

SUSTAINABLE DEVELOPMENT GOALS (SDGS) AS CONVERGENCE IN INCLUSIVE SPATIAL PLANNING POLICY

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Abstract

As a global agenda, Sustainable Development Goals (SDGs) serve as a guideline for all international countries in implementing development with accountability for the well-being of both humans and the environment. From this foundation, the reasons why Sustainable Development Goals are important lie in their integration of economic, social, and environmental dimensions in development. Therefore, when examining these goals and connecting them to spatial policies, harmony is generated. This research demonstrates that the convergence between SDGs and Spatial Planning Policies has a significant impact on sustainable development, considering that spatial planning itself aligns various aspects of development. This ensures that land and space utilization can be maximized and optimized efficiently without sacrificing much. By integrating SDGs into Spatial Planning Policies, a more inclusive spatial plan can be created.

Keywords: Journal, health, Spatial Law, SDG

INTRODUCTION

As a global agenda, of course the Sustainable Development Goals (SDGs) are guidelines for all international countries in implementing development which must be accompanied by responsibility for the welfare of humans and nature. And starting from that basis, the reason why the Sustainable Development Goal is important is that the Sustainable Development Goal also integrates economic, social and environmental dimensions in development, so that if you look at these goals and then connect them to spatial planning policies, it will create harmony, where research This shows that the convergence between SDGs and Spatial Planning Policy has a significant impact on sustainable development, considering that spatial planning itself is about harmonizing various aspects of Development so that land and space utilization can be carried out as optimally and efficiently as possible without having to make many sacrifices and by integrating SDGs into Policy Spatial Planning, a more inclusive spatial plan can be created.

In Indonesia, sustainable development is also an important focus. With a large population, rich natural diversity and vast territory, Indonesia has challenges and opportunities in achieving sustainable development. Sustainable development can be briefly defined as continuous development which aims to maintain the quality of life of the community without destroying the environment and taking into account existing resource reserves for the future as explained by Saputri et al.1. Therefore, as an effort to implement

sustainable development, a new paradigm in sustainable development is needed which refers to the welfare of society and nature in the future.

The discussion about sustainable development itself has received international attention, this is proven by the inauguration of the Sustainable Development Goals (SDGs) at the United Nations summit on sustainable development in 2015. Sutopo et al² explained that the Sustainable Development Goals (SDGs) themselves are an agenda for change that will restarting global development with the aim of providing benefits to future generations. As a global agenda, the SDGs are of course a guideline for all international countries that implementing development must be accompanied by responsibility for the welfare of humans and nature.

In Indonesia, issues related to sustainable development are very important to be realized considering that so far there have been many problems in development, especially in the spatial planning sector, one example of spatial planning problems in Indonesia, among others, is related to land use that does not pay attention to sustainability aspects, this cannot be separated. because population growth and rapid urbanization in Indonesia present challenges in sustainable spatial management. The government is faced with pressure regarding the development of urban infrastructure, affordable housing, adequate transportation, but this is often not in line with the principles of sustainable development. For this reason, the implementation of the Sustainable Development Goals is considered important in preparing spatial planning in Indonesia. Bangswan et al³ are of the opinion that considering that Indonesia also has a Basic Agrarian Law (UUPA) as an answer to various problems such as eradicating agrarian problems, improving community welfare through the food sector, alleviating poverty by opening up job opportunities and many more, including sustainable development.

The aim of conducting this research is, among other things, to find out how SDGs convergence can influence spatial planning policies, apart from that, this research is also to find out what challenges influence the success of SDGs convergence to achieve inclusive Spatial Planning.

RESEARCH METHODOLOGY

In preparing this article, the type of research that will be used in this research is research from a normative legal perspective. Normative law examines law based on an internal perspective with the objects to be used based on legal norms. Legal research with a

normative doctrinal approach is basically an activity that will examine the internal aspects of positive law as described by Wardiono and Dimiyati. The type of study in this research is descriptive, namely research that is explanatory in nature, and aims to obtain a more complete view of the legal situation that is currently in force in a place, or regarding existing juridical phenomena, or a particular legal event that occurred in society as described. explained by Sundari⁵. This research aims to explain the urgency of sustainable development goals and their convergence on spatial planning policies. Data was collected through the literature study method, namely by conducting a review study of books, literature, notes and reports that are related to the problem being solved as stated by Nazir⁶ in the book *Research Methods*. The method used in data analysis in this research is a qualitative method. Qualitative data is data that is not in the form of numbers, but rather narratives, stories, written or unwritten documents, or other non-numerical forms. The data is then analyzed using a deductive thinking method, namely drawing a conclusion starting from general statements to specific statements using reasoning or ratios.

RESULTS AND DISCUSSION

The Urgency of Sustainable Development Goals (SDGs) as an Answer to Sustainable Development Problems

Activities of importing and exporting outside the customs service area or importing and exporting within the customs service area, even if using the strategy of eliminating goods in containers or false walls (concealment) or in the human body is called smuggling (Ramadhan, Citra, 2021). There are 3 aspects which are the main thing in enforcing the law against perpetrators of criminal smuggling, namely imposing criminal sanctions against perpetrators, reversing assets obtained from criminal smuggling, and preventing attempted criminal acts of smuggling. In Indonesian positive law, many methods have been created to impose criminal penalties on perpetrators. Various laws and regulations regulate prohibitions, steps and prevention of criminal acts of smuggling of imported goods. Article 102 letter e Law no. 17 of 2006 states that "concealing imported goods unlawfully" will be punished in accordance with article 102 "be punished for smuggling in the import sector with a minimum imprisonment of 1 (one) year and a maximum imprisonment of 10 (ten) years and a fine a minimum of IDR 50,000,000.00 (fifty million rupiah) and a maximum of IDR 5,000,000,000.00 (five billion rupiah)." It is said to be an unlawful act if the perpetrator of

the crime of infiltrating imported second-hand clothing often deceives customs inspectors by carrying out various methods described in this article.

This act of smuggling was carried out not just once but repeatedly, making unscrupulous individuals look for opportunities to carry out more violations. Repeatedly committing a crime can increase the severity of the perpetrator's sanctions from a criminal law perspective. Increasing the threat of punishment for economic crimes is stated in Government Regulation in Lieu of Law No. 21 of 1959. Promulgated on November 16 1959, LN of 1959 No. 130. states "if a criminal act is committed that can cause chaos in the economic sector in society, then the offender will be punished with the death penalty or life imprisonment or a temporary prison sentence of twenty years" (Fitri Wahyuni, 2017). Meanwhile in Law no. 7 of 2014 article 111 states "Every importer who imports goods that are not new as intended in article 47 paragraph 1 shall be punished with a maximum imprisonment of 5 (five) years and/or a maximum fine of Rp. 5,000,000,000, 00 (five billion rupiah)" looking at article 47 of Law no. 7 of 2014, the Minister of Trade has issued PERMENDAG RI No. 40 of 2022 which states that goods are prohibited from being imported. The import of used clothing in any form is prohibited in the Republic of Indonesia Minister of Trade Regulation.

The impact of the emergence of second-hand clothing smuggling crimes is disrupting the branding of domestically made products and of course dropping the revenue figures for domestic products. From the results of these actions, Indonesia is seen by other countries as a country that lacks innovation. Because often goods from abroad, especially used clothing, enter Indonesia. Because it has a large influence, the punishment obtained by the perpetrator of the crime of smuggling is as severe as possible. Which started with the collapse of state interests, freezing the state's economy, thereby reducing state income, while the use of the income itself was to establish infrastructure for people's welfare programs. If the perpetrator of the criminal act of smuggling used clothes has assets, then these assets must also be confiscated. This makes the perpetrator unable to experience the fruits of the crime of smuggling imported used clothing. The perpetrators of crimes are considered important in providing criminal punishment in cases of smuggling of imported second-hand clothing. In article 102 of Law no. 17 of 2006 states regarding the imposition of cumulative sanctions on perpetrators in accordance with their criminal acts. Deprive their right to freedom by using a prison sentence and at the same time paying the losses obtained from the smuggling act to the

government with a fine so as to provide a deterrent influence on the perpetrators in using this cumulative sanction.

The author would like to explain as an example of a case that occurred in February 2018, namely the case of Ridwansyah bin Palewi in excerpt number 390/Pid.B/2017/PN Pal, the Master of KM Mega Buana, the defendant in the case of smuggling used clothes from Malaysia in the amount of 480 (four hundred and eighty) ball. Sentenced to 1 (one) year and 6 (six) months and fined Rp. 200,000,000 (two hundred million rupiah), then in the case of Burhanuddin Bin Kasim in the case of decision number: 508/Pid.B/2017/PN.Pal, Captain KM Rizki Abadi was the defendant in the case of smuggling used clothes in the amount of 1000 (one thousand) balls. Sentenced to 1 (year) and 3 (three) months and fined Rp. 50,000,000 (fifty million rupiah) (Jelira 2019). In this case, only government officials, especially customs, can handle perpetrators of the crime of smuggling imported used clothing. Regarding this case, the customs authorities have the power to arrest the perpetrators, which is carried out by customs investigators. In connection with this case example, it can be seen that there is an opportunity for criminal acts of smuggling from abroad to take advantage of the freedom of sea routes. As long as it is within its territorial scope, the government can exercise its right to know and protect the sea area from any action. By having many institutions that can monitor all movements in the sea area. Indonesian Navy; POLRI – Directorate of Water Police; Ministry of Transportation – Director General of Transportation; Ministry of Maritime Affairs and Fisheries-Director General of PSDKP; Ministry of Finance – Director General of Customs; Bakamla, as well as the Task Force for Eradicating Illegal Fishing (later called Task Force 115) are law enforcement bodies to maintain the condition of maritime areas in Indonesia (Birahayu, 2020). To prevent and guard against criminal acts of smuggling used clothing through sea routes, these institutions will later work together and strengthen to protect the sea zone.

It is known that the smuggling crime falls into the customs crime category. Based on Law Number 10 of 1995 as transferred through Law Number 17 of 2006, the definition of Customs is everything related to the supervision of the traffic of goods entering or leaving the customs area as well as the collection of import and export duties (Suroño, 2015). PP No. 55 of 1996 concerning the investigation of criminal acts in the field of customs and excise article 1 paragraph (1) which reads "Investigations of criminal acts in the field of Customs and Excise are carried out by Civil Servant Investigators of the Directorate General of Customs and Excise.", this regulation is the basic authority that owned by customs civil servant

investigators. In order to eradicate all criminal acts of smuggling from abroad, especially the import of used clothing, this basis really strengthens the scope of customs operations. In accordance with article 1 paragraph (16) of the Criminal Procedure Code, "Confiscation is a series of actions by investigators to take over and/or keep under their control movable or immovable, tangible or intangible objects for evidentiary purposes in investigations, prosecutions and trials.", which means duties. Excise not only has the power to carry out investigations into customs crimes, but also carries out confiscations as an investigator. Investigations and development of criminal cases of smuggling of imported used clothing to customs can be carried out through this authority. Later, the perpetrators of criminal acts of smuggling will be given legal consequences in the hope that law enforcement can be harmonized based on legal regulations in Indonesia : This environmental development pillar consists of several points, namely: adequate water and sanitation, adequate cities and settlements, responsible consumption and production, climate change, marine and land ecosystems; Pillars of law and governance Sudipa believes that the pillars of law and governance consist of several points, namely: peace, justice and strong institutions. From these points we can conclude that the Sustainable Development Goals are a multidisciplinary program because they contain various aspects on a global scale with the aim of providing benefits to future generations.

Efforts to Prevent the Crime of Smuggling Imported Used Clothes

Efforts to avoid criminal acts of smuggling of imported used clothing are considered important in law enforcement because before the smuggling of used clothes occurs, it can eliminate losses or sanctions from smuggling cases. The existence of used clothing smuggling businesses means that the government, especially customs, must be quick and responsive in preventing and avoiding smuggling cases. Simultaneously, the government and law enforcement officials are arranging appropriate plans to avoid the crime of smuggling imported second-hand clothing. Indonesia's geographic condition is very prone to the entry of illegal goods because its territory is large and has many islands. According to Zulkifli, smuggling takes many shortcuts in various regions such as Sumatra, Java and Kalimantan as well as Indonesia's vast geographical conditions. Therefore, there is a need for cooperation between law enforcement officials and regional governments with the aim of creating a deterrent effect (Dewi, Mis Fransiska, 2023).

So that business people know that the act of importing used clothes is the same as committing a criminal act of smuggling in the economic sector, therefore strict regulations are needed to prevent smuggling of imported used clothes. Using the legal basis, the impact on the perpetrator, and the impact on the state must also be included in providing this information. If there are plans to import used clothing, business people will want to rethink this. There are several real actions that can be carried out by the government together with relevant law enforcers to prevent incidents of attempted smuggling crimes. Starting with: First, holding socialization regarding the prohibition on importing used clothing. Inform the public, especially clothing business people, regarding the government's ban on importing used clothing. As well as the wide dissemination of this notification through customs social media accounts or by providing direct outreach by customs throughout Indonesia. Second, monitor the movements of business people when managing clothing businesses and regulate the entry and exit of goods in Indonesia. By directly monitoring movements in the field and ensuring compliance with statutory regulations by customs, the business was recognized as quite successful. You can also check transportation equipment entering Indonesian territory, so that it can be handled directly if there are suspicions about certain movements. Always prioritize preventative efforts to resolve suspicious incidents before entering the realm of litigation which is the hope of the customs authorities.

Convergence between Sustainable Development Goals (SDGs) and Spatial Planning Policies and Challenges of Their Integration

Spatial planning itself is an engineering or method of regulating future spatial development, or in the Decree of the Minister of Settlements and Regional Infrastructure No. 327/KPTS/2002 states that spatial planning is the result of structural planning and space utilization patterns. The purpose of spatial planning itself is to harmonize various aspects of development so that land and space utilization can be carried out as optimally and efficiently as possible without having to make many sacrifices as stated by Ridwan and Sodik¹². Apart from that, in the field of sustainable development, the People's Consultative Assembly has issued Decree of the People's Consultative Assembly of the Republic of Indonesia No. IX/MPR/2001 concerning reform of agrarian law and management of natural resources, where in the decree in article 2 there is a mention that the implementation of agrarian management both in use and exploitation must be carried out in the context of prosperity and justice for all the people.

space can play several socioeconomic functions. First, space functions as a force of production. Second, space can take the form of various commodities (real estate/property) that are consumed. Third, space politically facilitates control of economic and political systems. Fourth, space will strengthen the reproduction of productive relationships. Therefore, Aminah¹³ argues that space is not an empty container that is geometric in nature and is merely a space for the continuity of social life, but space is a social product. The sustainability aspect of space is comprehensive (global sustainability) which is characterized by the interplay of three components, namely: environment, society and economy. This emphasizes that space is not something or a product that results from social interaction alone, but rather is the product of a series of political interactions that occur simultaneously, between the forces of capital, government and society, so that space truly becomes part of the process of capital accumulation and circulation.

Space has interactive characteristics from investors/entrepreneurs, the state (government), and society (including non-governmental organizations that care about ecology). Therefore, conflict and contestation between actors in spatial planning practices cannot be avoided. One of the conflicts that often occurs in spatial planning policies is that there are still spatial planning practices that do not pay attention to the principles of sustainable development. Arba¹⁴ explained that this is contrary to the MPR Decree in article 4, namely maintaining sustainability which can provide optimal benefits, both for the current and future generations, while still paying attention to the environmental capacity and carrying capacity.

In everyday life, everyone needs a certain space to carry out activities. In this case, space can be interpreted as a place or container for someone or many people to carry out activities, or functionally space can be interpreted as a place or container that can accommodate something. To realize and maintain sustainable development, thorough and comprehensive spatial planning is needed. Therefore, the implementation of sustainable development is an urgency to be implemented, in fact the urgency of sustainable development has become a topic of discussion for the UN which has also declared Sustainable Development Goals (SDGs), namely the Global Agenda which calls for sustainable development for the benefit of society.

And if you look at one of the points contained in the SDGs themselves, there are several goals that are closely related to spatial planning policies, including sustainable cities and settlements, clean and adequate water, infrastructure, land ecosystems. The reasons why

SDGs are important are that SDGs also integrate economic, social and environmental dimensions in development. This is important because unsustainable economic growth can have a negative impact on social welfare and environmental sustainability. SDGs ensure that sustainable development does not only focus on economic growth, but also pays attention to social welfare and environmental sustainability. Furthermore, the SDGs emphasize inclusivity and justice in development. The aim is to ensure that the benefits of sustainable development can be enjoyed by all levels of society, including those who are marginalized or vulnerable. The SDGs seek to reduce social and economic inequalities and ensure equitable access to basic services such as education, health and sanitation. Finally, the SDGs provide concrete action plans to achieve sustainable development goals. By setting clear targets and indicators, the SDGs provide guidance that governments, the private sector, civil society and all other stakeholders can follow. These action plans help direct development efforts in the right direction and enable monitoring of progress.

If the SDGs goals are connected with spatial planning, they are compatible, namely in the face of rapid urbanization, sustainable spatial planning policies are very important. SDGs encourage the development of cities that are inclusive, safe and sustainable. This involves urban planning that considers population needs, efficient land use, sustainable transport and good waste management, the focus should be on fit-for-purpose approaches that will meet society's current needs and can be improved gradually over time.

However, despite the many benefits of implementing Sustainable Development Goals (SDGs) in spatial planning policies, there will always be challenges in implementing them, namely, to achieve the goals of SDGs and Spatial Planning Policy, public participation and awareness are very important. However, sometimes people do not have an adequate understanding of the importance of sustainable development and spatial planning policies. Raising awareness and involving the public in the decision-making process can be a challenge. And what is no less important is that the implementation of SDGs and Spatial Planning Policies involves various agencies and stakeholders. The challenge is effective coordination between these agencies. Sometimes there can be differences of opinion, conflicting interests, or a lack of good communication between relevant agencies. This could hinder effective implementation steps.

CONCLUSION

Sustainable Development Goals as an agenda that has the goal of sustainability for future generations is a very good global agenda, this is because the SDGs cover various aspects, where the goals when connected to spatial planning policies will create harmony, where this research shows that the convergence between the SDGs and Spatial Planning Policy has a significant impact on sustainable development. By integrating SDGs into Spatial Planning Policy, more inclusive spatial planning plans can be created, considering social, economic and environmental aspects in a balanced manner. However, challenges such as matching priorities, coordination between agencies, limited resources, changes in policies and regulations, as well as community awareness and participation need to be overcome to achieve successful convergence of the SDGs in the preparation of inclusive spatial planning. And as one form of influence arising from the use of Sustainable Development Goals, namely in making a policy the government must pay attention to all existing aspects in order to prevent damage or loss for future generations.

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