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Arrangement of Tourism Area Management to Achieve the Welfare of Indigenous Peoples of Papua

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Abstract: *The purpose of this research is to know and understand the management of the tourism area to realize the welfare of the existing indigenous people. The results of the research indicate that the regulation of tourism area management to realize the welfare of the existing indigenous peoples in Jayapura city and district is only managed by indigenous peoples, so that the government and entrepreneurs are not involved in tourism management. This is not in accordance with tourism arrangements where in the management of tourism areas must be managed by indigenous peoples, government and business actors (entrepreneurs).*

Keywords: *Management of Tourism; Indigenous People.*

INTRODUCTION

The State shall guarantee the right of every person to enjoy a good and healthy environment, while providing legal guarantees to citizens to be able to utilize natural resources fairly¹. One of them in providing special areas of tourism. In improving the prosperity and prosperity of the Indonesian people as aspired in the Preamble to the 1945

Constitution, in addition to the government and local government, the people, especially indigenous peoples, are also entitled to manage the wealth of the nation, including the tourism area. This is in accordance with Article 1 paragraph (3) of Law Number. 10 Year 2009 on Tourism, that Tourism is a wide range of tourism activities and supported by various facilities and services provided by the community, businessmen, government and local government, and Article 3 of Law no. 10 Year 2009 on Tourism that affirms

¹ Yaasin Raya Muhammad, Irwansyah, *Analisis Deposito Sebagai Jaminan Reklamasi dan Pascatambang*, Papua Law Journal, Volume 1 Issue 2, May 2017

Tourism serves to meet the physical, spiritual, and intellectual needs of every tourist with recreation and travel and increase the state's income to realize the welfare of the people.

In reality, the management of tourism areas managed by indigenous peoples is an obstacle and makes the tourism service government difficult to generate PAD (Local Original Income). This is in accordance with the statement of the Head of Jayapura Mayor Benhur Tommy Mano stated that the contribution of Original Regional Income of Jayapura to the Budget Revenue and Expenditure (APBD) is very low, about 10-11%. The lack of PAD in Jayapura due to the city of Jayapura does not have potential sources. Large natural resources, even if natural resources are available is very limited and minimal to be donated PAD Jayapura. Whereas PAD is very important because it contributes to APBD in supporting the development program of Jayapura city. Therefore, the potentials that exist in the city of Jayapura should be excavated, one of the potential beach tourism city of Jayapura. To manage coastal tourism such as Base-G, Hamadi beach, Holtekam, it is necessary to take a step

approach with ulayat (adat rights) owners how the solution and what percentage is found by ulayat owners, this is because indigenous people claim that the object or area of tourism is their customary land, so that indigenous peoples consider that they are entitled to manage the object of tourism. By looking at the potential and complexity of existing problems, concrete steps must be taken as an effort to control, manage and conserve coastal and coastal areas by taking into account the characteristics of ecosystems, regional designations and the relation of energy flows within the area. Therefore, it is necessary to have a policy on the management of tourism area, through good coordination by the government through technical institution with various related stakeholders, because the management and preservation of tourism area is the responsibility of all parties without exception. . Various efforts to organize the attractions owned by the City Government (City Government) Jayapura, as revealed by Jayapura Mayor Benhur Tommy Mano that for managers of tourism objects or tourist areas in the city of Jayapura must be done wisely to attract foreign and domestic tourists. According to the

object Base-G beaches, Hamadi beaches, Holtekamp and Skouw will be arranged and managed wisely including arranging or adding various facilities and infrastructure support. It was done to be more attractive to tourists who are on vacation in the Capital of the Province of Papua is also concerned a number of tourist villages that have been established by the Government so it needs to be explored and preserved various potential of wisata. Dabihat natural tourism potential in this city it needs to be developed again, because it can increase revenue native Jayapura. A tourism industry practitioners from the Netherlands, Mr. Arne stated that "Potential objects nature tourism owned by Papua Province is very interesting, but needs to be managed professionally so that it can contribute to the original income of the region ". The natural potential in this easternmost province is very promising for a bright future for investors who will invest their capital. According to him, Papua Province among others has a number of natural beaches that are still original and very beautiful, so that if managed properly, will be very interesting tourists, both foreign and domestic to visit this area. "The object

that Papua possesses is not necessarily owned by other regions outside Papua, but because it has not been managed professionally so it is less interesting for tourists to come visit said him , the progress of tourism world development in an area is at the local Tourism Office, where this agency can able to develop the existing potentials so as to benefit the region and society.

Actually the government wants the tourist attraction can be managed by the government to be more orderly but because of its status that is still customary land in this case the local government can't do much, so it takes an arrangement in managing the tourism area. Therefore, the need for good communication between the community and the government, especially local governments to fix and establish a good cooperation for the object or area of tourism can be worked with the maximum,

From the description, it can be seen that in the management of the tourism area has not been maximally implemented, therefore the need for good communication between the community and the government to fix and establish a good cooperation so that the objects or the area of tourism can be

worked with maximum. Managing tourist area in Papua is a customary area, where in the management of customary areas of government is difficult to enter in the management system of the area, this is because indigenous people claim that these tourist objects are their own customary land so managed by their own. Though the national law tourism regulations aimed at improving the welfare of the community and the government has a very important role in managing the tourism area. One effort made by local governments, especially the Department of Culture and Tourism of Papua Province in increasing the variety of natural tourism potential is to conduct promotional activities that are held through various events such as performances like Lake Sentani Festival (FDS), Baliem Valley Festival, Asmat Festival, Port Numbay, and others. With this effort seen tourist visits both domestic and foreign countries who come to tourist attractions in Papua increasing. Therefore, the researcher is interested to discuss the management of the tourism area, as a scientific work entitled Regulation of Tourism Area Management to Achieve the Welfare of

the Community. Rejecting from the background of the problem, in this research can be described the problem formulation, that is how the management of the tourism area to realize the welfare of indigenous peoples especially indigenous people in Papua?

METHOD OF THE RESEARCH

The type of research is normative-legal research, which is used to study the rules of law or legal provisions with emphasis on the principles of law that relating to the international and national laws, especially related to the interaction between them.

The technique of data collection used is literature study, by studying various legal materials includes primary, secondary, and tertiary in accordance with the object of study. Data analysis is done by analyzing qualitative data by reducing data, presenting data and drawing conclusion.

ANALYSIS AND DISCUSSION

Tourism Area

Tourism is a region or region that has a function of tourism, while the consideration of tourism area planning are as follows: location, economic

balance, procurement of infrastructure and facilities, improvement of services, environment, attractiveness, entrepreneurship. Tourism area is affirmed in the Law No.10 of 2009 on Tourism in the explanation of article 14 letter b, that the tourism area is a business whose activities build and/or manage a certain area to meet the needs of tourism.

Tourism areas or attractions have different attractions. Attraction has an appeal based on resources that can be fun, beautiful, comfortable and clean. The existence of access for easy to visit, the specifications are different from the others, there are facilities and supporting infrastructure to serve the tourists who attend. An object of tourist attraction in principle must meet the following three conditions: something to see, something to do, and something to buy (something to buy/souvenir). In natural objects, usually the area of natural attractions made prestigious to visit because exotic stimulate to create additional activities, recreational and reflective, therapist and field, historical factors and attractive. Tourist attraction area is supported by three main elements namely: main tourism, superstructure tourism, including travel

agents, transportation, restaurants, tourist attractions and attractions), supplementing tourism, including recreational and sports facilities, and public utilities such as roads, bridges, electricity, airfields, telecommunications, etc.), and supports tourism superstructure (tourism support facilities which include night entertainment, souvenir shop, etc.).

In the Regional Regulation of Jayapura City No. 9 of 2002 on Tourism, Article 1, Paragraph 13, affirms that the tourism area is an area of 1H that is built or provided to meet the needs of tourism, and the determination of a region as a tourism area determined by the mayor in accordance with the spatial area and based on the plan of tourism development. Spatial area and based on the development plan of tourism in Jayapura City are listed in the Jayapura City Regional Regulation Number 5 of 2008 about Jayapura City Spatial Planning Article 22 letter paragraph 7 states that: The Tourism Allotment Area as referred to in Article 21 letter g is available in all districts:

- a. Coastal attractions include Base-G Beach Area, Youtefa Tourist Park, and beach tours in Hamadi, Holtekamp and Skou.

- b. Nature tourism which includes the Camping Area/resort/bungalow of the hilly nature at Tanjung Ria and Waena Sub-districts;
- c. Lake Sentani Tourism Object located in Kampung Yoka;
- d. Tourism Village in Tobati and Enggros;
- e. Cultural tourism object which includes Local Cultural Park in Waena Village;
- f. Sightseeing and sports park in the Anafre Valley Park (former Ampera Market); and
- g. Object fishing (mina tours) family in Koya and Mosso Village.

While for Jayapura Regency stated in District Regulation of Jayapura Regency Number 21 of 2009 About Spatial Planning of Regency of Jayapura 2008-2028 article 53 stipulates that: Tourism area as referred to in Article 47 letter f covers: Area of nature mountain tourism (Depapre District, Nimbokrang District, District Sentani, West Sentani District, Yokari District, Demta District and Raveni Rara District), coastal tourism areas (Depapre District, Yokari District, Demta District and Raveni Rara District), cultural tourism areas (Sentani District and Eastern Sentani District).

Tourism Area Management Arrangements To Achieve Indigenous Peoples' Welfare Particularly Indigenous Papuans Society

Tourism in a region plays an important role in improving the living standards of people in the area, not even rarely people rely fully on the tourism sector. Based on the results of research, management of tourist areas in the city and district Jayapura fully managed by indigenous people, this is done because society adat assume that the existing tourist area is their customary land (owner of ulayat rights), so that the adat community is entitled to manage kawaan tourist attraction. In the area of tourist attraction in the city and district of Jayapura is managed by indigenous peoples either groupally or individually, for management managed in groups such as blue tourist attraction, Lake Sentani, Waterfall, and so forth, where the management is done together -the same and the results will also be shared equally by the group leader, usually the chairman is led directly by the chief. As for the management of individuals such as the area of beach tourism Base-G, beach Hamadi, Holtecamp Beach, this area is divided

by *ondoafi* or *ondopolo* to the chief of tribe for further distribution to clan members. Then the clan members are entitled to manage the land distributed (plot), this is because they are easier to supervise the visitors who come to enjoy the attraction of beach attractions and also each can generate revenue from the rental of the place without having to share with other clan members. Each member is granted only the right to use the land, but the ownership status remains communal. However, because it is managed individually, the tariff is also varied, there are offers for one package, namely rent lodge/*para-para*, parking lot, and MCK/bathroom with a tariff ranging from Rp 250.000,00 - Rp. 400.000.00. There are also offers rental lodge/*para-para* course which ranges from Rp. 150.000,00 - Rp. 350.000,00, place of parker in area plot/plot for four wheel Rp. 50.000,00 and for two wheel Rp. 20.000,00. As for MCK/bathroom varies for bathing and defecation of Rp. 5,000, for urination charged Rp. 2,000.00. This is not the entrance fee to the tourist attraction area for people charged Rp. 5000,00/person (including life insurance). For Car Rp 20.000,00 and motor Rp. 10.000,00 for parking.

Government

The Government is a party who has authority in arranging, providing and designating various infrastructures related to tourism needs. Not only that, the government is also responsible in determining the direction of the destination of tourism travel. The role of government in the field of tourism is Tourism Planning, Tourism Development, Tourism Policy, Tourism Rules. In addition, the government is also responsible for the management of natural resources such as; rare flora and fauna, water, soil and air in order to avoid pollution that can disrupt and even damage an ecosystem. Therefore, the application of all government regulations and applicable law is absolutely implemented by the government.

In Law Number 10 Year 2009 on Tourism Article 18 stipulates that: The Government and/or Local Governments regulate and manage tourism affairs in accordance with the provisions of legislation. Based on the results of research that in the management of tourism areas both in the city and district jayapura it is managed entirely by the community because the community claims that the tourism area

is a customary law rights, so that the adat community is entitled to manage the tourism area. The government, especially the local government, both Jayapura city/district, only held programs and activities, as well as local regulations on tourism.

The programs and activities of local governments of cities/districts in the conduct of tourism, including:

- a. Cultural Diversity Management Program
 1. Sentani lake festival,
 2. Port Numbay Cultural Festival festival,
 3. Humbolt Bay Culture Festival festival,
 4. traditional dance coaching fund
 5. Coal drilling fund
 6. cultural dialogue, workshops, cultural seminars,
 7. development of para-adat,
 8. development assistance and home renovation ondoafi/ondopolo,
 9. and others.
- b. Tourism Destination Development Program
 1. arrangement and improvement of tourism facilities and infrastructures
 2. procurement and maintenance of assets of tourism objects and infrastructure
 3. Beach clean
 4. the manufacture and printing of maps of tourist areas
 5. conscious tourism awareness to the owner of ulayat rights, the object manager
 6. tourism and community, as well as private
 7. and others.
- c. Tourism Marketing Development Program
 1. Tourism Promotion Exhibition in the country
 2. the provision of promotional materials
 3. selection of son/daughter of Port Numbay
 4. procurement of information technology media tourism website
 5. training tour guide
 6. and others.
- d. Tourism Partnership Development Program
 1. Coordination Meeting with Ulayat Rights Owners
 2. Coordination Meeting with Stakeholders / private / partners
 3. Data collection and promotion of tourism partnership
 4. printing of tourism planning documents
 5. and others.
- e. Tourism Resources Development Program
 1. Training of tourism and cultural planning document preparation
 2. training in cultural and tourism techniques
 3. training to make souvenirs based on local wisdom for tourism object manager
 4. training studio management
 5. comparative study of the community of tourism object managers to tourist areas outside Papua
 6. and others.

Entrepreneur

Based on Law Number 10 Year 2009 on Tourism mentioned that the Tourism Business is a business that provides goods and/or services for the

fulfillment of tourist needs and the implementation of tourism and Tourism Entrepreneur is a person or group of people who conduct tourism business activities. However, Tourism Industry is a collection of business tourism interconnected in order to produce goods and/or services for the fulfillment of tourist needs in the implementation of tourism.

To be able to organize a tourism business, tourism entrepreneurs must register their business first to the Government or Local Government. This Registration aims to ensure legal certainty in carrying out tourism business for entrepreneurs and to provide a source of information for interested parties on matters listed in the tourism business.

Based on the research results, the role of the entrepreneurs in managing the tourism area in the city and the district of Jayapura only as a complement to meet the facilities and infrastructure, such as lodging, food stalls, souvenir shops, cafe, rental car service providers, and so forth. From some tourism areas visited by researchers, shows that the tourism facilities and infrastructure are located outside the tourist area, even if there is

in the area of tourism is managed directly by the owner of the attraction, and impressed not functioning in accordance with its function, such as in the base-G beach there is a cafe of rare Canzone papuas and a Melati cafeteria and karaoke owned by non Papuan entrepreneur, but cafeteria and karaoke are no longer operational because the manager does not extend his business again because the landlord raises the land rent price is so high, This indicates that the party landowners (indigenous peoples) seem to be closed to the private sector, besides investors are also afraid to invest their shares due to unfavorable situation in Papua.

CONCLUSION

The management of the tourism area to realize the welfare of the existing indigenous peoples in Jayapura city and district is only managed by indigenous peoples, so that the government and entrepreneurs are not involved in tourism management. This is not in accordance with tourism arrangements where in the management of tourism areas should be managed by indigenous peoples, governments and business actors (entrepreneurs). So it is expected that the local government of Jayapura city/regency to make

Masterplan of Tourism Development in Jayapura City (RIPDA and RIPOW/Tourism Master Plan Development Plan or Strategic Area in Town/Regency Jayapura), so that development planning in tourism sector can generate contribution for region so that can realize welfare for the community, especially local community around the tourist attraction area.

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