

Soon after, the mining project was stopped, and it became illegal for PT Micrometal to keep mining on the coast of Bangka Island. Even though MSP was therefore initially a tool used to implement strategic mining objectives, it became a participative tool, empowering the communities to develop their own vision of what the zoning of their fishing grounds should be, and therefore allowing their rights to be recognized via an official and regulated tool.



**Figure 4: Bangka Island RZWP3K planning**

## 2.2. Critical analysis of Bangka Island case study

After five years of struggle we can't deny the successful blockage of a mining project by community mobilization. However this case reveals some of MSP issues. First the political victory seems fragile, as it's supported by a political change, which could also happen in another way in the future. Therefore, the next governor might have different strategic objectives, pushing for mining or conservation which could impact the fishing communities. In principle, shifting electoral politics at the local level represent opportunities for change. The problem emerges when instruments like MSP are proposed by national or international level actors as a way to undermine local priorities.

MSP does little to address ongoing ecological damage from mining despite the fact that Bangka Island is no longer zoned for mining. The environmental impacts of the mining infrastructure are still visible on the ground, and it could take more than 10 years for the ecosystem to be restored.

The first phase of 'top-down' MSP in support of mining created conflicts within the community between those who took payment from the company to move and those who resisted. The second phase that opened up more space for participation and changed the zoning in favour of SSF, did not resolve these tensions. In fact, the local authorities decided to split the former Kahuku village in two villages: the people who rejected the mining stayed in Kahuku, and the villagers who accepted to sell their land in Ehe. These two villages now live in the midst of a potentially explosive conflict and there is a strong need of social reconciliation, which the MSP tool is not equipped to provide. Plus, SSF communities created an alliance with tourism resorts to struggle against the project. However, in many cases tourism development also competes with small scale fishing for ocean space. The MSP process only blocked mining development, but how will SSF be affected by tourism in the future?

According to a woman activist working for the Sajogya Institute based in Bogor, a process like MSP affects women differently than men. As men are decision-makers about land titles, it is more difficult for women's rights to be recognized in the zoning process. Plus, women are often not seen as fishers even though they play a key role in the pre- and post- harvest activities, thus their voices have been heard to an even lesser extent than the men in the consultation process. This is exacerbated by the existing patriarchal structures in Indonesian society: when men are invited to the consultation process, they don't want their wives to participate. Thus, women do not get crucial information, and it undermines the possibility of relevant participation. In the case of Bangka Island, thanks to a strong women activist form



Manado civil society, women were involved in the consultation process it was “a *struggle inside the struggle*”, exactly like the double struggle women face all over Indonesia: “*fighting against capitalism on one side and fighting against patriarchy on the other side*” (SP).

### 2.3. Candi beach and Bitung harbour

Since 1960, Candi beach, next to Bitung city, is the land of a small fishing community, and 10 years ago small-scale fishers were catching large quantities of diverse fish. Living in small houses above the water, small-scale fishers typically use nets of 1-3m depth, 40 m length, primarily in the coastal zone. In 2003, the central government proclaimed Bitung city a Special Economic Zone, requiring a spatial plan (penataan wilayah). This spatial plan, was defined without consulting the communities, defined Candi beach as an industrial area, where priority should be given to companies development. Candi beach is the only area around Bitung where traditional fisherfolk live. Since 2004 it has become the target of land acquisition efforts, in line with the spatial plan. The community resisted because they consider Candi beach as a strategic fishing settlement. However by 2011, 314 households were evicted without any judicial process. They were relocated in non-coastal areas, where fishers have no access to the sea. Entrepreneurs applied for land titles, claiming that the Candi coast was their customary land, which the Land Agency of Bitung City legitimised by issuing the titles, justifying them with the strategic plan, which corresponds to the step (1) Manipulation of the scale described by Arnstein, Sherry R (1969). The eviction of fishers by companies and government was also made easier by the fact that most fishers, although they had lived there for years, had no title to their lands.

In 2012 the community decided to return to Candi beach by occupying land. The fisherfolk launched a legal battle to challenge the status of land ownership by the entrepreneurs. The case moved from the North Sulawesi State Administrative Court to the District Court, and finally was appealed in the Supreme Court. Ultimately 165 households were allowed to return to their residence in Candi beach and begin to rebuild their homes helping each other (*gotong-royong*). The community actively conducted *musyawarah* (community forums) to determine the new allocation of land. Through this process, the citizens who actively struggled were allowed to return to their land, but those who had resigned as plaintiffs, or chose to move with compensation, were not allowed to return.

Over time, many people claimed land rights, and new challenges emerged. Before, the land seizures pitted the communities against entrepreneurs and the government. However, after the legal victory, conflicts over land tenure are now occurring between members of the same community. The provincial government is still promising a consultation process, which wouldn't be very useful as development has already taken place, and as the consultation process organized by the community has not been acknowledged by the government.

### 2.4. Critical analysis of the Candi beach case study

Like in the case of Bangka Island, it clearly underlines how spatial planning can divide communities, and even modify the notion of “community”. In fact, the absence of public consultation in the first zoning process set up the seeds of tension that would condition the community led *musyawarah* afterwards: only individuals who struggled against the development project were allowed to participate in the community consultation and get back their land. Candi beach is an example of two competing visions of how to manage coastal space. On the one hand, for the fishing community of Bitung, “*The coast is our connection to our ancestry*”. On the other hand entrepreneurs saw the area as new frontier for profit and used MSP to evict local communities. Evictions on land are often fueled by allocation of marine resources and thus can be used to facilitate land and ocean grabbing simultaneously.

In Candi Beach, the issues of no recognition, no power in the decision process and lack of information were critical for women. As the so called “consultation process” was already not

involving the communities, the rare people who were invited were men, and issues specific to women were not discussed. As explained by a local woman from Candi Beach community “women are not good to solve problems, according to men”. Indeed, as the administrative and private sectors are dominated by men, patriarchal behaviour is prevalent and women’s rights are not recognized -- even less so if their participation would contradict the agenda of the government. MSP frameworks should address gender issues explicitly, but the only assertion of the government regarding women is that “women should be protected”. This patriarchal understanding at state-level excludes from participation, which violates their human rights, undermining their possibilities of engaging about their livelihoods.

### **2.5. What are the ‘key questions’ moving ahead?**

This focus on North Sulawesi allowed us to question and draw hypothesis about MSP and the two case studies are examples on how coastal communities can engage in and be affected by MSP. Planning seems to be often strategic and top-down, and thus could be used as a legal tool to legitimize the government’s agenda. On the ground, most of the time, the process seems not to be consultative, and communities would face the consequences of MSP without getting any information about it. Plus, when communities push for a consultation process, if the consultation is not facilitated properly, it is likely to lead to strong conflicts within the community, which could be a strategy of the government as well (divide and conquer). Even when consultations are organized this might not be done in a manner that prioritizes the voices of marginalized people, so that patriarchal traditions would disadvantage women. MSP seems to be quite dependent on political changes, which would weaken it, particularly when the authorities can adapt the planning to a development project they want to implement. Last but not least, alliances could be a strong strategy to increase the weight of fishing communities in the MSP process, even if fishers would have to stay careful: they often don’t share the same strategic objectives of their allies on the long term. Regarding all these concerns, it seems like there is a strong need to empower coastal communities around issues arising from the MSP-process. On the ground, using these results to organize workshops is a way to disseminate the information, explaining people what MSP is, how it can impact them and further the research about whether and how MSP can be wielded as a tool to further social justice.

### **2.6. Inputs from CSOs and North Sulawesi communities**

One month of field research allowed TNI and KNTI to draft a report about coastal zoning in North Sulawesi, with different case studies. As part of the PAR methodology (Bacon, Mendez, Brown, 2005), KNTI organized a one day meeting, with North Sulawesi communities, to give them feedbacks and ask them for inputs about the report. Representatives from diverse CSOs (KONTRAS, KIARA, WALHI, JATAM, and SP) and academics were also invited to give inputs about MSP. The report and the PAR methodology were presented to the participants who discussed about potential inputs. The communities insisted on how the blue growth agenda is threatening their livelihoods. Thus, they feel the need of community empowerment about RZWP3K, and the PAR project should fulfil this goal. CSOs explained that they don’t have enough time to empower the communities, as the consultation is announced one day before. Participants from CSOs insisted on the links between international instruments (SSF Guidelines), SDGs and MSP. In fact, lots of ways to manage the ocean are pushed forward by fishing communities all around the world, like Human Right Based Approach, community based co-management, and customary rights. A short field trip in North Sulawesi was realized soon after for the same purpose, and underlined the strong tensions on the ground due to MSP. Then the first draft of the report was improved, in order to publish a first political brief, which could be used as a tool for PAR.

### 3. PAR methodology conducted in relevant case studies

#### 3.1. Our methodology for PAR about MSP at a community scale

The principal tools that will be used to understand the perceptions of fishing communities regarding MSP will be the following: focus groups/debates/workshops, interviews with fisher leaders and individual fishers. The study will also try to understand the MSP process through interviews with other actors: government officials (provincial, national), Academics, Social movements and the CSOs described in Annex 1.

The first step of the workshop will be to discuss about issues faced by the communities, regarding consultation processes and decision making process participation. After understanding the context, the second workshop will be about fisher rights (*hak-hak nelayan*). Indeed, after speaking about the issues, the objective is to show people, that the issues they face can be solved, because the law give them rights, and they have to struggle to make their rights being respected by the government. This workshop will consist in a presentation given by KNTI staff, followed by questions from the community people. After focusing on issues and rights, the objective would be to give communities a concrete example of a tool they can use to ensure their rights are respected. In fact, according to the coastal law, each project that might impact them has to be included in the RZWP3K planning. This process is supposed to be consultative, and it would be an occasion for the communities to make their voices heard. A presentation about RZWP3K will be given by KNTI staff, divided in two parts. The first part will explain the general context of RZWP3K, and the second part will focus on two examples from North Sulawesi, to explain to the people why RZWP3K can be a powerful and a threat for the communities in the same time.

To understand the social relations in the communities we will use the methodology described by Bernstein, in *Class dynamics of Agrarian Change*, with the four following questions: who owns what? Who does what? Who gets what? What do they do with it? The methodology will also try to understand traditional and customary practices pre-existing to modern management tools, as described by Arif Satria and Dedi S. Adhuri. Regarding the impacts of MSP on fishing communities, the study will be qualitative, trying to understand the perceptions of fishers, what they heard about the process and how they feel about it.

##### 3.1.1. Empowerment strategy, building on NS preliminary research

The presentation about RZWP3K is divided in to a general part and a part focused on two case studies form North Sulawesi. To realize this presentation, we tried to simplify the political brief about RZWP3K in North Sulawesi. In fact, our objective was not to make an academic presentation, but to allow people with a low level of education and a big lack of information to understand RZWP3K, so that they would be able to discuss it further, and strategies about it. We used action research principles, and particularly the consecutive loop principles. In fact, in our understanding, a first loop was realized by making fieldwork in North Sulawesi, writing a report about it, and presenting it to NS communities and Indonesian CSOs (Cf NS report). So we wanted our second loop to focus on information transmission to the fishing communities, using the general framework and the case studies of North Sulawesi to make them understand a complex process in a simple way, while gathering more data.

The poster begins with *Ekonomi biru*, giving details on what Blue growth is, and why it can threaten fisher livelihoods, with the link to ocean grabbing (*Perampasan laut*). Then, details are given about the global context of MSP as a tool to implement Blue Growth Agenda with different criteria (Efficiency, privatization, private sector, multi-stakeholderism) pushed by different institutions (world bank, development banks, USAID, ...). It leads to the Indonesian context and RZWP3K, a zoning and repartition of the coastal space, as defined in the coastal law No. 27/2007. The image on the right is an example of potential local impact.

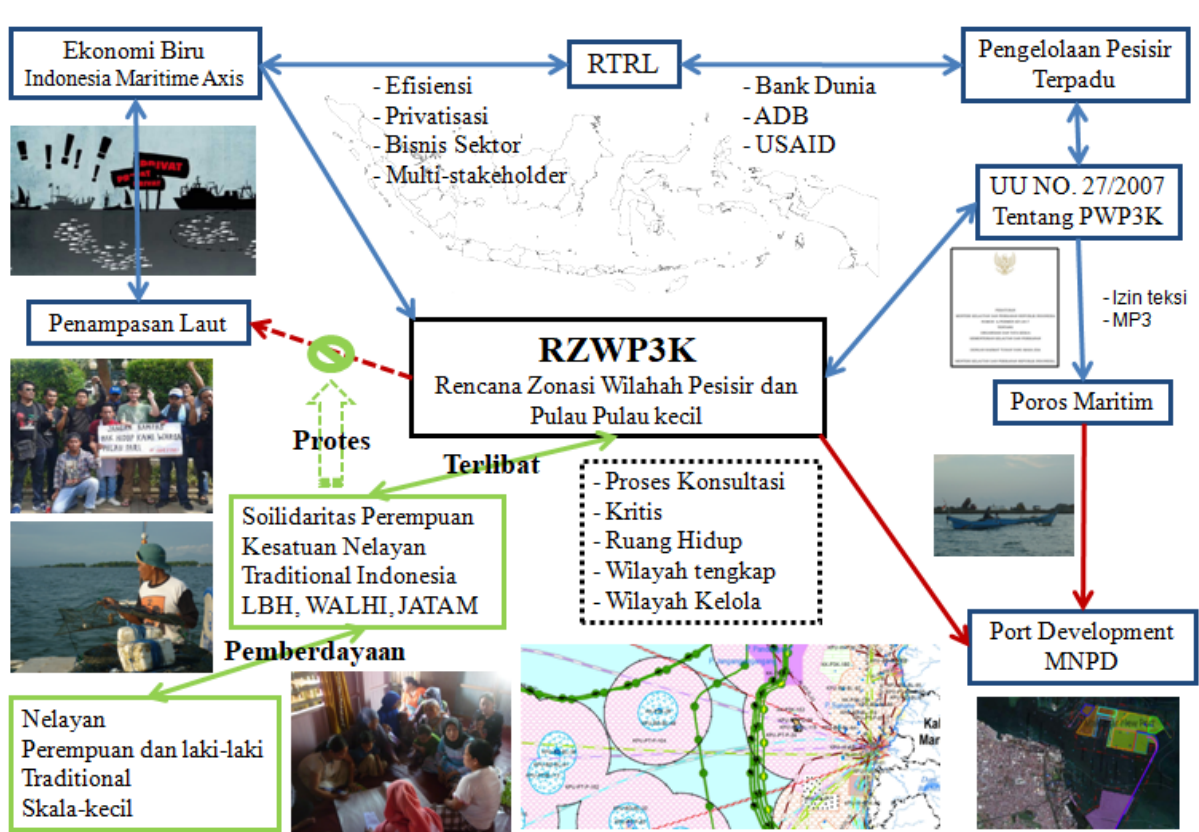


Figure 5: First part of the presentation, general RZWP3K framework

After explaining the global, national and local contexts related to RZWP3K, the second part objective is to explain the possible roles of coastal communities in such a process. In fact, it explains that with the help of CSOs like KNTI, SP and their allies, communities (men and women) are able to engage in the RZWP3K process, using inside (*terlibat*) and outside (*protes*) strategies to struggle against the possible ocean grabbing schemes implemented by RZWP3K. In fact, the zoning and repartition process are supposed to be consultative, and therefore community people can engage in the process, to criticize it, and make their voices heard regarding the repartition of the maritime space their livelihoods depend on. This part is quite challenging and not concrete for the communities and for them to get all the information, it's important to make the link with local issues (which actors, when, for what purpose) and the local solutions (consultation, local CSOs organizing the communities).

The second poster is based on two example from North Sulawesi. The objective of the poster is to show one "good example" where communities managed to make their rights recognized using RZWP3K (*Pulau Bangka*), and one "bad example" where communities human rights were violated due to RZWP3K (*Pantai Candi*). Of course, on the ground, the reality is much more complex, as illustrated by the two case studies above, but this simplification of the North Sulawesi report is helpful for pedagogic purposes. The last three points of the process are fundamental items communities should keep in mind regarding RZWP3K. The first one is consultation (*konsultasi*) in fact, if communities are consulted they can make their rights recognized, and if they are not, they can be seriously threatened. The second item is gender people protest (*Tekanan massa*) reminding people to use outside strategy as well when they engage with governments processes. The last item is the most important in our case: women have to engage in the process as much as men, because they can be seriously threatened by the decision, and usually only men are consulted by the government, making women powerless about process which will impact them. Women needs to get information about RZWP3K, to decide on relevant strategies to make their rights recognized, without patriarchy impeaching them to engage in the consultation process.



Figure 6: Two examples from North Sulawesi, Bangka Island and Candi beach

### 3.1.2. Fisher human rights empowerment workshop

The objective of this workshop was to make fisher understand their role and the rights they have. Empowering them around the “human rights discourse” could be a powerful tool to make them realize how their human rights are violated, and how they can make their rights recognized. The poster presented is divided in the three following parts. The first part is explaining how fisher people have a strong importance in the society, and a strategic role. Indeed, SSF provide socio-cultural identity, healthy food, traditional knowledge, care-takers of the environment, job opportunities. The second part is giving fishers inputs about international legal tools about fisher rights: SSF, tenure and right to food guidelines, and code of conduct for fisheries. The third part gives concrete example of what could be HRBA: e.g. access and control, protection of the environment, gender equity, control of the value chain. The most important objective of this “fisher rights workshop” was to explain fisher that they have legitimacy to understand, strategies, engage and take decisions when processes like MSP are likely to impact them. In a way, speaking about human rights was an introduction to the workshop about MSP, insisting on the rights specific to women as well.

### 3.1.3. Participatory mapping

The idea would be to fulfil two objectives with the communities. Firstly, share the map of RZWP3K, so that communities can understand how it will impact them. Secondly, map the resource uses and the current issues faced by fishing communities. The best way to fulfil these two objectives is to develop a participatory mapping process with the communities. In fact, as explained in the PAR toolkit, participatory mapping is a “way for people to identify the territory they use and the natural resources that they rely on for their livelihoods activities”. Furthermore, as described in St Martin, 2001, the usual way of mapping ocean space scientifically, using SIG, is sometimes missing information that only fisher people have, about the location of their fishing grounds for example, because of their empirical knowledge. Regarding MSP more specifically, a lot of information is already on the official map of the government, but communities didn’t get any chance to use the map as a collaborative tool. Plus, allowing people to overlay information about how they can be affected by a governmental process can be a concrete strategy for advocacy as explained in the “Militant Research Handbook” (Bookchin and al. 2013)

The first step of the mapping is drawing the following elements: physical features of the territory, key infrastructures, resource use and political/administrative boundaries. After

describing the territory, people will be able to give more details about who has the right to which resources and how resource access has changed over time. The last part of the mapping would be a good occasion to discuss about the following questions with the communities: what do they expect from the RZWP3K process? Which fisher human rights should be recognized by this process? How to secure tenure rights within the RZWP3K framework? As resource use is featured by social differences, it would be interesting to build separate groups to draw maps, so that different maps can be contrasted on the basis of community discussion. Gender issues will also structure the resource use, so drafting maps with women groups would be a relevant methodology to understand how women are specifically impacted by MSP. Plus, these different groups will also allow us to understand how groups of fishers are “territorializing” the space: indeed, as explained in St Martin (2001), the mapping will be different for each group of fishers, for instance, those using nets and those using lines, or those having bigger boats than the others.

St Martin (2001) explains that two elements will be critical in the mapping: fisher will have to collaborate with each other and share information that they wouldn't share if they would feel that fishing is a competition for maximization of profit. Fishers will also need to be enough skilled to use tools such as maps, in order for the process to be scientifically relevant and in order for the researcher to be able to use the data properly.

#### **3.1.4. Gathering data for the research project**

The process of gathering data for research and advocacy used community discussions and individual interviews, and learning Bahasa Indonesia was definitely helpful, not to lose information because of interpretation, but also to get people more confident. Communities discussions deserved the two objectives of the PAR methodology: research and empowerment. The discussions were articulated as follow: a first part to understand the context of the fishing village, separating people in focus groups, a second part presenting the concepts of fisher rights and MSP, a third part developing the participatory mapping methodology, and a last part about strategies and next steps.

Semi-direct interviews were also done with fisher leaders, some individual fishermen, local activists, and governments' officials. These interviews were based on a questionnaire that can be find in annex 4. Informal discussions with the same people were also helpful, to get their trust, their personal mind about MSP, and sometimes some critical information that a too formal framework wouldn't have allow them to give.

### **3.2. Defining the case studies**

As we couldn't visit all the communities facing MSP in Indonesia, KNTI and TNI decided on some relevant case studies to develop the PAR methodology. Three field weeks were specifically dedicated to areas where RZWP3K has already been issued: North Kalimantan, East Nusatenggara (NTT) and East Java. East Java fishermen are the most organized around Indonesia, NTT fishermen are potential new members of KNTI and are not organized yet, and North Kalimantan fisher people are already part of KNTI, but there level of organization is still weak compared to East Java. Therefore, the chosen communities cover a spectrum of level of organization, might have heard about MSP in a different level of intensity. To get a understanding of gender issues related to MSP, KNTI decided to work with its ally *Solidaritas Perempuan*, a feminist social movement, and its local office based in Makassar, South Sulawesi. As KNTI is part of a big civil society coalition advocating for Jakarta Bay in a complex political context, it was decided to develop the PAR methodology in Jakarta as well. Some examples of the official government zoning maps can be found in Annex 5, as well as the maps resulting of participatory mapping with fishing communities.

#### **3.2.1. Critical analysis of RZWP3K in Kalimantan Utara**

The province of Kalimantan Utara already issued its zoning plan, and it is likely to impact fishing communities in the area. KNTI decided to visit its members of Tarakan, Sebatik and Bunyu Islands to discuss with the fishers about RZWP3K, using the methodology described

above to organize focus groups, workshops and individual interviews. We also worked with local CSOs, in particular JATAM, an Indonesian NGO working on mining issues and ICEL (Indonesian Centre of Environmental Law), an Indonesian CSO working on environmental legal issues. Figure 6 shows how participatory mapping illustrates the issues fisher people face and how these issues are related to MSP.

Similarly to the case of North Sulawesi, no consultation about RZWP3K has been organized in Kalimantan Utara, and focus groups and individual interviews made clear that a large majority of fisher people were not even aware of the process (step (1) Manipulation, of the ladder described by Arnstein, Sherry R (1969)). A strong minority of leaders was aware of the existence of a zoning plan, but their understanding of the process was partial, and they were never consulted by the provincial government either. Plus the interview with the provincial government officials was unrealistic, as they didn't want to share any information about the process, and tried to speak about something else than MSP. It actually seems like provincial government officials have a relative understanding of the term "consultation". Indeed, what they call "consultation" is more about "socialisation": after a process like MSP is implemented, the government organizes a meeting to explain to the fisher what the program is about, but without any participation of local communities in the decision-making process. Again, MSP on the ground seems to be different from the consultative and participative process it is supposed to be for who believe the international guidelines of UNESCO and IOC.



**Figure 7: Results of participatory mapping after the workshop in Bunyu Island**

On the contrary, RZWP3K in Kalimantan Utara seemed to be strategic for the provincial government. On the small islands of Tarakan and Bunyu, spatial zoning is used to legitimize coal mining, coal transportation, and oil extraction. Indeed, MSP is used as a legal tool to implement these projects, without any consultation of communities or CSOs. As an example, coal transportation seems to be a critical issue for the coastal communities, because the pollution is *"killing the fish and destroying our fishing grounds"*, according to KNTI members. As another example, seaweed aquaculture and fisheries are practiced by the same communities, with a seasonal rotation, but it seems like there is some conflicts between the two space utilizations, conflict that participatory zoning might be able to solve. But on the ground MSP doesn't address this issue.

The case of Sebatik Island is more complex, as it is a frontier area between Malaysia and Indonesia. Therefore, this area is defined as "national strategic area", and spatial zoning (National Strategic Area Zonation Plan, RZ KSNT) is under authority of the central government, undermining local priorities. The focus of the national government is to develop a strong security system in Sebatik Island, and secure the sea lanes, because of the Border with Malaysia and the strategic position close to Philippines and commercial routes. The issue of sea lanes seems to be critical for the fishers in this area, some of them facing collision with commercial boats, putting them in extremely dangerous situations. But fishers

are not consulted in the zoning process, and cannot explain properly to the government how they can be endangered on their own fishing grounds.

Indeed some space issues would be possible to solve using RZWP3K, like delimiting fishing grounds to avoid coal ships to pollute it, or define more precisely sea lanes to avoid collision between fishing grounds and commercial ships. But there are also issues RZWP3K cannot solve, and the most critical, according to fishing communities seems to be piracy. Indeed, in Kalimantan Utara, fishermen are robbed on a daily basis, as piracy is endemic in the region. Pirates threaten fishermen with guns, take their fish, their motors, sometimes their boats ... and some fisher have been killed. But law is not enforced as the police is scared of pirates who are organized in a strong mafia, letting fishers in the fear of meeting pirates every time they go at sea. Thus, government should keep in mind that MSP is only one way to manage coastal areas, and therefore lots of issues cannot be solved by MSP. Another example would be the presence of trawls, particularly in Tarakan Island, even if this fishing gear is under ban in Indonesia. Again, would MSP be a relevant tool to solve this issue? Or would law enforcement be more efficient? Unfortunately, it seems like the authorities are blind, and don't want to recognize that MSP doesn't cover every situation, maybe because RZWP3K is a powerful strategic tool to implement the Blue Growth agenda.



**Figure 8: The issue of coal transport ships overlapping with fishing grounds and participatory mapping on the ground**

Unfortunately, developing a gender approach to MSP was challenging in Kalimantan Utara, as no women participated in the workshops, because of the strong patriarchy. Thus, it's not difficult to imagine that if there would be any kind of consultation organized by the provincial government, women wouldn't be allowed to participate as well. However, the role of women seems to be important in the local fisheries system, from processing sea weed to selling fish.

After discussing with local communities, KNTI, JATAM and ICEL are seriously thinking of suing RZWP3K on court, as a strategy to reject a zoning plan which didn't take in account the voices of coastal communities, and which is likely to increase the pressures on the local environment (extractive industries). This strategy is on process, and it will be interesting to analyze how far legal tools can be useful to counteract RZWP3K and MSP more broadly.

### **3.2.2. Critical analysis of RZWP3K in NTT**

KNTI doesn't have members yet in NTT, thus the fieldwork there had two objectives: develop a KNTI basis in the area, and develop the PAR methodology about RZWP3K. A local activist already working with communities was helping KNTI team to understand the local situation and organize workshops with the communities.

None of the fisher we met ever heard about RZWP3K, which is surprising for a "consultative process", particularly because the zoning plan which is supposed to be drawn with the participation of communities has already been issued. We can easily conclude that RZWP3K in NTT hasn't been a consultative process at all, which corresponds to the step (1) Manipulation, of the ladder described by Arnstein, Sherry R (1969).



The process of participatory mapping was helpful for coastal communities to understand concretely what RZWP3K is, and for KNTI to understand the situation of these potential new members. Fisher people of West Flores are using long lines and hand lines, not going further than 5 miles from the coast, and most of them are seasonal fishermen. Some of them are living far from the urban area, and don't face issues created by government projects, or by the tourism industry,

present in NTT. However, these communities face poverty, and weak access to public services. Most of Lembata communities use hand lines and long lines, and some of them are hunting whales. Fisher people seem to have a close relationship with the local government officials, but most of them were still not aware of the RZWP3K process. The external issues they raised were about the impacts of the tourism industry, and some small reclamation projects causing evictions and dividing communities. For example, the reclamation project of Balauring caused eviction of traditional communities who have been living there for centuries. Because of the fast development of the tourism industry in NTT, this kind of project might happen more often, being legitimized by MSP.

But the most important issue raised by NTT fisher people was internal to fishing communities. Indeed, lots of fishers in NTT are using bombs or poison to catch fish, with strong impacts on the ecosystem. Indeed, bombs are destroying coral reefs physically, and poison (Potassium) is destroying the reefs chemically, reducing sharply and quickly the fish resources, and undermining fisher livelihoods on the long term. As in the case of Kalimantan Utara, MSP cannot solve every issue, and it looks like it is not the relevant instrument to solve the most critical issues fisher people are facing in NTT. Enforcing law about legal fishing methods, and organizing workshops to sensitive fisher people to sustainable practices would be more efficient. But nothing similar is done by the provincial government. As some fishers are using bombs/potassium, and some are not, this issue is dividing the communities, and it might be critical if people have to engage together in a process like MSP.

Participatory mapping was helpful to understand the location of illegal fishing practices, and their overlap with traditional fishing grounds. Plus, fisher observed that some conservation areas defined by the zoning plan are overlapping their fishing grounds, which could potentially threaten their livelihoods. But it seems like fisher people in NTT are not enough organized for now, to imagine a common strategy regarding MSP issues, which will likely be used by the government to develop the usual argument: *"fishers are not enough educated to participate in complex processes"*.

It was still useful for fisher people to better understand what RZWP3K means, as they didn't know anything about it before the workshops. Plus, the PAR helped KNTI to understand the issues of a potential new member. However, KNTI will have to organize NTT fishers fast, in order for them to be able to engage with MSP frameworks.

### **3.2.3. Critical analysis of RZWP3K in East Java**

East Java has a long story of peoples' resistance against corporations pushing for the Blue Growth agenda. One staff member of KNTI is from East Java, is a former staff of WALHI, and he organized East Java communities against a project of reclamation in Surabaya in the past. Indeed, this project was not only impacting Surabaya's fishermen, but lots of other communities, because of sand mining. Because of the strong protests organized, and the impacts they got, the local activist was criminalized and intimidated by the police and the army. But at the end of the day, the project of reclamation was stopped, because of the protests organized by fisher people, who are now well organized, and developed fishing cooperatives.

The first step of the PAR in East Java was to discuss the zonation plan with two allied CSOs: WALHI (Friends of the Earth Indonesia) and KONTRAS (an NGO focused on coastal issues and small islands). Indeed, the zoning plan has already been issued and analyzed by local

CSOs, who were invited to the so called “consultation process” one day before, without sufficient time to organize the community participation, which corresponds to the step (2) Therapy, of the ladder described by Arnstein, Sherry R (1969)). The biggest fear of local CSOs and fisher people is to see the reclamation project back on the table, with RZWP3K used as a legal tool to legitimize it. Indeed, the legitimization of big infrastructure is often using MSP as a strategy, as illustrated by the other case studies. Plus reading the regulation about RZWP3K in East Java clearly underlines how MSP will be used as a tool to “*facilitate regional economic growth by providing greater access and legal certainty for the private sector in investing in coastal areas and small islands in East Java*”.

During the focus groups, the most critical issues raised by the fishermen were the following: a decline in the catch, lots of plastic garbage in the sea, impacts of trawlers, volatility of the price, reclamation projects and sand mining. The two last issues are included in the present zoning plan, and could impact fisher critically. Thus, the process of participatory mapping allowed us to better understand how RZWP3K and reclamation-related activities are likely to impact fisher people in East Java and in Madura. Indeed, fishing grounds often overlap with areas delimited for sand mining on the zoning plan. And if the former reclamation projects are included in the zoning later in the process, these projects are likely to evict fishermen from their villages, which would be highly problematic. Again, the other issues raised by fisher people are not likely to be solved by spatial zoning.

Regarding gender issues in general, women were engaging a lot during the workshops, explaining the importance of their role in the communities, and rising concerns about RZWP3K, particularly in Surabaya. Indeed, the role of women is critical, particularly in the post harvest activities, as they manage the whole activity of fish drying and fish salting. As they are organized and engage in the cooperative activities, they are respected and recognized in the community, but we must stay aware that their position might still be difficult if the government organize a consultation process and invite only men, as patriarchy is also present at a state level.



**Figure 9: Focus groups and participatory mapping in East Java**

Compared to other areas, fisher people in East Java seemed to be more aware about the issues they face, about zonation and how this process is supposed to be consultative, and more organized to face and engage with MSP issues. Indeed, the level of organization in East Java is better, and people are used to build strategies. But fishers are only organized by KNTI, and nothing is done by the government to consult and empower fishing communities regarding zonation planning. Plus, fishermen activists are scared to face intimidation and criminalization again, as fisher people are likely to protest against the projects implemented by MSP, and resist the Blue Growth agenda. Indeed, Indonesian legal frameworks seems to encourage criminalization of activists who are resisting the government agenda, particularly in the case of protests organized close to “national strategic projects”. This kind of criminalization happened in Surabaya some years ago, and it still has an influence on people.

### 3.2.4. Critical analysis of RZWP3K in Sulawesi Selatan

As our problematic is about how consultative and neutral MSP is and how fisher people can engage with it, we have to reflect about differential impacts of MSP depending of the social groups involved. As KNTI is working closely with *Solidaritas Perempuan*, an Indonesian feminist social movement, the two organizations decided to focus on women and MSP in the fishing communities of Tallo and Cambayya in Makassar (South Sulawesi), to understand which gender issues are related to the RZWP3K process.

In Indonesia, and particularly in some provinces like Aceh and South Sulawesi, patriarchy is affecting women strongly. Women are supposed to obey their husband, as summarized the Indonesian idiom *"Isteri ikut suami"* (the wife follows her husband). Therefore, women are not recognized as men are, and are barely consulted by the government. As explained by an SP activist:

*"Women have to face patriarchy and neo-liberalism in the meantime."*

Therefore, a methodology specific to women was developed by SP and KNTI to understand women issues in the fishing communities, and empower them about RZWP3K. Because of the strong patriarchy described above, we decided to do separate discussions with men and women, so that women can have their own space and feel confident to speak up. Regarding the meeting with the women, the first step was to separate them in different focus groups, to get a better understanding of the situation and the issues they face. After discussing the issues, KNTI staff made a presentation about the central role of women in the fishing communities, the human rights of fisher people, and the rights specific to women. Then, a workshop was done about RZWP3K, following the methodology explained above and insisting on the issues specific to women in the case of consultative processes. The meeting with men was similar, but trying to understand their position about gender issues.



**Figure 10: Workshop with women in Tallo and Cambayya communities**

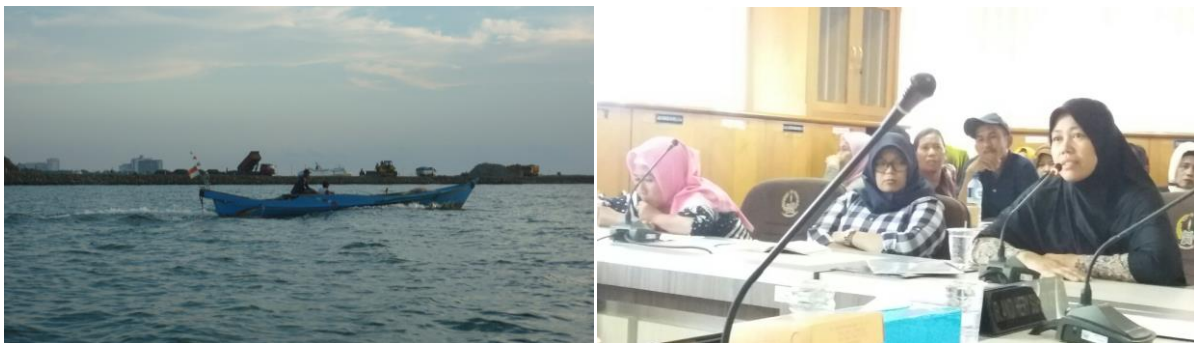
The role of women in the local fishing economy seems to be important, as one of the fisheries is only practised by women: harvesting mussels on the sea shore. Women are working on the whole value-chain of this fishery: from harvesting the mussels, to washing it and selling it. They are also involved in post harvest activities of the boat-based fishery practiced by men who use traps to catch crabs. Women often wash and sell the crab to the fish auction.

The focus groups underlined two principal issues related to each other: patriarchy and Makassar New Port Reclamation Project. Indeed, women are strongly impacted by the reclamation project, which is disturbing the sea current, creating mud accumulation in the bay, where women find less and less mussels, some of them having to stop practicing the traditional mussels harvesting. The reclamation also have impacts on the boat-based fishery, impacting strongly the incomes of the household, which increases violence against women, and also child marriage, as parents want children to leave the house as soon as possible because of financial issues. And the problems created are also impacting the traditional

central role of women, feeding patriarchy by closing the social space they had in the community. Last but not least, the traditional cultural relationship women have with the sea is also impacted.

MSP is strongly related to the reclamation project, as the local government is using RZWP3K as a legal tool to implement Makassar New Port Development. Indeed, no consultation was done with the communities, and only the local feudal authorities (Pak RT and Pak RW) were consulted, without having any discussion with the communities which corresponds to step (2) Therapy, of the ladder described by Arnstein, Sherry R (1969). It is obvious that local authorities are easy to corrupt and intimidate, and even the local communities were intimidated by the government and the corporations, and didn't want to organize protests after they saw the first impacts of the project.

Again, MSP on the ground seems to be far from the "neutral participative tool" it is supposed to be according to IOC and UNESCO guidelines. But in the case of Makassar, we observe clearly how MSP can be a patriarchal tool, with differential impacts on men and women. Indeed, even if it's more difficult, men keep on fishing and going at sea, while women lost their traditional activities and are the victims of the violence created by the lack of incomes. And according to the meeting we did with the men from the communities, it seems very difficult for men to understand the specific issues women are facing now. MSP is not only a neo-liberal tool used to implement the Blue Growth Agenda, but it's also a patriarchal tool, not addressing the specific issues of women, and increasing gender inequalities in the fishing communities.



**Figure 11: SSF boat next to Makassar New Port Reclamation project (left), SP members speaking at the local parliament (right)**

Fortunately, the work done by SP on a daily basis, and the workshops done by KNTI about RZWP3K allowed women to understand better how RZWP3K is likely to impact their livelihoods and their human rights. Some days after the field work, SP and some women from the communities got an opportunity to speak up at the provincial parliament (DPRD) to give recommendations about gender issues related to MSP. Their principal input was to explain how RZWP3K is increasing gender inequity on the ground, and how women are impacted, urging the government to stop the development of Makassar New Port, the only solution to stop violating women human rights, and restore their traditional livelihoods.

But engaging with the government is only part of the internal strategy of SP, which will also keep one engaging externally, organizing protests and event with the women from the fishing communities.

### 3.2.5. Critical analysis of RZWP3K in Jakarta

For Jokowi, key to the establishment of Indonesia as the world's maritime axis, is the development of major infrastructure projects. These include controversial projects like the The National Capital Integrated Coastal Development (NCICD), which consists in building a giant wall to avoid over floods in Jakarta, and the Jakarta Bay Reclamation Project which consists in the development of 17 artificial islands in the Bay from mined sand imported from other areas of the coast to be developed for tourism and luxury real estate. RZWP3K in Jakarta is in the middle of a complex political environment involving a corruption case, a controversial reclamation project, corporations being part of a MAFIA, a governor in jail for blasphemy, and the rising influence of right wing religious groups in poor communities.

This controversial project, threatening the livelihoods of fishing communities by destroying their fishing grounds , and not solving the issues of water in Jakarta, received a strong opposition of local and national CSOs, gathered in the Save Jakarta Bay Coalition, as illustrated on figure 10. This strong mobilization was based on the advocacy of NGOs and CSOs and based on court cases mostly lead by LBH Jakarta. Some local activists criticized their own strategies afterwards, realizing that the mobilization should have been a bit more community grounded. Indeed, as described below, the context is highly problematic, and some communities got corrupted or intimidated, creating great tensions with the CSOs supporting them.



**Figure 12: Jakarta reclamation project (left) and protest of the save Jakarta bay coalition (right) (Mongabay.com)**

As this project is part of the coastal area, according to the coastal law, it has to be included in RZWP3K, to be legally implemented. However, there was no regulation about spatial zoning at the time the reclamation project begun. Therefore, when the provincial government had to develop MSP for Jakarta coastal areas, it became crucial for the corporations involved in the reclamation project to push for NCICD to be included in the draft of the coastal zoning plan. Corporations were actually invited to the consultation process, and got all the information they needed to engage properly in it, thanks to the clientelism between government officials and corporates. On the contrary, local CSOs like KNTI were only invited one day before, without enough time to prepare a proper strategy, and without any possibility for them to mobilize local communities ((step (2) Therapy, of the ladder described by Arnstein, Sherry R (1969)). As usual, no one from the coastal communities was invited to the so called “consultative process”.

But the opposition of CSOs during the consultation process was still strong, and corporations felt the difficulties coming: if the reclamation project was not included in the zoning plan, there wouldn't be any possibility to develop it legally. Therefore, several local parliament delegates were invited to the house of one of the biggest corporate, chief of the corporation's mafia, to have a discussion about RZWP3K ... and to get money, in order to ensure that the reclamation projects would be implemented (according to an interview with local activists). The corruption commission (KPK) investigated this corruption case, but only one deputy and one corporate were arrested. In the meantime two persons from KPK were arrested next to

the headquarter of one company involved, as the mafia organized by the corporations has a good relationships with the military.

To be legally implemented, the reclamation project and the NCICD project also have to be part of another planning process, land based and focused on Jakarta. This zoning process is a public-private partnership, based on budgetary contribution from corporates. Indeed, according to Jakarta CSOs,

*“Corporations have to finance the zonation project, while the state is using this money to finance eviction of local communities affected by the project.”*

So there is not only corruption, public-private partnerships are also feeding the relationship between state and corporations, violating the human rights of coastal communities, and making MSP a tool for corporates and governments to implement strategic projects together.

The political situation in Jakarta is also complex, partly because of the reclamation project. Indeed, the former governor, Ahok, who became governor after being the vice-president of Jokowi, was involved to develop the reclamation project. But in 2017, after a big campaign, partly lead by right wing religious groups, Ahok step down, and was jailed because of a blasphemy case. Concretely, right wing religious groups used the argument of the controversial Reclamation Project delegitimize Ahok, particularly in Jakarta poor communities, and thus these groups got more power in the election process. Soon after, a new governor, Anies, supported by the fundamentalist parties within a global neo-liberal ideology, was elected. And he quickly seemed to have a more moderate position about the reclamation process than his predecessor Ahok. Since then CSOs tried to push him as much as possible to stop the reclamation project, organizing protests on a daily basis, and as RZWP3K in Jakarta was controversial, Anies decided to withdraw it from the local parliament (DPRD), for RZWP3K regulation not to be issued and to start another zoning plan from the beginning.

As explained before, the central government wants to implement the reclamation project, as part of the Blue Growth agenda and as a central element of “Indonesian Maritime Axis”. Therefore, the government decided to use the Article 19 of the Presidential Regulation No. 58 year 2017 (revision of the Regulation regarding Acceleration Implementation of National Strategic Project) making NCICD project a national priority. Thus, if the national government decides to issue a new zoning plan of Jakarta coastal area, the provincial government, which is more and more critical about the NCICD project, won't have authority on it anymore. It's a typical example on how MSP can be used as a strategic tool to legitimize a project legally, undermining local priorities and dynamics. Indeed, the central government obviously took this decision to counteract the strong opposition against the project in Jakarta. Therefore Anies decided to build a team, with some experts and some prominent environmental activists to build a strategy and push the central government to let the authority to the provincial government regarding the NCICD project.

KNTI is currently developing PAR specific to human rights based approach to fisheries in Jakarta Bay, with TNI and FIAN giving political support on this matter. It's clear that the reclamation project is threatening the livelihoods of fisher people, and thus their right to food. Therefore, we can ask the following question: how is MSP framework engaging with human rights issues. Because in the case of Jakarta bay, by legitimizing the reclamation project legally, RZWP3K is transgressing the Indonesian constitution, legitimizing human rights violations, and the international human rights declaration. The research also showed how the loss of income cause by the fishing grounds destruction is likely to cause violation of the rights to works, to education, to housing, and increase the inequalities. The research is also an occasion to re-organize the communities in Jakarta: issues of criminalization, intimidation, corruption and the influence of right wing religious groups literally changed the social network of Jakarta bay fishing communities.

## 4. Findings of the PAR and discussion

### 4.1. Main findings of the case studies

The main findings about MSP in Indonesia can be summarized as follow:

- MSP is more a strategic tool used by the government to implement the Blue Growth agenda and develop infrastructure projects, than a participative tool empowering fisher people to make their rights recognized legally.
- MSP is not enough consultative, only reaching step 1 or 2 of the participation ladder
- MSP is not taking in account gender issues
- MSP can increase conflicts within coastal communities
- MSP can encourage criminalization of local activists
- MSP doesn't solve some critical issues of fisher people
- Even when MSP is consultative, it can be undermined by the central government

### 4.2. Consultation issues

Each case study shows that MSP is not the “consultative process” it is supposed to be, only reaching step (1) Manipulation or (2) Therapy of the participation ladder described by Arnstein, Sherry R (1969), except in the case of Bangka Island. Indeed, the large majority of fisher people we met during the community discussions was not even aware of the existence of such a process, and therefore haven't been consulted. When it's about consultation in general, the Indonesian governments often organize *sozialisasi* (socialisation), to inform local communities after a project has been implemented. But informing people has nothing to do with consultation, as they don't have any decision making power, particularly if the project is already implemented. Indeed, maintaining confusion between “consultation” and “socialization” is undermining participation, without saying it directly. Plus, communities are not empowered at all to understand and strategies about government projects, and it shouldn't be the role of CSOs, but the role of the government to empower coastal communities for them to be able to participate in consultation processes. But on the ground CSOs have to endorse this role, otherwise communities are not even aware that some government project is likely to happen.

### 4.3. Conditions for communities to use MSP as an opportunity

At the beginning of the PAR process, as we were using the case of North Sulawesi to empower other communities, we expected more cases similar to Bangka Island, where fishermen used RZWP3K as a legal tool to secure their livelihoods. But regarding the level of consultation we observed (step (1) Manipulation and step (2) Therapy of the ladder described by Arnstein, Sherry R (1969)), MSP is likely to be an impact more than an opportunity. It seems like the essence of MSP is problematic, as the process is not consultative, is legitimizing the Blue Growth agenda legally, is using patriarchy to feed the neo-liberal agenda, is creating conflicts within the communities, and can be undermine to implement “national strategic projects” and criminalize local activists.

Therefore, it's difficult to say that the hypothesis of “MSP as a legal tool to resist ocean grabbing” is relevant. It looks more like MSP is a tool creating ocean grabbing cases, according to the cases we studied. Still, the issue is maybe not MSP itself, but the Indonesian government: even if MSP is described as a neutral tool, which shouldn't be influenced by the ideology of the government developing it, it seems like MSP can be used as a strategic tool by a government to implement its ideology. First MSP would need to be consultative and acknowledge gender equity in the consultation process, women and men from local communities being able to participate in the decision making process. It shouldn't be linked to Blue Growth and only be seen as a tool to discuss about ocean space issues. Conflicts within the communities about ocean space should be addressed with competent facilitators. Last but not least, a national government shouldn't be allowed to undermine a local planning process, and of course shouldn't be able to criminalize activists opposing the zoning plan. Only the part about consultation is clearly included in the international guidelines

about MSP, and the parts about gender, decision-making, ideology, local decision and criminalization should be more clearly underlined in the international guidelines.

#### **4.4. Feminist gender analysis**

Patriarchy is strong in the Indonesian society, and it makes women situation critical regarding consultative process. Even if we observed that MSP is far from being the consultative process it is supposed to be, we can still hope that consultation processes will happen in the future. As explained with the case of Makassar, women, who have a central role in fishing communities, are likely to be strongly impacted by the infrastructure projects the government wants to legitimize with RZWP3K. But women will be strongly impacted by these projects, and MSP is not only legitimizing neo-liberalism, it is also using patriarchy, women being left out of the consultation, unable to raise their concerns, and thus not in a position to counteract the Blue Growth agenda. Therefore, MSP, by not addressing gender issues, is using patriarchy to undermine women struggle against neo-liberalism. But the case of Makassar illustrates how women can be mobilized against the Blue Growth agenda, and how their voices are important for fishing communities to make their human rights recognized, and resist whatever is likely to affect their livelihoods (Third World women's perspectives 1987).

In other area like Kalimantan Utara and NTT, women were not present during our meetings, giving an idea about the level of patriarchy and raising high concerns about how far they would be able to engage in the hypothesis of a consultative process. On the contrary, Surabaya fisher-women are already organized, aware of their important role, engaged a lot during our workshops, and strongly engaged against the projects which were likely to impact them, are raising the hope of some change in the mentality, which will be long to spread all over Indonesia.

#### **4.5. Next steps of the PAR**

As explained below, after getting information and discussing MSP issues and opportunities, fishing communities need to strategies: how are they going to engage with the MSP framework? Do they want to refuse it because it has not been consultative? Or do they want to engage with the government to make their rights recognized? Our current understanding is that MSP in Indonesia is to be problematic for coastal communities, legitimizing the Blue Growth agenda, undermining their livelihoods, and violating their human rights. According to informal discussion with fisher leader, most of the communities we met are likely to refuse the MSP process, even if similar strategies as Bangka Island people might be developed as well, after digesting the anger of not being consulted, and assimilating the information about MSP.

Building on the cases of Bangka Island and Candi Beach presented to the communities in the empowerment workshop, fisher people will have to stay aware of how MSP can divide their own communities. Indeed, as every top-down project affecting local communities, people are likely to have different opinions on how to engage with RZWP3K (Arnstein, 1969). Some will maybe legitimate the process, avoiding any conflict with the government, and accepting the impacts it can have on their livelihoods. On the contrary, some might resist to the process, which they consider not consultative and dangerous for their traditional livelihoods. Thus, conflicts might happen in the communities, which would be used by the government to legitimate this non-consultative process, explaining that people who cannot agree on a common strategy cannot be consulted, in order to avoid conflicts (Freire, 1968) The role of KNTI will be to facilitate discussions within the communities, to avoid horizontal conflicts, as the Indonesian MSP framework doesn't do anything to solve this issue. KNTI will also have to observe and document these issues, with the rest of the Indonesian civil society, to improve the PAR methodology and denounce the impacts of top-down processes with concrete arguments from the ground.



In the case of some community deciding to refuse the MSP process, we can wonder which kind of strategy would be efficient to dismantle this administrative legal process. Indeed, protesting against infrastructure projects won't be sufficient, as these projects are legally legitimized, and even more for the "national strategic projects", part of a legal framework encouraging criminalization of protesters. Legal resistance might be a relevant strategy: being non consultative, MSP is contradicting important Indonesian laws about consultation. It will be interesting to follow and document the case of North Kalimantan where KNTI and local CSOs are likely to sue the RZWP3K regulation.

Depending on the area, the strategy might be more or less complex. In NTT, even if MSP is not going to solve fisher issues, it might not impact them in a so strong way. On the contrary, in Jakarta, the "battle for MSP" will be hard, as it is seen as a tool to legitimize legally the project by corporations and national government, and as a tool to legally forbid the implementation of both the reclamation project and the NCICD projects by local CSOs. The challenge of CSOs will be to ground their struggle even more in Jakarta fishing communities. The way radical religious groups will engage with MSP, and the way MSP is impacted by corruption will also be interesting to document.

Women will also be an important factor of the strategies developed by fishing communities. Indeed, SP is building its strong strategy of research and advocacy about RZWP3K, so that women can fight back patriarchy in a process which is not addressing this issue. Empowerment of women will be critical, as they could help building radical strategies against MSP frameworks or broader infrastructure development (Third World women's perspectives, 1987). The social role of women in the communities will also help them to facilitate discussions about MSP, and to avoid conflicts that might divide the communities as explained above. On the contrary, women are likely to be the radical voice of the communities: as they are struggling against patriarchy on a daily basis, their position about a process which is using this patriarchy might be more radical than the position of men (Third World women's perspectives, 1987).

The strong network within the Indonesian civil society and particularly the alliances of KNTI with the diverse CSOs quoted in this report will be critical to support communities in building their strategies around MSP. For example, to resist MSP, WALHI usually ask the government to develop environmental assessment, to get better data about how the zoning is likely to impact the environment, but also to get some time to organize the communities about MSP issues. On the contrary alliances with other sectors, like tourism in the case of Bangka Island, could be a dangerous strategy that depends on the local context.

#### **4.6. Empowerment about RZWP3K**

The methodology we used to empower communities seems to work quite well, but it was also easy to empower fisher people as they didn't know anything about MSP: any kind of information was new knowledge. But having information is not sufficient for communities to build a strong strategy regarding MSP. The paradigm is quite complex for CSOs: their role is not to give communities a strategy to follow, but to make communities able to define their own strategy (Calvès, 2009). Therefore, the boarder has to be clearly defined between "empowering" and "doing on behalf of", as explained in the case study about Jakarta reclamation project: if there is opposition, it has to be built on the ground, and not done by CSOs staff members who are only here to support communities (Freire, 1968). As PAR is based on multiple loop learning (Chris Argyris), we can imagine that the next steps could be the following: now that fisher people got information about RZWP3K, they will discuss it formally and informally, to assimilate this knowledge and build a common understanding. Then, KNTI local activists and fisher leaders, after analyzing the data gathered during the first field study in each area, will have to develop a methodology, and organize workshops on the following thematic: "regarding the local situation, which strategies would be relevant to engage with the RZWP3K framework?" The next paragraph about participatory mapping and

advocacy is giving some advices on how the first step of PAR can feed the workshops about communities' strategy

Another issue, related to gender, is that no women participated in KNTI workshops in some areas. Therefore, there is a need to develop a proper empowerment campaign about MSP, dedicated to women, with allies like SP, to develop the methodology described in Makassar case study (Third World women's perspectives, 1987).

#### **4.7. Participatory mapping: a tool for advocacy or empowerment?**

Participatory mapping seems to be an interesting tool to better understand the situation in a particular area, and particularly at the scale of a village. In fact, the map is a relevant support for activists to get a tremendous amount of information, in a short amount of time (MRH, 2013). Plus, in the case of MSP, the mapping is fulfilling at least two objectives: give to the communities a clear understanding on how MSP is likely to impact them, and understand the situation of the community. However, an important question is still pending: would this methodology be useful to build advocacy tools in the case of MSP? Or is it only an empowerment tool?

Theoretically, after the first field trip, the two principle actors are at this stage: the communities know what MSP is, and how far it is likely to impact their livelihoods and the CSOs understand the local situation and how it could impact communities' livelihoods. But it's important to keep in mind that understanding the situation and getting information is only a first step of the action research process, which is supposed to get positive change on the ground (Freire, 1968). Indeed, at that stage of the process, better understanding the impacts don't mean communities and CSOs are able to resist it. That's where the concept of "multiple loops learning" developed by Chris Argyris is relevant.

First of all, of course, finishing the first fieldtrip doesn't mean "the job is done and everyone has a clear understanding of the situation". Indeed, from the fishing communities' side, lots of formal and informal discussions will follow the MSP workshops, fisher will discuss about MSP, about the map they did, and it will take some time for the people to assimilate and "digest" the amount of information they got from the workshops. From the CSO side, writing reports and analyzing the maps more deeply will be needed, before moving forward on the next steps of the action research process.

But after CSOs and communities assimilate the first step of the PAR process, the issues related to MSP will still be present on the ground, and there will be a strong need to bring positive change. Therefore, the second part of the process will be to engage with the government, using outside and inside strategy. In fact, the role of the CSO, after getting a clear understanding of the situation, could be to use the participatory mapping to produce an illustrated document, summarizing to the communities the issues they have regarding coastal zoning, and proposing some solutions to resolve these issues, as in St. Martin (2001).

The communities could also engage with the government, using the outputs of participatory mapping to explain where their fishing grounds are, and how they would like MSP to help them solving this issue. This solution is tricky as some information (fishing grounds) could be used by the government against fisher people (MPAs). However, participatory mapping can also be a tool for outside strategy: giving to communities a clear understanding about how they would be affected by RZWP3K could help to organize them, strategize about these issues, and eventually organize protests. Thus, we can be sure that participatory mapping is a strong empowerment tool, and its role in advocacy strategies will have to be analyzed carefully.

#### **4.8. Limits of participatory mapping**

Even if this methodology seemed to be quite efficient and fulfil our goals, we can still be critical about some aspects of participatory mapping. First of all the term "participatory" can

be criticized in several ways. First of all, getting a participatory mapping from a fishing communities would mean that either the whole community is participating in the workshop (which basically never happens for logistical reasons) either people participating in the workshop constitute a sample of each groups of the community. In Kalimantan Utara or NTT, KNTI didn't manage to get any woman participating in the workshops. Therefore, the mapping only reflect the vision of men, and a mapping with women would have been different, particularly because in Kalimantan Utara, their vision of the fisheries is more related to Sea Weed harvesting, and pre/post harvest activities related to fisheries. Therefore, we have to keep in mind that our map only represents the vision of a part of the community, as explained in St. Martin (2001).

This kind of methodology also depends on the literacy and abilities to read/draw a map, in communities where the level of education is weak most of the time (St. Martin, 2001). Participation also depends on the personality of the people attending the workshop: some will take the lead and draw the map, some will scream from the background to give inputs; some will be shy and agree silently on what other people are mapping (MRH, 2013). And these social factors will be different from a community to another, as we can see when comparing the maps from Tarakan and Bunyu, which are different. Therefore it's important for the facilitators to make sure that not only leader are drawing the map, but that each participant, with its own abilities and personality, is able to participate in the process (St Martin, 2001).

#### **4.9. Hypothesis on the eventual strategies of fisher people regarding RZWP3K**

The choice between outside and inside strategy is dependant on the case, and the rapidity of this choice will depend on the level of organization of fishing communities. The example of Bangka Island in North Sulawesi shows clearly how fisher people can use inside strategy to legitimize their fishing rights with MSP, under the condition that participation is reaching at least the fifth level of the ladder described by Arnstein, Sherry R (1969). However, this case is the only one we observed, and is based on potentially fragile alliances and political dynamics.

On the contrary, the case of East Java shows clearly how fishermen are scared of RZWP3K being used as a tool to implement the Blue Growth agenda, undermining fisher livelihoods. Plus, radical CSOs working with fishing communities in East Java are likely to prefer an outside strategy, not to legitimize a process they consider neo-liberal, non consultative and patriarchal. In Kalimantan Utara, it seems like local CSOs, KNTI and fisher people will sue RZWP3K on the court, as the coal mining industry, legitimized by a non consultative MSP process, is strongly impacting the livelihoods of fishing communities. Even if the law suit is not sufficient to counteract the whole coal mining industry, it might be efficient to raise awareness about the absence of consultation in the current MSP process.

In Makassar, the strategy of SP is to continue developing inside and outside strategy, to raise awareness about how MSP is using patriarchy to legitimize the neo-liberal agenda.

In Jakarta and NTT, only unsure hypothesis can be drawn. NTT fishermen are not organized yet, so the MSP process might be "faster than them", without any opportunities for them to organize a relevant strategy before projects are already implemented. In Jakarta, the situation is complex, CSOs are using inside and outside strategies against the NCICD and Reclamation projects, the question being more "How are CSOs consulting the fisher people they are supposed to represent?" (Third World women's perspectives, 1987)

#### **4.10. Other ways of managing space**

As explained in the case studies of NTT and Kalimantan Utara MSP is not able to solve every issues faced by fisher people: piracy, impacts of trawlers and dynamite fishing will

continue long after implementing the zoning plan. In these particular cases, it seems like law enforcement would be the most relevant solution to fisher issues. But in general, MSP is not the only way to manage fisheries, and in some contexts, other methodologies would maybe be more relevant, as described in the Voluntary Guidelines for Securing Sustainable SSF (FAO, 2014). For example in Indonesia, we could imagine community-based co-management using customary management practices to manage local fisheries. Indeed, as described by Satria and Adhuri, fishing communities have traditional ways to conserve coastal areas, like *Petunuan* and *Sasi*, two systems used by Maluku fishing communities to conserve coastal areas and manage their fisheries in a sustainable way. It might be more efficient to base management on these practices, instead of developing MPAs and top-down processes like MSP, that are not recognized by local communities, and therefore lack of efficiency on the ground.

#### **4.11. Publications about MSP**

As a part of the PAR methodology, different publications that might be produced with the data we gathered. A first political brief about MSP in North Sulawesi, corresponding to our preliminary research, will be published in October 2018, at the momentum of the People's conference for the ocean, an event organized by KNTI to counteract the Our Ocean conference, hosted in Bali in 2018. This brief was written during the last during the last few months, and the format was chosen so that CSOs and local CSOs can use it to develop their own PAR methodology about MSP, as we used the drafts of this publication to develop our own methodology. As this brief is the result of the research in NS, the following parts of this thesis have been used to draft the brief: 1.2; 3; 2.

Regarding the amounts of data we gathered, some other publications are likely to be developed, particularly one discussing PAR and participatory mapping methodology, one discussing MSP in Indonesia with regard to the case studied above, and one specific to gender issues related to MSP, based on the work we did with SP in Makassar. And academic paper about the reality of MSP on the ground is also likely to be published. All of these publications will use some results described in the present document.

#### **4.12. MSP at the international level**

As TNI and KNTI are working closely with WFFP, the draft of the brief about MSP in North Sulawesi was already used at the international level, to empower international fisher leaders about MSP issues, in parallel to the 2018 COFI meeting. Indeed, as MSP is pushed by international institutions like UNESCO and IOC, it's seen by lots of governments as a relevant tool for managing and allocating the sea space. Therefore, lots of fishing communities around Indonesia face the same issues as Indonesian fisher people regarding MSP frameworks, as illustrated by the South African case study below. That's why international solidarity within Transnational Social Movements like WFFP, using this kind of document, can help fisher leaders to get an understanding of what MSP issues can be, how to empower fisher people around it, and how to develop efficient strategies (Delhi declaration, WFFP, 2017).

The example of South Africa is similar to MSP frameworks in Indonesia. Indeed, the former president Zuma developed the "Operation Phakisa", which objective is to implement the blue growth agenda and develop maritime infrastructures, as the "revolusi biru" in Indonesia. And the legal tool used to legitimize this project is ... MSP. The MSP bill has been criticized by fishing organizations, as explained by MDT and CLSA, because the process has not been consultative, has been used to implement the government agenda, generating conflicts and increasing gender inequalities. Thus, fisher people and the civil society are developing research and advocacy about MSP, and the experience of Indonesia could support them to develop a relevant methodology.

## Conclusion

The preliminary study in North Sulawesi allowed us to document two case studies about how MSP is working on the ground, with different consequences for fisher communities: Bangka Island and Candi Beach. All the information gathered allowed us to build a PAR methodology and empower fishing communities about RZWP3K issues. Indeed, fieldwork was done in Jakarta, Manado, Makassar, Kalimantan Utara, NTT and East Java, where the PAR methodology was developed, allowing KNTI to understand the frame of MSP on the ground, and how it was likely to impact coastal communities, thanks to participatory mapping.

Lots of elements underlined that MSP as it is implemented in Indonesia is not a proper opportunity for fisher people to make their rights recognized: it is not enough consultative (step (1) Manipulation and step (2) Therapy of the ladder described by Arnstein, Sherry R (1969)) , it is increasing gender inequalities, it is used a legal tool to implement infrastructure development and Blue Growth, creating ocean grabbing, it is raising conflicts within fishing communities, it is often undermined by the national government, and it doesn't solve the most critical issues of fisher people in Indonesia. But the case of Bangka Island shows how fisher people can use MSP as a legal tool to make their human rights recognized, even if it's based on weak alliances and political dynamics. The most important condition for people to be able to use RZWP3K to make their rights recognized is the level of consultation, which has to reach at least level (5) Placation or level (6) Partnership of the scale described by Arnstein, Sherry R (1969). But we can also draw some other conditions for the government to improve the MSP process: improve the facilitation so that MSP doesn't increase gender inequalities and horizontal conflicts, and so that fisher people can be as powerful as other sectors in terms of decision making, make MSP less strategic, in order to create space for the traditional knowledge of fishing communities to feed the process, don't allow the national government to undermine participative local decisions legally.

Of course, the government is not likely to change the MSP process, and this tool is likely to become even more widespread for the implementation of the Blue Growth agenda. To support fisher people and fisheries activists around the world, some publications will be issued about the PAR developed by KNTI and TNI in Indonesia, explaining the issues described in this thesis. Indeed, MSP is used in more and more countries, and fisher people from all around the world will face the issues described above. However, everything still needs to be done, using the PAR multiple loop learning theory. After getting a common understanding about MSP, communities will have to develop strategies to engage with this framework, or refuse it. The results of participatory mapping could be part of an advocacy campaign, to explain the government how MSP can secure their livelihoods, even if fisher people will have to stay critical: governments could use these information to undermine fisher people livelihood and develop conservation areas.

More broadly, a strategic question moving forward is how global fisher movements like WFFP will position themselves as the MSP tool is rolled out across many different countries. Similar to the call for a human rights-based approach (HRBA) to fisheries, is it possible to imagine a human rights-based approach to MSP? For now, Indonesian fisher people and local CSOs seem to have diverse strategies to engage MSP, depending on the context (court case, engagement in the consultation process when it exists, protests...). But these strategies are difficult to generalize, and it seems like it would be interesting for global fisher movements like WFFP to reflect about broader strategies about MSP, using the small-scale fisheries guidelines (FAO, 2014), an international tools which was developed using a consultative approach. Indeed, as many governments, including the Indonesian one, ratified these guidelines, they are supposed to protect the human rights of small-scale fisher people.

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## Annexe 1: table of Indonesian and International CSOs discussed in the thesis

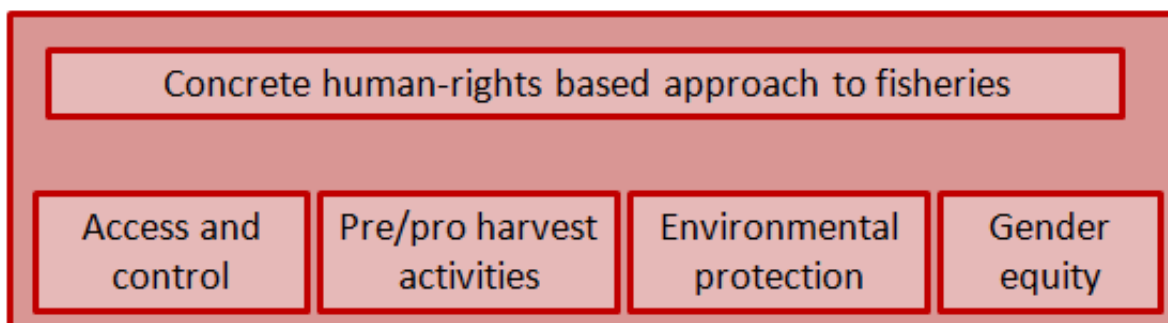
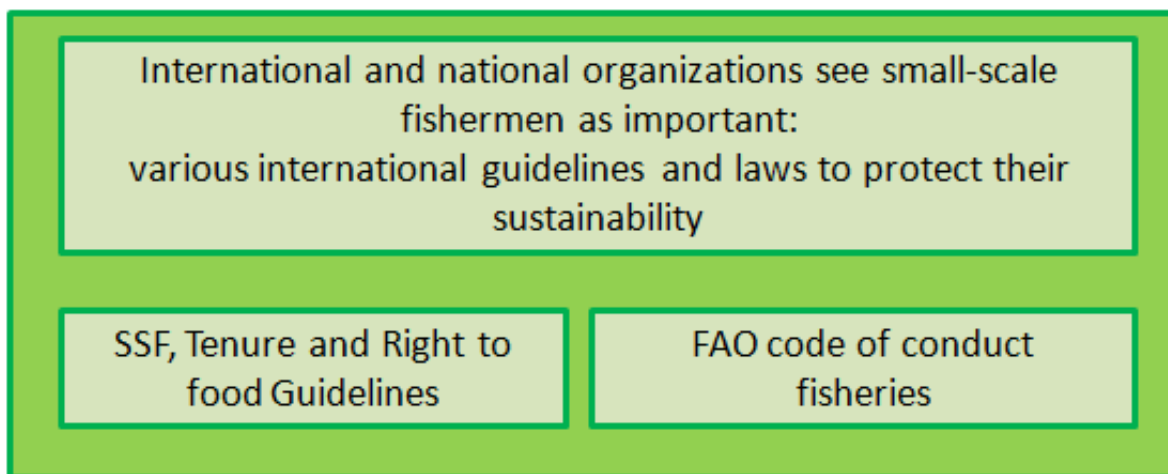
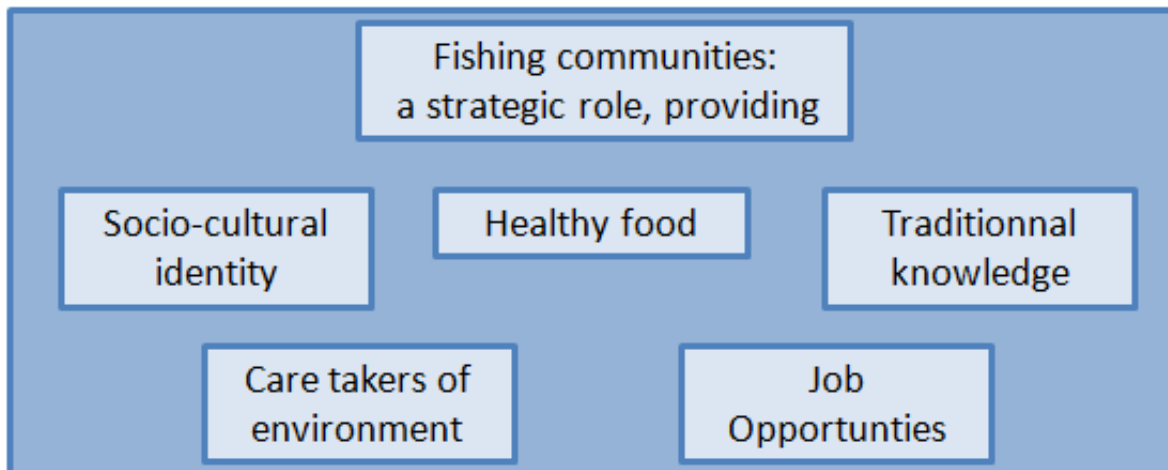
Name of the CSO	Area of work	NGO/SM
Transnational Institute TNI	Democracy, agriculture, fisheries, public services, militarization, drug policies	NGO
Kesatuan Nelayan Tradisional Indonesia KNTI	Fishing communities, member of WFFP	SM
Solidaritas Perempuan SP	Radical feminist movement	SM
Friends of the Earth Indonesia WALHI	Environment	SM
Jaringan Advokasi Tambang JATAM	Mining projects advocacy	NGO
Indonesian Centre of Environmental Law ICEL	Environmental questions using a law-based approach	NGO
Legal Bantuan Hukum LBH	Law suits for other CSOs and communities	NGO
Commission for "Disappeared" and Victims of violence KONTRAS	Human rights	NGO
Serikat Petani Indonesia SPI	Peasants communities, member of LVC	SM
KIARA	Fisheries	NGO
Indonesia for Global Justice IGJ	Human rights	NGO
World Forum of Fisher Peoples WFFP	Transnational Fishers movement	SM
World Forum of Fish harvesters and Fish workers WFF	Transnational Fishers movement	SM
La Via Campesina LVC	Transnational Peasants movement	SM
Masifundise Development Trust MDT	South African Fisheries	NGO
Coastal Links South Africa CLSA	South African fisher movements, WFFP member	SM
FIAN International	Right to food, land grabbing	NGO

SM: Social Movement

NGO: Non Governmental Organization



### Annexe 3: Fisher human rights workshop material



## Annexe 4: questionnaires used during individual interviews

1. **What is marine spatial planning?**
  - a. Historical and technological developments and a brief intro to the science of marine spatial planning.
  - b. Literature review
  - c. Political mapping: who is pushing marine spatial planning, where, for what?
  - d. Marine spatial planning in Indonesia, background
2. **What are the impacts of spatial planning in North Sulawesi**
  - a. Who wins and who loses? How are rights protected and formalized?
  - b. How is the tenure situation changed by MSP?
  - c. How did the process work? How was it decided who gets what?
  - d. What are the gender implications of marine spatial planning as it was rolled out in this case? MSP is not coordinated at all with territorial spatial planning in Indonesia. Most work at sea in fishing communities is done by men, while women fishers tend to work in pre- and post-harvest jobs on the coast.
3. **What alternatives and strategies for protecting SSF exist in the face of marine spatial planning?**
  - a. Customary fishing practices and the guidelines – many areas of Indonesia have legally recognized customary fishing practices. To what extent might these be impacted by spatial planning? Do they provide legal safeguards to maintain ssf access to the sea in the face of ocean grabbing? Can the guidelines be drawn upon to strengthen these customary systems?
  - b. What is at stake if MSP doesn't happen in a particular region, given that budget allocations have been linked to this?
4. **What other kinds of mapping of fishing resources already exist?**
  - a. How is the knowledge about who gets to fish where maintained in each community?
5. **Conclusions and recommendations**
  - a. What does the Indonesia case reveal about the future of MSP in the rest of the regions? Globally?
  - b. What are the most important factors that small scale fishers should keep in mind when invited to participate in MSP initiatives?
  - c. What are the most promising ways forward?

### Rough ideas around interview-guides at different stages:

*Obviously important to not just think of this as a static thing, but maybe the first scoping things with village leaders you could start out with some kind of broad characterization of the different villages:*

- **Demographics of interviewee(s):** age, sex, what do they do? For how long have they lived in the village?
- **Population** – how many people? How many HHs? Ethnic groups?
- **History of village:**
  - o How old?
  - o What key events have impacted on the village generally and in terms of access to natural resources particularly?
  - o Any struggles around this? With/against who? Large-scale fishery sector? Other industries? Other villages? NGOs?
  - o What are key challenges today?

- **Who owns what in the village?**
  - How many boats?
  - How is access to resources organized today?
    - Private/Communal land?
    - What about fishing activities? Who owns the boats?
    - How do they conduct fishing?
      - Targeted Species (diversity/few species targeted)
      - Gears (net+mesh+length, line+length, traps+number, others)
      - Engines (size of boats, motors or not, distance from the coast)
  - How has this changed over time (attempting to get an understanding for 'customary practices')?
  
- **Who does what?**
  - Livelihood activities in the village:
    - If fishing/farming/etc., then: what is produced/fished?
      - Which types of pre- and post-harvest activities take place and how is this organized?
    - How is it organized?
      - Owners and workers?
      - People working their own plots/boats?
      - Both?
    - Change over time? Change in practices?
    - Anything else?
  - Key challenges in terms of making a living?
  
- **What do they do with what they produce?**
- **Who gets what and how** – income – Is it possible to get some kind of estimation of income – or too sensitive?:
  - Where do they get their monetary income from? And who gets it?
    - Working their own land/boats?
      - If so, what do they do with what they produce (fish, farming products, anything else...?)
      - Who do they sell to?
        - For how much?
    - Working for someone else?
    - Paying others to work on their land/boats?
    - Anything else – migration remittances?
  - Does their level of income change markedly during the year?
  - Change over time?
    - E.g. shift in where and how they are selling their produce?
    - Increase in role of migration in their income?
  
- **What do they do with what they get**
  - What do they spend their income on?
    - Where do they get food from?
    - Costs for school, health, anything else?
    - Do they have to pay anyone anything for their land/boats etc.?
      - Tax from state? Village leader? Religious donations? Regular or ad hoc?
      - If so, how much of their income?
    - Possible to invest in boats/gear/housing?

- Who decides in the HH – too sensitive?
- Who do villagers sell to?
- Has this changed over time?
  - Important markets historically vs. today?
- What is the situation around debt/credit?
  - Probe: how do they pay for new fishing gear, if something happens? Can they borrow money from someone? Who?
  - What do they do in situations of debt? How frequent?
- Any other support networks in times of crises? (Family, neighbours etc.)
- **Social differentiation** taking place? Possible to speak of different ‘groups’?
  - According to who owns what/does what? Or different relations with traders? Or...?
- **How has the MSP-process played out?**
  - If necessary/appropriate, probe according to the below points about process, objectives, consultation and stakeholders, negotiations, maps and implementation?

*Once you have this general overview of the village, maybe you can turn to something more focused around the MSP-process as it has rolled out:*

#### 1. **Current MSP process** (state-based)

##### A. General process

- What do they know about the MSP process? How are they informed?
- How would they define MSP?
- What are the steps of this process? At which step are they now?
- How many stakeholders are involved in the process? Which stakeholders? Do they feel they are being heard adequately?

##### B. Objectives

- What are the government’s objectives regarding MSP?
- What are the objectives of the other stakeholders?
- What would be SSF-objectives?

##### C. Consultation and stakeholders

- Is there a proper consultation space/platform?
- What does consultation look like? Are they included in it?
- Are they discussing with all the stakeholders or do they discuss only with the government (bilateral)?
- Do they think it can make their voices heard?
- Do they think their contribution will be taken in account?
- How do they feel this process, what is their point of view?
- With who and what are the principal conflicts?

##### D. Negotiations

- What is the power/influence of each stakeholders?
- Do they think SSF can have an influence?
- What should be done for SSF to have an influence?

##### E. Maps

- Do they have access to maps/ocean zoning?

- Do they have their own idea of an “ideal map”?

#### F. Implementation

- How do they think MSP will be implemented?

#### G. Alternatives

- Do they think there are alternatives to MSP? What kind?
- What should be done to put it in place?

### Questions to the governmental institutions

#### 1. Current MSP process (state-based)

##### A. General process (for each question, focus either on the national case or on NSP case)

- How would they define MSP?
- What are the steps of this process? At which step is the process now?
- How many stakeholders are involved in the process? Which stakeholders is it? Are SSF considered as a stakeholder?

##### B. Objectives

- What are the strategical objectives of MSP? (Blue Growth, Economic Development, Energy, Aquaculture ...)
- What are the objectives of the different stakeholders, including SSF?

##### C. Consultation and stakeholders

- Is there a proper consultation space/platform?
- How does consultation look like? What are the stakeholders included in it?
- Are they discussions between all the stakeholders or do they discuss only with the government (bilateral) ?
- How are the contributions taken in account?
- What are the principal conflicts?

##### D. Negotiations

- What is the power/influence of each stakeholders?
- Do they think SSF can have an influence?
- What should be done for SSF to have an influence?

##### E. Maps

- Do they have maps/ocean zoning? How can we have access to it?
- Do they have their own idea of an “ideal map”?

##### F. Implementation

- How will MSP be implemented?

##### G. Alternatives

- Do they think there are alternatives to MSP? What kind?
- What should be done to put it in place?

#### 2. North Sulawesi

- Why is NS the first island to be at this part of the MSP process?
- Where are we in this process right now? Which steps?

- Can we have access to maps or meetings summary?
- What are the strategical objectives of MSP in NS?
- Which stakeholders are involved in the process?
- Are they consultation platforms? What are the influence of such platforms in the decision making process?
- How are SSF communities included in the process? Are they considered as a right holder? Are they more/less important/powerful than the other stakeholders?

### 3. Fisheries management

- What are the current fisheries management laws ? In Indonesia? In North Sulawesi? And more particularly for SSF
  - Quotas ? ITQs?
  - Licences
  - Mesh / size of first catch
  - Trawl is banned? Where? Why?
  - MPAs
- What are the management differences between the small-scale and the industrial sector?
- Are Traditional management/community-based management/customary rights recognized? What does it mean concretely?



# Annexe 5: Government mapping

## Legend of the maps

### LEGENDA

**ADMINISTRASI**

- Ibukota Provinsi
- Ibukota Kabupaten/Kota
- BATAS PROVINSI
- BATAS KABUPATEN
- BATAS KECAMATAN
- BATAS KEWENANGAN LAUT 12 MIL
- BATAS WEWENANG LAUT 4 MIL
- GARIS PANTAI

**PELABUHAN**

- Pelabuhan Utama
- Pelabuhan Pengumpul
- Pelabuhan Pengumpulan Regional
- Pelabuhan Pengumpulan Lokal
- Terminal Umum
- Terminal Khusus
- TUKS
- Pelabuhan Penyberangan

**PELABUHAN PERIKANAN**

- PPI (Pangkalan Pendaratan Ikan)
- PPP (Pelabuhan Perikanan Pantai)
- PPN (Pelabuhan Perikanan Nusantara)

**RENCANA ALOKASI RUANG**

**KAWASAN PEMANFAATAN UMUM**

**ZONA PERIKANAN TANGKAP**

- Pelagis
- Pelagis dan Demersal

**ZONA PERIKANAN BUDIDAYA**

- Budidaya Laut

**ZONA INDUSTRI**

- Industri Manufaktur
- Industri Maritim

**ZONA PELABUHAN**

- DLK/ DLKp
- WKOPP

**ZONA PERTAMBANGAN**

- Minyak Bumi
- Pasir Laut

**ZONA ENERGI**

- PLTU/GU

**ZONA PARIWISATA**

- Wisata Alam Pantai/Pesisir dan Pulau-pulau Kecil
- Wisata Alam Bawah Laut
- Wisata Alam Pantai/Pesisir dan Pulau-Pulau Kecil
- Wisata Olahraga Air

**WILAYAH HUKUM ADAT**

- Wilayah Hukum Adat

**PERANGKAPAN IKAN TRADISIONAL**

- Perangkapan Ikan Tradisional

**DAERAH MILITER**

- Daerah Latihan TNI AL
- Daerah Ranjau

**PERAIRAN**

- Laut
- Sungai
- Waduk

**BANGUNAN LAUT**

- Platform Migas
- BMKT
- Manara Suar
- Rambu Suar
- PLTU
- PLTGU

**KAWASAN STRATEGIS**

- KSNT
- KSN

**ZONA BANDAR UDARA**

- Bandar Udara

**KAWASAN KOMERSIAL**

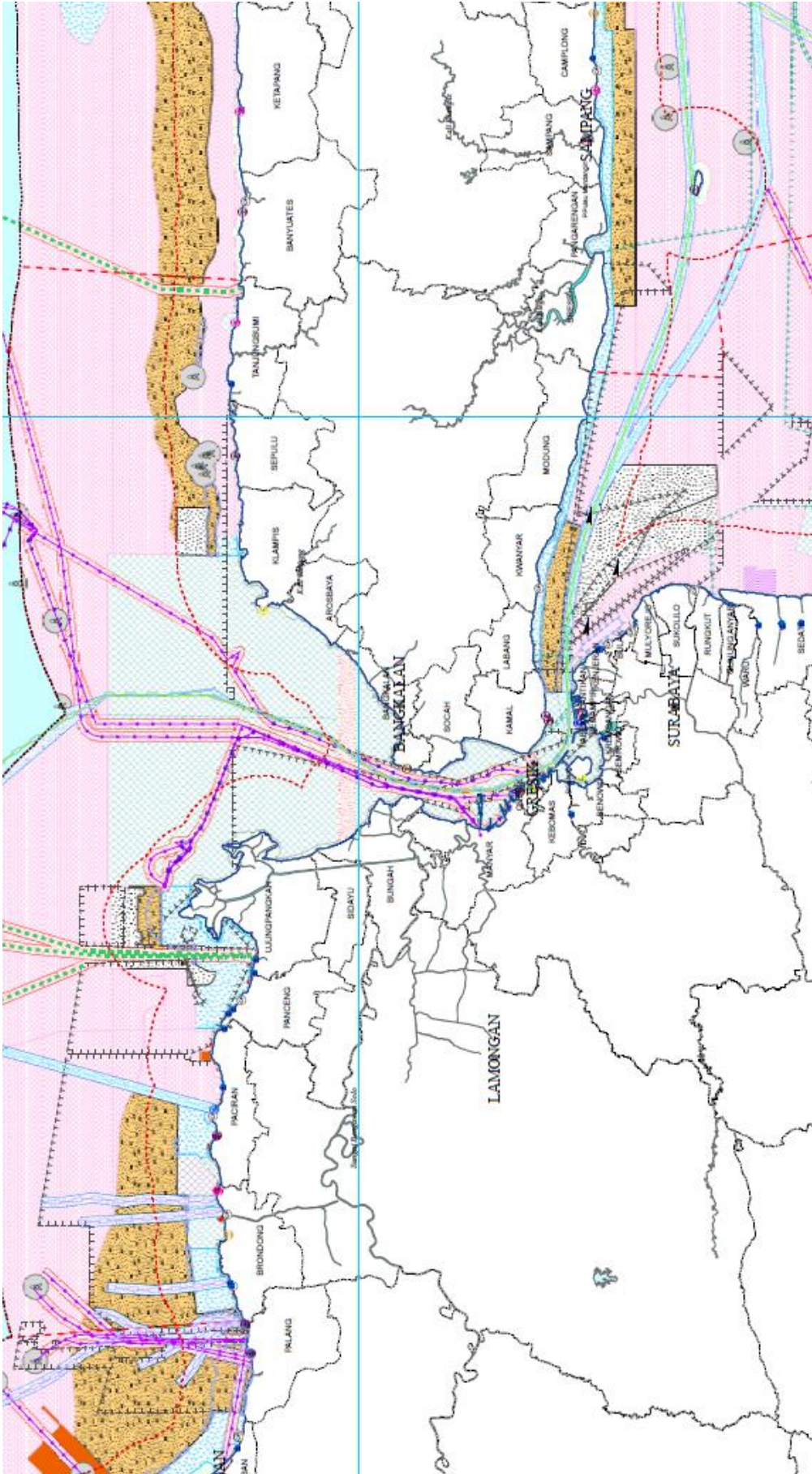
- KOP
- KOP-OK

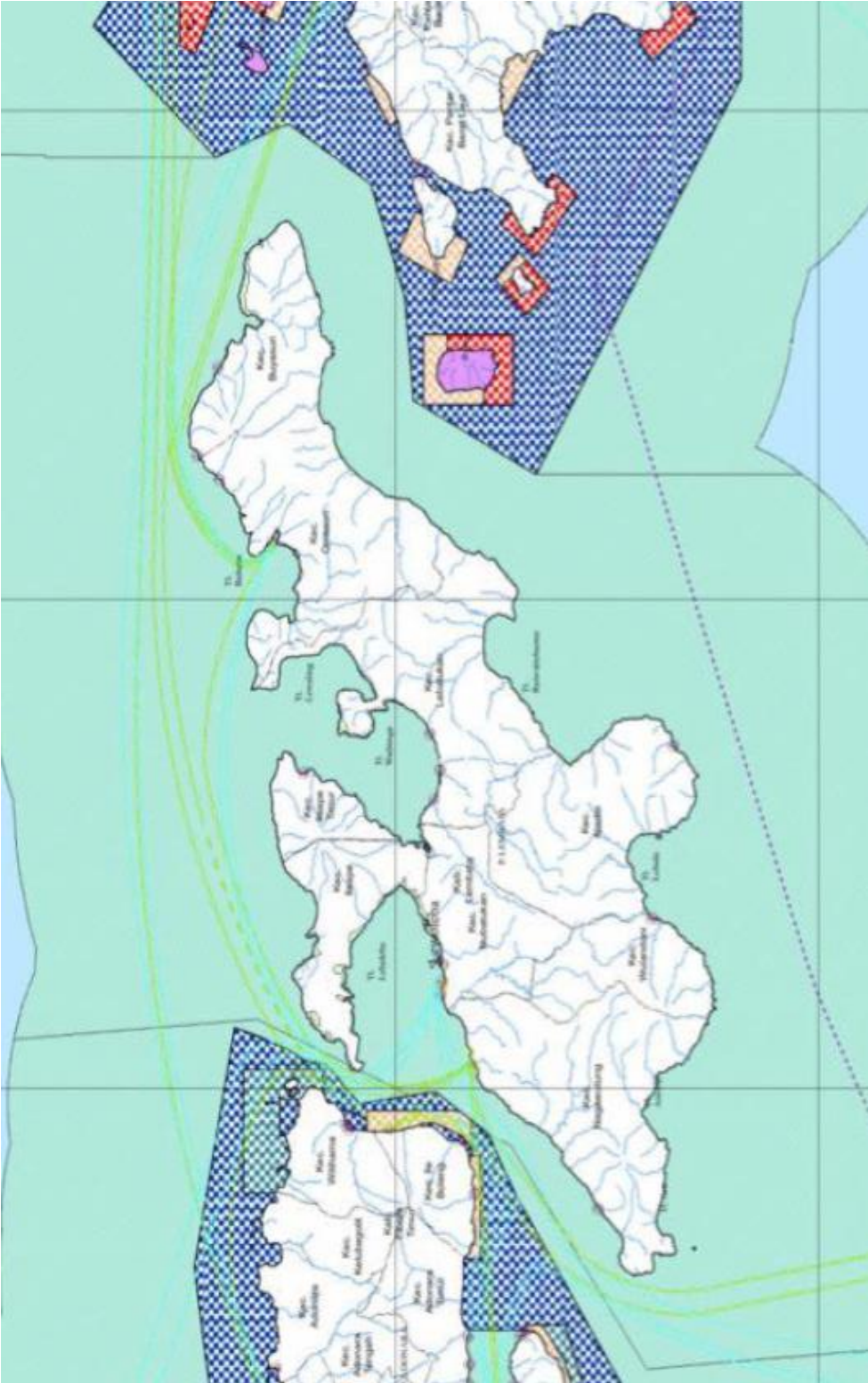
**ALUR**

- Pelayaran
- Alur Pelayaran Nasional
- Alur Pelayaran Regional
- Alur Pelayaran Dalam Kabupaten Kota

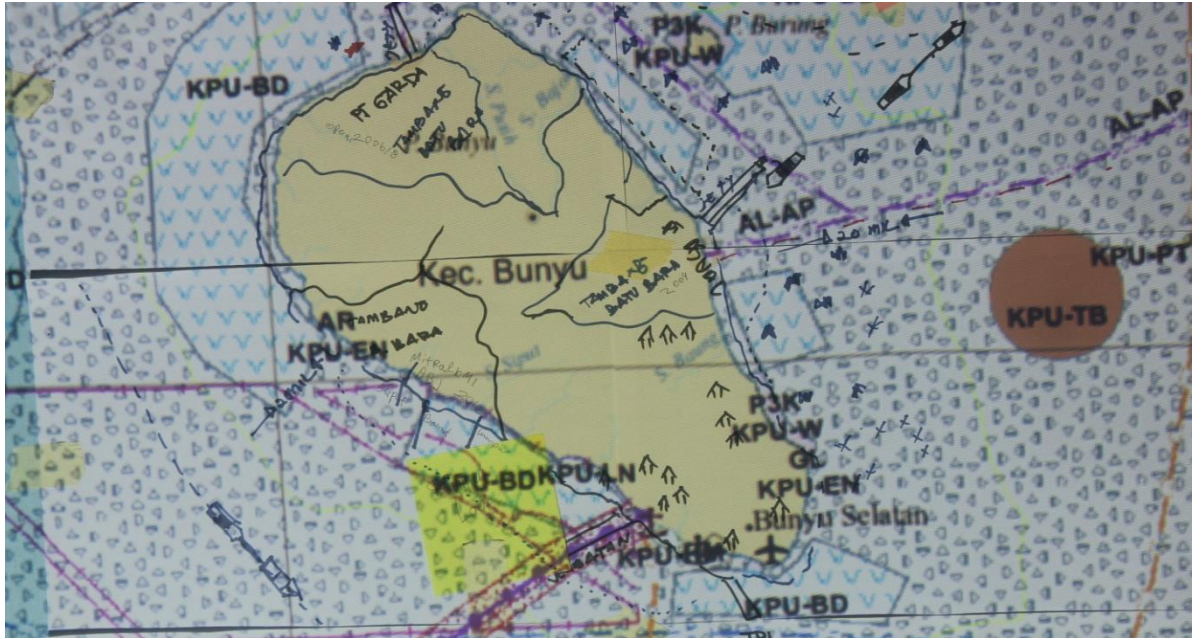
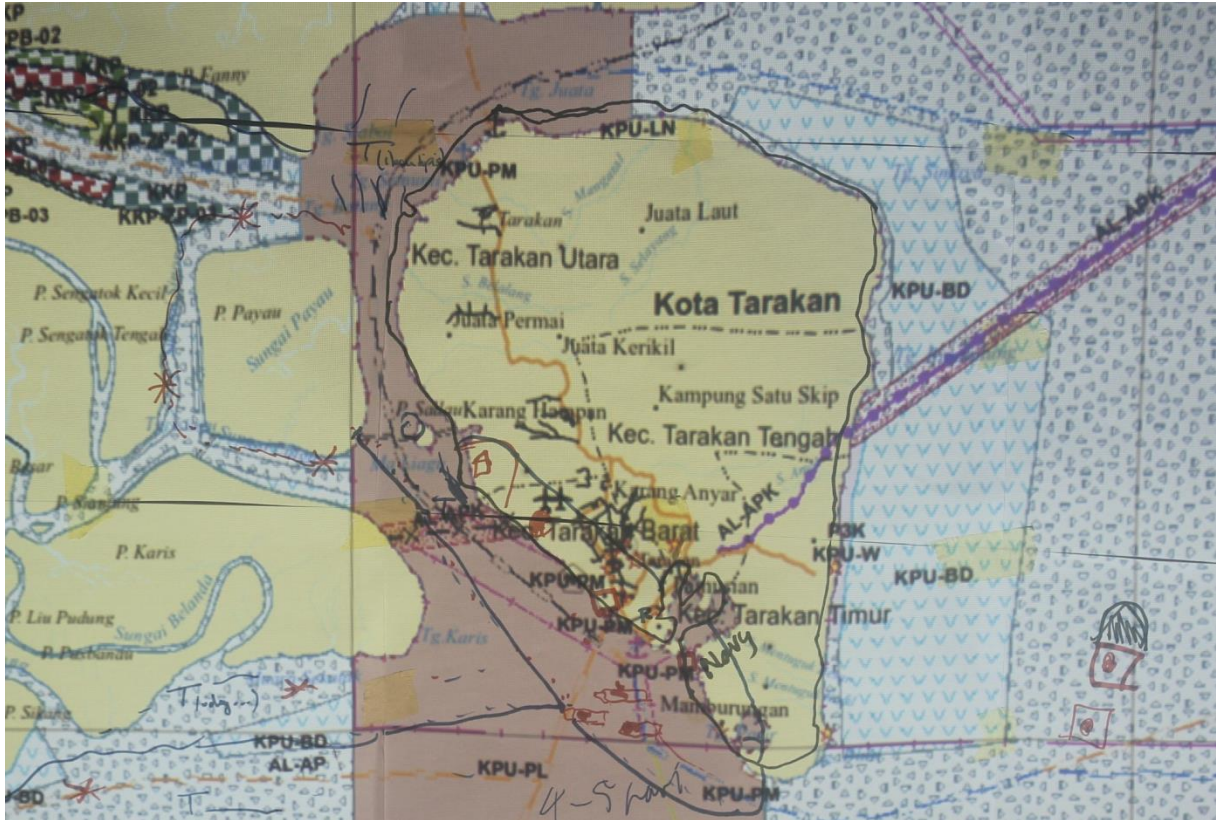
**PIPA/KABEL BAWAH LAUT**

- Pipa/Kabel Bawah Laut
- Pipa Air Bawah Laut
- Pipa Gas Bawah Laut
- Kabel Listrik Bawah Laut
- Kabel Telekomunikasi Bawah Laut
- Migraal Biotik
- Migraal Biotik Tertentu
- Migraal Penyusut

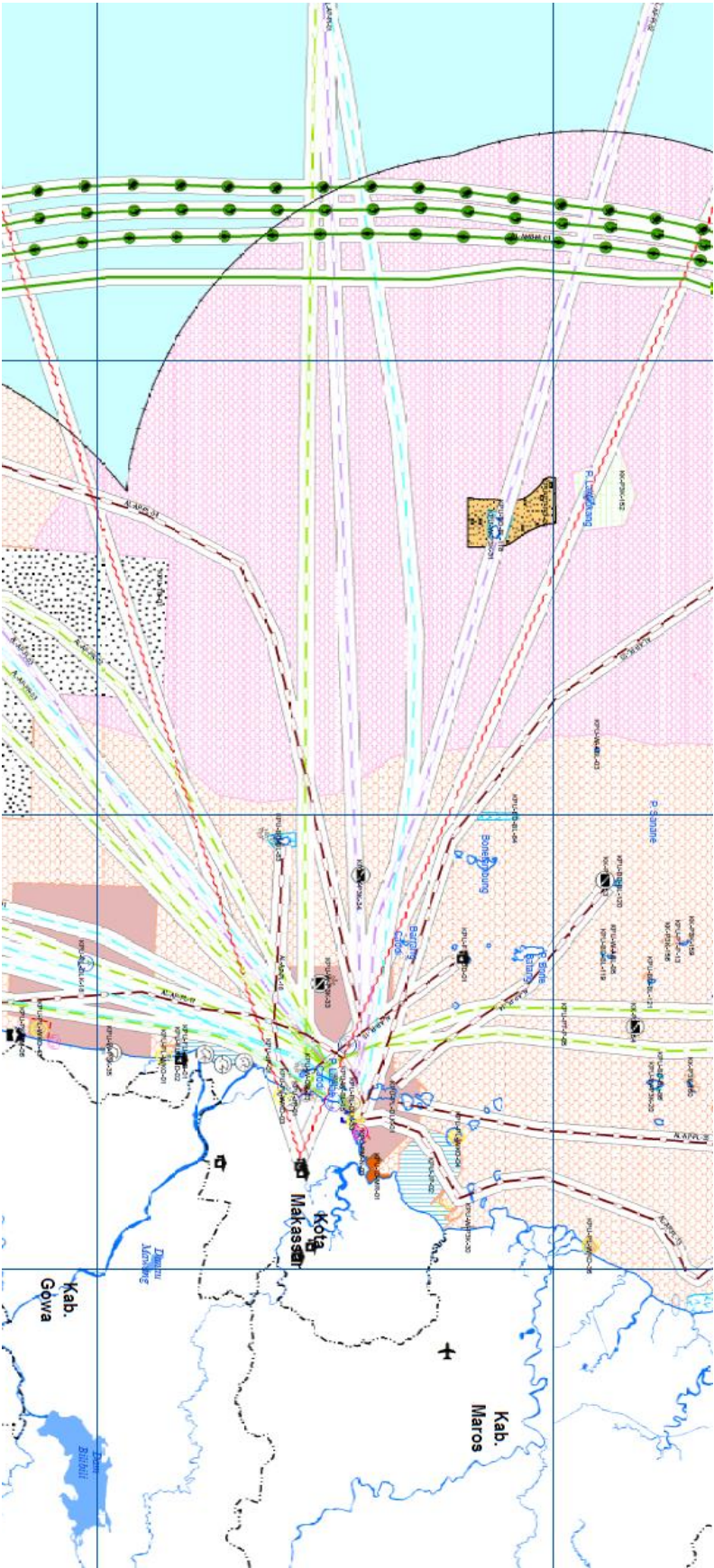




North Kalimantan

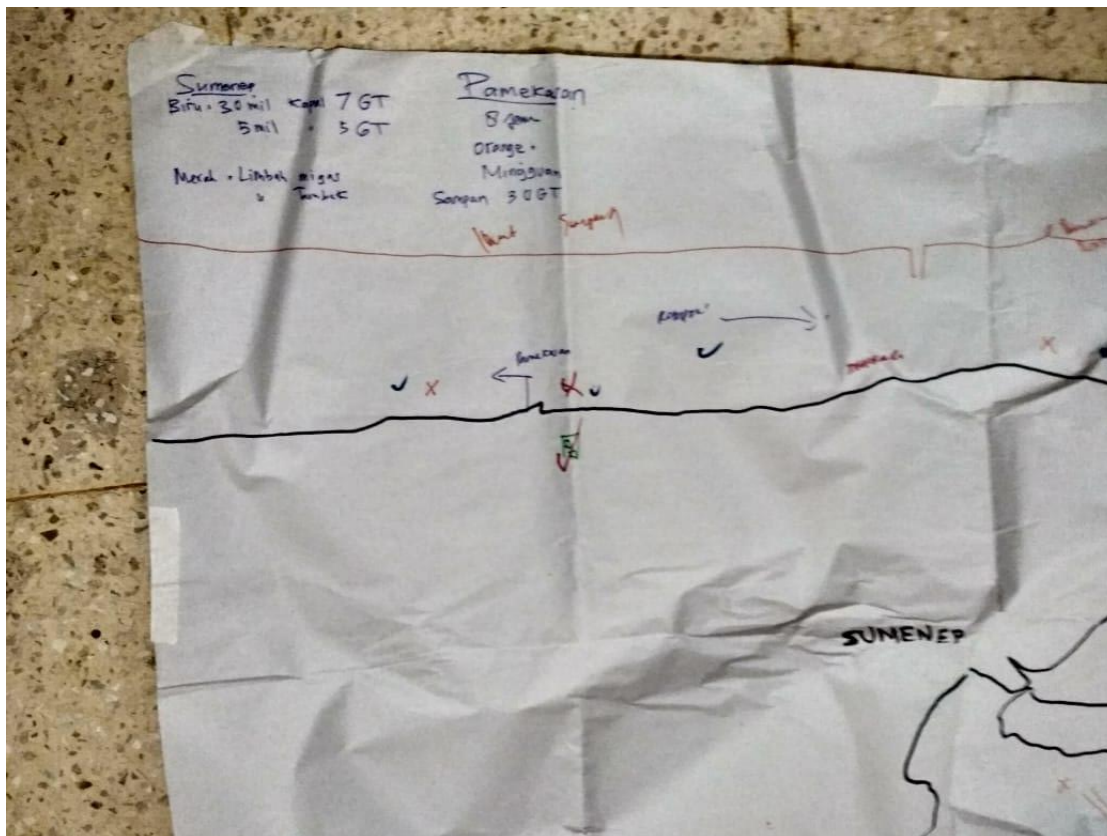
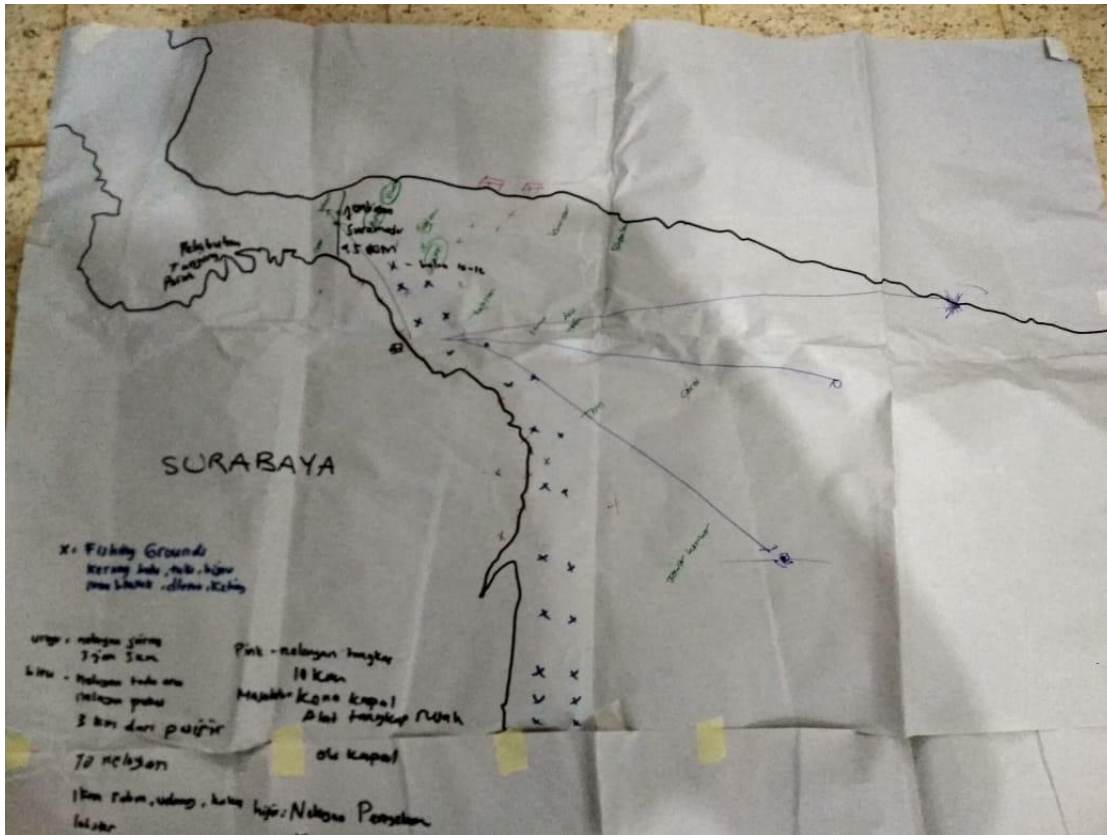


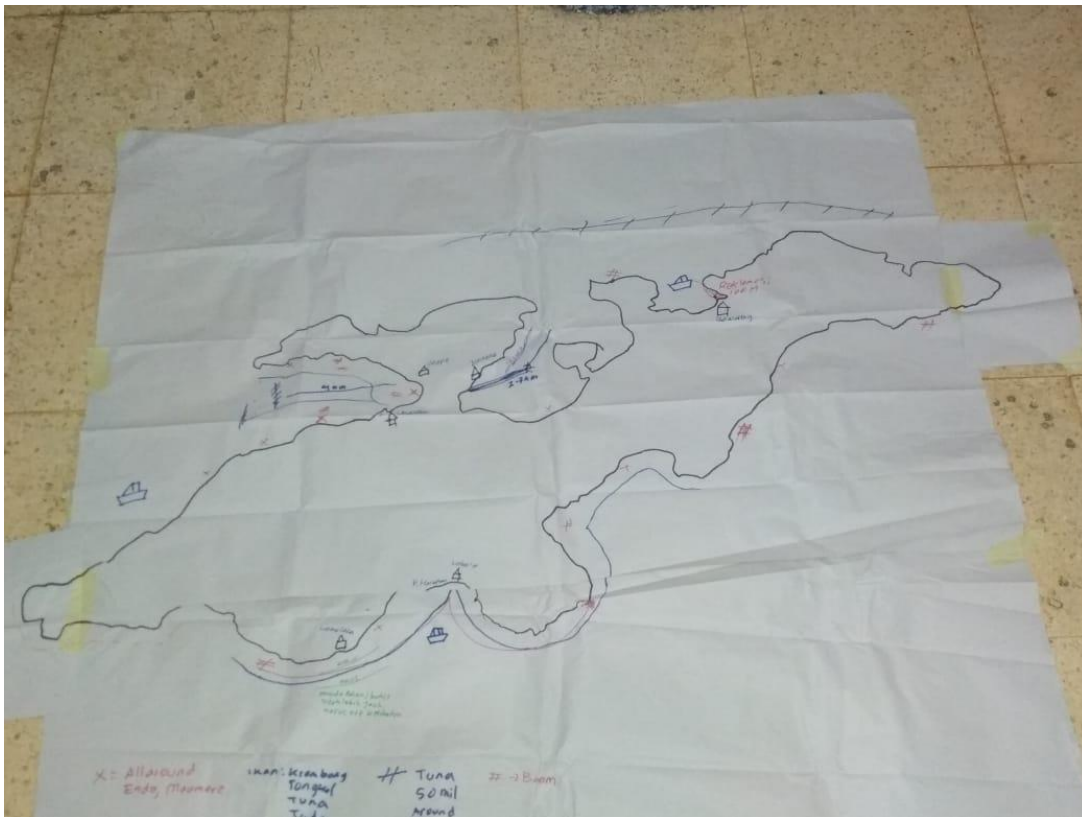
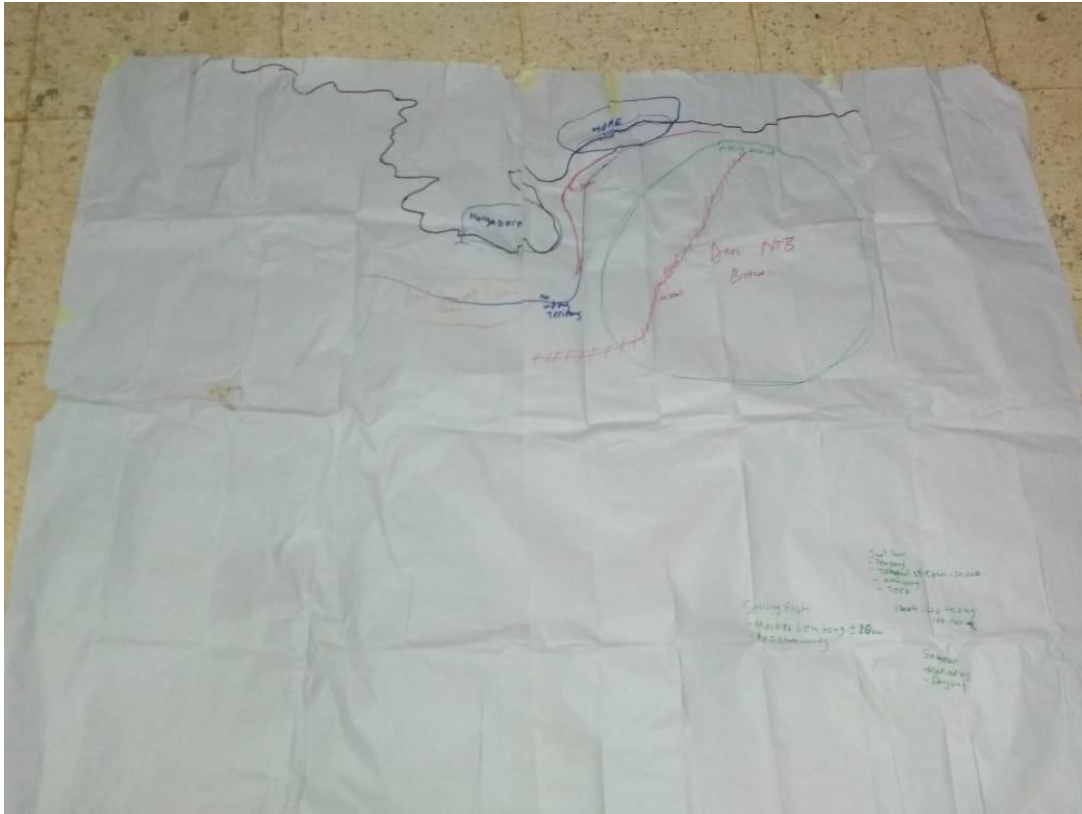
South Sulawesi



# Annexe 6: Participatory mapping

## East Java






North Kalimantan





	Diplôme : Ingénieur Spécialité : Halieutique Spécialisation / option : GPECC Enseignant référent : Catherine Laidin	
Auteur(s) : Thibault Josse	Organisme d'accueil : KNTI, TNI	
Date de naissance* : 17/04/1995	Adresse : Pagujaten, Jakarta selatan, Indonesia	
Nb pages : 37                      Annexe(s) : 22	Maître de stage : Marthin Hadiwinata	
Année de soutenance : 2018		
Titre français : Les communautés de pêcheurs artisans et la planification de l'espace maritime (PEM): légitimation de la croissance bleue ou sécurisation des moyens d'existence des pêcheurs artisans ?		
Titre anglais : Small-scale fishing communities and Marine Spatial Planning in Indonesia: legitimizing Blue Growth or securing small-scale fisher (SSF) livelihoods?		
Résumé (1600 caractères maximum) : Dans un contexte de croissance bleue, les ONG Environnementales, les entreprises et les gouvernements travaillent main dans la main pour une «bonne gouvernance d'un océan durable» et la planification de l'espace maritime (PEM) est décrite comme un outil neutre et efficace pour atteindre les objectifs de toutes les parties prenantes. Ce rapport questionne la PEM : est-ce une opportunité pour les communautés de pêche indonésiennes afin de faire reconnaître leurs droits, ou une stratégie du gouvernement indonésien pour mettre en œuvre son programme de croissance bleue. TNI et KNTI ont utilisé une méthodologie de recherche-action participative, basée sur une étude préliminaire dans en Sulawesi du et développée dans 5 contextes différents en Indonésie pour comprendre le contexte de la PEM sur le terrain. Les conclusions de ce rapport montrent que la PEM en Indonésie n'a pas été suffisamment consultative et est principalement utilisée par le gouvernement comme un outil juridique pour légitimer le développement des infrastructures, ce qui suscite des conflits sur le terrain et accroît les inégalités entre les sexes, sans prendre en compte l'avis des communautés.		
Abstract (1600 caractères maximum) : In a context of Blue Growth, Environmental NGOs, corporations and governments work hand in hand for a "good governance of a sustainable ocean", and Marine Spatial Planning is described as a neutral and efficient tool to reach the objectives of all the stakeholders. This report is analyzing if MSP is an opportunity for Indonesian fishing communities to make their rights recognized, or a strategy of the Indonesian government to implement its Blue Growth agenda. TNI and KNTI conducted a Participatory Action Research Methodology, based on a preliminary study in North Sulawesi, and further developed in 5 different contexts in Indonesia, to understand MSP frameworks on the ground, and empower fishing communities about MSP issues in the meantime. The aim findings of this reports show that MSP in Indonesia has not been consultative enough, and is mostly used by the government as a legal tool to legitimize infrastructure development, raising conflicts on the ground, increasing gender inequalities, and not taking in account communities' voice.		
Mots-clés : PEM, Croissance bleue, Pêcheurs artisans, consultation, recherche-action participative Key Words: MSP, Blue Growth, SSF, consultation, participatory action research.		

\* Élément qui permet d'enregistrer les notices auteurs dans le catalogue des bibliothèques universitaires

Document à intégrer au mémoire