

Heritage Conservation in Indonesia: Policy Review

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Article Information

Article History:

Received : 25-05-2024

Revised : 16-07-2024

Accepted : 18-07-2024

Published : 02-08-2024

Keyword:

Heritage Conservation;

Indonesia;

Heritage Policy;

Policy Review;

Abstract

The Indonesian government has handed over its authority to ministries and local governments in the field of culture in the designation of cultural heritage since 2010. However, protection of cultural heritage remains limited due to unclear policies and planning. This study aims to identify gaps in existing cultural heritage conservation policy and planning and propose a revised policy framework. After reviewing the cultural heritage conservation policy framework in Indonesia, several shortcomings were found that affect the cultural heritage conservation process. These deficiencies include insufficient coverage of heritage's context, insufficient institutional capacity, a heritage-owner approach to conservation, inadequate incentives, lack of funding sources, and lack of transparency. To address these shortcomings, several new policies are recommended, including revision of the political system, provision of integrated conservation approaches and incentives, diversification of funding sources, and expansion of public participation.

Abstrak

Pemerintah Indonesia telah menyerahkan kewenangannya kepada kementerian dan pemerintah daerah di bidang kebudayaan dalam penetapan cagar budaya sejak tahun 2010. Namun, perlindungan terhadap cagar budaya masih terbatas karena kebijakan dan perencanaan yang tidak jelas. Studi ini bertujuan untuk mengidentifikasi celah-celah dalam kebijakan dan perencanaan konservasi cagar budaya yang ada dan mengusulkan revisi kerangka kerja kebijakan. Setelah meninjau kerangka kebijakan konservasi cagar budaya di Indonesia, ditemukan beberapa kekurangan yang mempengaruhi proses konservasi cagar budaya. Kekurangan-kekurangan tersebut meliputi cakupan konteks cagar budaya yang tidak memadai, kapasitas kelembagaan yang kurang, pendekatan konservasi pada pemilik cagar budaya, insentif yang tidak memadai, kekurangan sumber pendanaan, dan kurangnya transparansi. Untuk mengatasi kekurangan-kekurangan tersebut, direkomendasikan beberapa kebijakan baru, termasuk revisi sistem politik, penyediaan pendekatan konservasi terpadu dan insentif, diversifikasi sumber pendanaan, dan perluasan partisipasi publik.

INTRODUCTION

The conservation charters and conventions that form the basis of cultural heritage policy are written reactions to political, social and economic developments. The introduction to the UNESCO World Heritage Convention begins with the statement that the continued loss of cultural heritage is an impoverishment ¹. The fear of heritage loss is a big driver for conservation efforts, and the threat of heritage loss is the starting point for conventions and legislation ².

One of Indonesia's cultural assets that needs to be preserved and protected is material culture in the form of prehistoric and historical relics, which include buildings, sites, statues, temples and other historical or archaeological objects. These relics are cultural heritage whose existence has important value for history, science, education, religion and culture ³.

The preservation and protection of cultural heritage in Indonesia is necessary because of the thousands of cultural heritage objects and sites scattered throughout the region. Based on data from the Ministry of Education and Culture of the Republic of Indonesia regarding the number of cultural heritage by type as of August 2023 shows that the number of cultural heritage recorded up to August 2023 is 9,099 in the form of buildings (48.10%), objects (3.99%), areas (1.24%), sites (28.38%), and structures (18.29%) (<https://dapobud.kemdikbud.go.id/peta>, processed by researchers, 2023).

¹ "Convention Concerning the Protection of the World Cultural and Natural Heritage" (1972).

² ICOMOS, "International Charter for the Conservation of Monuments and Sites" (1964).

³ Hafidz Putra Arifin, "Politik Hukum Perlindungan Cagar Budaya Di Indonesia," *Dialogia Iuridica: Jurnal Hukum Bisnis Dan Investasi* 10, no. 1 (2018): 65–76, <https://doi.org/10.28932/di.v10i1.1034>; Edison Sinaga and Ahmad Edi Subiyanto, "Penetapan Cagar Budaya Ditinjau Dari Perspektif Kepastian Hukum Dalam Mewujudkan Kesejahteraan Umum," *Jurnal Pengabdian Kepada Masyarakat Nusantara (JPkMN)* 4, no. 4 (2023); Andry Setiawan and Dewi Sulistianingsih, "Harmonisasi UU No. 11 Tahun 2010 Tentang Cagar Budaya Dalam Upaya Pelestarian Benda Cagar Budaya Kota Semarang," *Abdimas* 17, no. 11 (2013): 69–78; Karyamantha Surbakti, "Kebijakan Pengelolaan Warisan Budaya Ditinjau Dari Undang-Undang Nomor 11 Tahun 2010 (Perihal Pemberian Insentif Dan Kompensasi)," *Kapata Arkeologi* 13, no. 2 (November 30, 2017): 141–50, <https://doi.org/10.24832/KAPATA.V13I2.397>; Siti Rukayah, Sudarmawan Juwono, and Annica Etenia, "Post Office and the Sustainability of Triangle Historical Area in Semarang From the Traditional Era To the Colonial Era," *Journal of Architecture and Urbanism* 46, no. 1 (2022): 20–32, <https://doi.org/10.3846/jau.2022.15242>; Isnen Fitri et al., "Local Community Participation in Establishing The Criteria For Heritage Significance Assessment Of The Cultural Heritage In Medan," *Kapata Arkeologi* 15, no. 1 (August 3, 2019): 1–40, <https://doi.org/10.24832/KAPATA.V15I1.523>; Damiasih Damiasih, "Implementation of Sustainable Tourism Policy in Indonesia," *Journal of Governance* 8, no. 4 (2023), <https://doi.org/10.31506/jog.v8i4.22928>.

In Indonesia there are 2 (two) regulations at the national level that regulate the conservation of cultural heritage, namely Law no. 11 of 2010 concerning Cultural Heritage (CB Law) and Government Regulation no. 1 of 2022 concerning the National Register and Preservation of Cultural Heritage. The existence of these two regulations can have an impact as an effort to manage cultural heritage as well as to emphasize the concern and involvement of all parties to be very important in cultural heritage preservation efforts. Meanwhile, in the implementation of the establishment and conservation of cultural heritage, the Government of Indonesia delegates its authority to the ministries and local governments in the field of culture.

Despite the existence of government regulations, the protection of local cultural heritage is still limited. Several problems still occur, namely regarding (1) changes in cultural heritage management institutions in Indonesia; (2) data collection of ownership of cultural heritage buildings in the regions; (3) lack of a strong legal framework in protecting cultural heritage at the provincial / district / city government level; (4) some cultural heritage suffered damage and physical structural changes that occurred in the region; (5) there is no guidance on the valuation of cultural heritage in the form of legislation even though cultural heritage as a state asset is valued economically so that compensation is still not balanced with the cost of maintaining cultural heritage ⁴.

⁴ Diky Ritiduan and Suci Megawati, "Implementasi Kebijakan Pelestarian Bangunan Cagar Budaya (Studi Pada Bangunan Bekas Penjara Koblen Menjadi Pasar Buah Di Kota Surabaya)," *Publika* 9, no. 5 (2021): 15–30, <https://doi.org/10.26740/publika.v10n1.p15-30>; Bambang Sugiyanto, "Era Baru Dalam Kemitraan Pengelolaan Cagar Budaya: Studi Kasus Kalimantan," *Naditira Widya* 16, no. 2 (2022): 165–76, <https://doi.org/10.24832/nw.v16i2.508>; Juandi Silaen, "Efektivitas Peraturan Daerah Kota Medan Nomor 2 Tahun 2012 Tentang Perlindungan Dan Pelestarian Bangunan Cagar Budaya (Studi Tentang Bangunan Tjong A FIE)," *Journal of Politic and Government Studies* 12, no. 4 (2023); Amrun Kahar and La Ode Muhaimin, "The Urgence of Establishing Southeast Sulawesi Regional Regulations in The Management and Conservation of Cultural Heritage," *Sang Pencerah, Jurnal Ilmiah Universitas Muhammadiyah Buton* 8, no. 3 (2022); Deky Akbar, "Pelestarian Situs Cagar Budaya Plawangan Rembang Perspektif Undang-Undang Cagar Budaya," *Pandecta Research Law Journal* 9, no. 2 (December 5, 2014): 186–206, <https://journal.unnes.ac.id/nju/index.php/pandecta/article/view/3444>; Iskandar Zulkarnain, "Pengelolaan Warisan Budaya Bangsa: Inkonsistensi Kebijakan, Regulasi Dan Partisipasi Publik," *Society* 3, no. 1 (2015): 39–50, <https://doi.org/10.33019/society.v3i1.50>; Arfiansyah and Irfan Syam, "Permasalahan Pelestarian Cagar Budaya Di Kota Banda Aceh," *Jurnal Ekonomi Dan Pembangunan* 12, no. 1 (2021): 31–60, <https://doi.org/10.22373/jep.v12i1.146>; Anak Agung Ketut Wardani, I Nyoman Suarna, and I Nyoman Sumantri, "Perlindungan Hukum Terhadap Pura Taman Mayura Cakranegara Sebagai Kawasan Cagar Budaya Di Kota Mataram," *Widya Kerta: Jurnal Hukum Agama Hindu* 4, no. 1 (2021): 23–39, <https://doi.org/10.53977/wk.v4i1.285>; Maria Dimova Cookson and Peter M.R. Stirk, "Analisa Yuridis Terhadap Pengalihfungsian Karya Arsitektur Bangunan Kolonial Sebagai Cagar Budaya Di Kota Semarang Ditinjau Dari Undang-Undang Nomor 28 Tahun 2014," *Diponegoro Law Journal* 11, no. 2 (2022); Uni Ekowati, Wellem

Based on the problems that occur in the protection of cultural heritage in Indonesia above, this research aims to evaluate cultural heritage conservation policies in Indonesia. This study is expected to determine the extent to which cultural heritage conservation policies have been implemented and provide recommendations for policy improvements to increase the effectiveness and positive impact on the preservation of cultural heritage in Indonesia. By conducting this research, it can contribute to the understanding of cultural heritage preservation practices in Indonesia and provide input to the government, especially the culture and tourism agency, and the community. This research is expected to make a positive contribution to cultural heritage conservation that maintains harmony between economic growth, environmental and cultural preservation at the national level.

RESEARCH METHOD

This research uses qualitative research with a literature review method. The literature review process was conducted through database searches and literature citation indexes⁵. After the search, publications were processed for screening, analysis, and review, with necessary exceptions before the paper was used to generate findings and discuss syntheses. Google scholar and Scopus search were used to collect academic literature. This method involved searching databases from

Nggonggoek, and Susilo Setyo Utomo, "Persepsi Dan Partisipasi Masyarakat Terhadap Peninggalan Situs Cagar Budaya Gua Jepang Dan Upaya Pelestariannya," *Jurnal Historia* 7, no. 1 (2019): 131–38; Fr. Dian Ekarini, "Perizinan Dalam Pelestarian Cagar Budaya," *Jurnal Konservasi Cagar Budaya* 9, no. 1 (2015): 29–48, <https://doi.org/10.33374/jurnalkonservasicagarbudaya.v9i1.160>; M. Fadila Rahman and Ira Safitri Darwin, "Persepsi Pemilik Bangunan Dalam Melestarikan Bangunan Cagar Budaya Di Kawasan Braga Kota Bandung," *Jurnal Riset Perencanaan Wilayah Dan Kota* 2, no. 1 (2022): 76–85, <https://doi.org/10.29313/jrpk.v2i1.931>; Yuni Rahmawati, "Permasalahan Cagar Budaya Living Monument Milik Perorangan Di Perkotaan," in *Seminar Ikatan Peneliti Lingkungan Binaan Indonesia (IPLBI)*, 2017, <https://doi.org/10.32315/sem.1.c089>; Wahyu Nurvita Afnani, Neni Wahyuningtyas, and Bayu Kurniawan, "Analisis Pelestarian Situs Cagar Budaya Sekaran (Studi Kasus Situs Sekaran Di Desa Sekarpuro Kabupaten Malang)," *Jurnal Ilmu Sosial Dan Humaniora* 10, no. 3 (December 1, 2021): 391–406, <https://doi.org/10.23887/JISH-UNDIKSHA.V10I3.34307>; Muryani, "Economic Analysis of Heritage Tourism At Old Town Area Surabaya," *Journal of Developing Economies* 4, no. 1 (2019): 8, <https://doi.org/10.20473/jde.v4i1.11452>; I Putu Sastra Wibawa and Mahrus Ali, "Efektivitas Hukum Pelestarian Bangunan Dan Lingkungan Cagar Budaya Di Kota Denpasar," *Jurnal Hukum Ius Quia Iustum* 27, no. 3 (2020): 615–38, <https://doi.org/10.20885/iustum.vol27.iss3.art9>.

⁵ Titien Diah Soelistyarini, "Pedoman Penyusunan Tinjauan Pustaka Dalam Penelitian Dan Penulisan Ilmiah," *Universitas Airlangga*, 2013, https://www.academia.edu/7304163/Pedoman_Penyusunan_Tinjauan_Pustaka_dalam_Penelitian_dan_Penulisan_Iliah.

2011 according to problem-based keywords. This paper is a literature review of previous research on cultural heritage policy in Indonesia and found several shortcomings that affect various aspects of the cultural heritage conservation process in Indonesia.

RESULT AND DISCUSSION

After conducting a thorough review of the existing cultural heritage conservation policy framework in Indonesia, it was found that there are six main shortcomings affecting various aspects of the cultural heritage conservation process in Indonesia, namely inadequate coverage of the cultural heritage context; inadequate institutional capacity; limited conservation approaches for privately owned buildings; inadequate incentives; lack of funding sources; and lack of transparency.

A. Inadequate coverage of cultural heritage in Indonesia

Usually the focus of cultural heritage is only on buildings and does not consider the physical environment such as landscapes and areas. In fact, this physical environment also provides aesthetic and social value to the monument so that historical buildings do not look isolated. For example, Borobudur Temple was designated by UNESCO as a world heritage in 1991. Indonesia itself did not have an overall law or government policy on the conservation of cultural heritage sites before 1992, even in the Presidential Decree of the Republic of Indonesia Number 1 of 1992 concerning the Management of Borobudur Temple Tourism Park and Prambanan Temple Tourism Park and Environmental Control of the Area, the regulations that form the basis for the management of the Borobudur Temple area still use the Monument Ordinance (Staatsblad Year 1931 Number 238), a regulation made by the colonial government as a reference in making its regulations. Regulations regarding cultural heritage objects themselves were only issued by the Indonesian Government in March 1992, two months after the Presidential Decree No. 1 of 1992 appeared. On the one hand, the Indonesian Tourism Regulation has appeared since 1990, this is a signal that the management of the Borobudur Temple area was initially more closely related to tourism activities than heritage

preservation activities ⁶. As a result, development is only oriented towards tourism and not conservation, which can affect the maintainability of the protection zone and can affect the assessment from UNESCO.

In addition, the scope of cultural heritage also includes Intangible Cultural Heritage (ICH). ICH is an important part of human civilization ⁷ and the universal value of the ICH convention is gradually being socially accepted ⁸. Indonesia has ratified the Convention for the Safeguarding of Intangible Cultural Heritage in 2003 with the enactment of Presidential Regulation No. 78 of 2007 on the Ratification of the 2003 UNESCO Convention on the protection of intangible cultural heritage ⁹. The ratification of the convention on the protection of intangible cultural heritage was strengthened by the revision of Law No. 5 of 1992 on Cultural Heritage Objects into Law No. 11 of 2010 on Cultural Heritage ¹⁰.

Indonesia is among the top five countries in the world with the most diverse traditional ethnic wealth. Indonesia's batik motifs, dances, folklore, traditional architecture and folk songs are estimated at more than 30,000 varieties ¹¹. Some traditional ethnic treasures such as Batik, Keris, Wayang, Pendet Dance, Angklung, Noken and Pinisi have been registered as intangible cultural heritage ¹². However, the protection of intangible cultural heritage in Indonesia through policies in force

⁶ Fahrurrozy Darmawan, "Konservasi vs Pariwisata Massal: Konflik Kebijakan Dan Tantangan Borubudur Sebagai Warisan Budaya Dunia UNESCO," *Jurnal Vokasi Indonesia* 10, no. 1 (2023): 22–28.

⁷ Xinwei Su, Xi Li, and Yanxin Kang, "A Bibliometric Analysis of Research on Intangible Cultural Heritage Using CiteSpace," *Sage Journal* 9, no. 2 (April 4, 2019), <https://doi.org/10.1177/2158244019840119>.

⁸ Federico Lenzerini, "Intangible Cultural Heritage: The Living Culture of Peoples," *European Journal of International Law* 22, no. 1 (2011): 101–20, <https://doi.org/10.1093/ejil/chr006>.

⁹ Zulkarnain, "Pengelolaan Warisan Budaya Bangsa: Inkonsistensi Kebijakan, Regulasi Dan Partisipasi Publik."

¹⁰ Ghifari Yuristiadhi, "Kretek Sebagai Warisan Budaya Tak Benda: Sebuah Tinjauan Sosiohistoris," *Wacana: Jurnal Transformasi Sosial* 16, no. 34 (2014): 11–38, <http://www.insist.or.id/%7Chttp://blog.insist.or.id/insistpress/%7Chttp://jurnalwacana.com>.

¹¹ Miranda Risang Ayu, Rika Ratna Permata, and Laina Rafianti, "Sistem Perlindungan Sumber Daya Budaya Tak Benda Di Palembang, Sumatera Selatan, Indonesia," *Mimbar Hukum* 29, no. 2 (2017), <https://doi.org/10.22146/jmh.16671>.

¹² Eva Juliana Purba, Akbar Kurnia Putra, and Budi Ardianto, "Perlindungan Hukum Warisan Budaya Tak Benda Berdasarkan Convention for the Safeguarding of the Intangible Cultural Heritage 2003 Dan Penerapannya Di Indonesia," *Journal of International Law* 1, no. 1 (2020): 90–117.

in Indonesia has not been able to maximize its protection, even though Indonesia has ratified the UNESCO Convention on cultural heritage.

B. Insufficient institutional capacity

The second problem identified is the unclear division of tasks among institutional bodies and the non-comprehensive regulations that lead to the failure of cultural heritage conservation implementation. According to the CB Law, the designation of cultural heritage should be aligned with the authority of the Central Government, Provincial Government and Regency/City Government. The process of cultural heritage designation under the CB Law starts from the registration of objects that are considered cultural heritage, then a study is conducted by the Cultural Heritage Expert Team (TACB) to conclude whether the object is a cultural heritage or not. After obtaining a designation recommendation from the TACB, the Regent/Mayor issues a cultural heritage status determination¹³. The procedures and procedures for preparing recommendations from the TACB are very important in the determination of cultural heritage. Although the Directorate General of Culture has made provisions regarding the procedures and procedures for the work of the TACB, these provisions have not yet been established and legalized in an applicable policy or guideline. Regulations on the procedures and procedures for the work of the TACB related to the designation of cultural heritage have not been established so that there is non-uniformity in the implementation of the work of the TACB, both at the center and in the regions. Examples of non-uniformity in the implementation of work are the unequal format of the study paper, the mismatch of identity nomenclature, and description of cultural heritage in the study paper, as well as the Decree of Determination of cultural heritage. The central government should make regulations in the form of ministerial regulations on TACB work procedures that contain TACB work guidelines, the number of TACBs at each level of government, and the format of study results in order to have standardized study

¹³ Sinaga and Subiyanto, "Penetapan Cagar Budaya Ditinjau Dari Perspektif Kepastian Hukum Dalam Mewujudkan Kesejahteraan Umum."

results for each region in carrying out the assessment. So that the region has a legal basis in the appointment of TACB.

In 2022 changes occurred in government agencies engaged in cultural heritage management in Indonesia, both research issues and the preservation and management of cultural heritage ¹⁴. The National Archaeological Research Center (Puslit Arkenas) and 10 Archaeological Centers (Balar) that handle archaeological and cultural heritage research issues, merged into the National Research and Innovation Agency (BRIN), becoming the Archaeology, Language and Literature Research Organization (OR Arbastra). This Research Organization has seven research centers, consisting of three research centers for archaeological research, and four research centers for language and literature research (Presidential Regulation 78/2021 on the National Research and Innovation Agency).

After the merger process, the cultural heritage management institution at the Ministry of Education, Culture, Research and Technology (Kemdikbudristek) also underwent changes. The Balai Pelestarian Cagar Budaya (BPCB), which is authorized to handle the preservation of cultural heritage, and the Balai Pelestarian Nilai Budaya (BPNB), which is authorized to handle cultural values, were merged into one new institution, the Balai Pelestarian Kebudayaan (BPK), with 23 operational work areas (Permendikbudristek No. 33 of 2022 concerning Balai Pelestarian Kebudayaan), whose authority includes the management of cultural heritage and cultural values. In carrying out its duties, it must comply with the CB Law and Law No. 5/2017 on the Promotion of Culture (PK Law). With this change process, it will certainly affect the current cultural heritage management scheme. In principle, the cultural heritage management scheme still starts from upstream research activities. Then the results of the research will be developed into cultural heritage, with a management and utilization plan based on preservation.

Organizational changes in research and preservation are expected to further enhance cooperation or partnerships in the management of cultural heritage in Indonesia. However, the institutions authorized to manage cultural heritage, be it in the field of research, protection preservation, and utilization, have not yet

¹⁴ Sugiyanto, "Era Baru Dalam Kemitraan Pengelolaan Cagar Budaya: Studi Kasus Kalimantan."

coordinated and synergized well. The research recommendations submitted by the research to the preservation and protection sector have not all been followed up. Research parties often only plan research programs independently without trying to involve or share information with preservation and protection parties. The point is that research has its own plans, and preservation and protection also have their own cultural heritage management plans.

C. Limitations of conservation approaches

Efforts to advocate the need for conservation in Indonesia continued through the Law of the Republic of Indonesia no. 5 of 1992 on Cultural Heritage Objects which was later updated through the CB Law. The government bears the responsibility of preserving cultural heritage whose practices are largely inherited from the past. Officially named, there are two Indonesian government agencies that specifically deal with conservation: The Cultural Heritage Conservation Center (PKCB) which is responsible for the conservation of movable or immovable collectibles and the Borobudur Conservation Center (BKB) (Bakhri, 2021). Although there are government agencies that handle cultural heritage, collaborative efforts from the government, academics, and professionals are needed to solve conservation-related problems.

Conservation approaches in Indonesia are only available for government-owned cultural heritage; there are no conservation approaches available for buildings owned by foundations, private companies or individuals. The government does not have the right to carry out conservation work unless the building is purchased from the owner. This is in contrast to what happens in Australia. There are many conservations approaches available to the private sector. One example is Broken Hill's preservation effort was awarded the UNESCO Asia Pacific Heritage Award for Heritage Preservation which used an integrated approach to preserve important buildings and renovate roads, including residential buildings in the town. The government has provided no-cost technical support, financial assistance, residential paint schemes, and building restoration programs to preserve the historic area (Talukdar, 2015).

D. Limitations of Incentives

In accordance with Article 22 of the CB Law, incentives are provided by the Government or Regional Government in the form of a reduction in land and building tax and/or income tax to the owner of Cultural Heritage who has conducted Cultural Heritage Protection in accordance with the provisions of laws and regulations ¹⁵. Although the existing regulations have detailed the form of incentives provided, further arrangements are still needed to determine the amount that should be received by cultural heritage owners ¹⁶.

E. Limited Funds

Preserving, restoring and maintaining cultural heritage requires financial resources. Cultural heritage is characterized by non-exclusivity and non-rivalry, making it less attractive for the private sector to invest, hence the need for government funding ¹⁷. In accordance with the CB Law, the budget for cultural heritage management comes from the state and local budgets ¹⁸, although the amount is still limited ¹⁹. Therefore, the government needs to convince and cooperate with other parties to overcome these limitations ²⁰.

¹⁵ Surbakti, "Kebijakan Pengelolaan Warisan Budaya Ditinjau Dari Undang-Undang Nomor 11 Tahun 2010 (Perihal Pemberian Insentif Dan Kompensasi)."

¹⁶ Rahmawati, "Permasalahan Cagar Budaya Living Monument Milik Perorangan Di Perkotaan"; Rahman and Darwin, "Persepsi Pemilik Bangunan Dalam Melestarikan Bangunan Cagar Budaya Di Kawasan Braga Kota Bandung."

¹⁷ Sanja Tišma et al., "Cost-Benefit Analysis in the Evaluation of Cultural Heritage Project Funding," *Journal of Risk and Financial Management* 14, no. 10 (2021), <https://doi.org/10.3390/jrfm14100466>.

¹⁸ Khalid Rosyadi, "Analisis Pengelolaan Dan Pelestarian Cagar Budaya Sebagai Wujud Penyelenggaraan Urusan Wajib Pemerintahan Daerah (Studi Pada Pengelolaan Dan Pelestarian Situs Majapahit Kecamatan Trowulan Kabupaten Mojokerto)," *Jurnal Administrasi Publik Mahasiswa Universitas Brawijaya* 2, no. 5 (2014): 830–36; Silaen, "Efektivitas Peraturan Daerah Kota Medan Nomor 2 Tahun 2012 Tentang Perlindungan Dan Pelestarian Bangunan Cagar Budaya (Studi Tentang Bangunan Tjong A FIE)."

¹⁹ Syarif Achmadi, "Pemeringkatan Cagar Budaya Tidak Bergerak," *Jurnal Konservasi Cagar Budaya Borobudur* 8, no. 1 (2014): 72–81, <https://doi.org/10.33374/jurnalkonservasicagarbudaya.v8i1.126>; Muhammad Naufal Faraj El Gibarj and Pratin, "Analisis Pengelolaan Benda Cagar Budaya Sebagai Kekayaan Dikuasai Negara Di Balai Pelestarian Cagar Budaya D.I.Yogyakarta," *Indonesian Rich Journal* 2, no. 1 (2021): 32–40, <https://doi.org/10.31092/irj.v2i1.15>.

²⁰ Dameria Christin and Indradjati Natalivan Petrus, "Implementasi Public-Private-Partnership (PPP) Dalam Pelestarian Kawasan Cagar Budaya Perkotaan," *Jurnal Potensi* 2, no. 1 (April 4, 2022): 37–43, <https://doi.org/10.37776/JPOT.V2I1.831>; Cristina Boniotti, "The Public-Private-People Partnership (P4) for Cultural Heritage Management Purposes," *Journal of Cultural Heritage Management and Sustainable Development* 13, no. 1 (2023): 1–14, <https://doi.org/10.1108/JCHMSD-12-2020-0186>.

F. Lack of Transparency

Often the general public is kept in the dark during the decision-making process until the decision is made on the reuse of heritage buildings. Transparency in the implementation of cultural heritage conservation is very unclear. Relevant legislative bodies rarely seek approval from citizens regarding adaptive reuse options for heritage buildings ²¹.

CONCLUSION

The study concludes that shortcomings affecting the process of cultural heritage conservation in Indonesia include First, inadequate coverage of the cultural heritage context. The focus of cultural heritage conservation in Indonesia is generally centered on buildings, ignoring the physical environment such as landscapes and areas that contribute to the aesthetic and social value of monuments. In addition, the protection of intangible cultural heritage in Indonesia through existing policies has not been able to maximize its protection, even though Indonesia has ratified the UNESCO Convention on cultural heritage. Second, lack of institutional capacity. Problems in the implementation of cultural heritage conservation in Indonesia include an unclear division of tasks among institutional bodies and incomprehensive regulations that have led to failures in conservation implementation. In addition, changes in government agencies handling cultural heritage management in 2022 are expected to improve cooperation in cultural heritage management, but coordination and synergy between authorized institutions are still not optimal. Third, the conservation approach towards cultural heritage owners. Although there are agencies that handle cultural heritage, collaborative efforts from government, academics, and professionals are needed to solve

²¹ Febry Chahyadi Anugrah, Novi Winarti, and Sayed Fauzan Riyadi, "Analisis Tata Kelola Cagar Budaya Di Kabupaten Lingga," *Multidisciplinary Indonesian Center Journal (MICJO)* 1, no. 1 (2024); Sriayu Aritha Panggabean, "Perubahan Fungsi Dan Struktur Bangunan Cagar Budaya Ditinjau Dari Perspektif Undang-Undang Cagar Budaya," *Pandecta Research Law Journal* 9, no. 2 (December 5, 2014), <https://doi.org/10.15294/PANDECTA.V9I2.3443>; Dimas Adi Mahindra and Suci Megawati, "Implementasi Kebijakan Revitalisasi Kawasan Cagar Budaya (Studi Pada Jalan Panggung Kota Lama, Surabaya)," *Publika* 10, no. 1 (2022): 219–30, <https://doi.org/10.26740/publika.v10n1.p219-230>; Prihatmanti Rani, Cantika Putri, and Adeline Devina, "Transforming Heritage Building for Commercialisation," *Planning Malaysia : Journal of The Malaysian Institute of Planners* 15, no. 3 (2017): 135–46, <https://doi.org/10.21837/pmjournal.v15.i3.304>.

conservation problems. Conservation approaches in Indonesia are currently only available for government-owned cultural heritage; there are no conservation approaches available for buildings owned by foundations, private individuals, or individuals. The government does not have the right to carry out conservation work unless the building is purchased from the owner. Fourth, inadequate incentives. In accordance with CB Law Article 22, the Government or Local Government provides incentives in the form of reduction of land and building tax (PBB) and/or income tax to the owner of Cultural Heritage that has protected it in accordance with the provisions of laws and regulations. Although the regulations have detailed the form of incentives provided, further arrangements are still needed to determine the amount of incentives that should be received by cultural heritage owners. Fifth, lack of funding sources. In accordance with the CB Law, the budget for cultural heritage management comes from the APBN and APBD but the amount is still limited. Therefore, the government needs to convince and collaborate with other parties to overcome this funding limitation. Collaboration with the private sector, international organizations, and communities for sustainable and effective preservation of cultural heritage. Sixth, Lack of transparency. Legislative bodies rarely seek approval from citizens on adaptive reuse options for heritage buildings. As a result, public participation in the process of cultural heritage conservation remains very limited, affecting the success and sustainability of preservation efforts.

ADVICE

Based on the conclusions of this research, the following suggestions need to be made consists of four aspects: Revision of the political system; Provision of integrated conservation approaches and incentives; Diversification of funding sources; and Expansion of public participation. The first aspect of the recommendations is the revision of the political system to address issues of institutional capacity and the scope of the cultural heritage context. The strategy to address these issues is structured with two main components focusing on institutional structuring and changing the context of cultural heritage. The second aspect of the recommendations was formulated to address the issue of limited

conservation approaches and incentives for privately owned cultural heritage. With an integrated approach, owners are encouraged to conserve their buildings in various ways. The city government will be responsible for the provision, implementation and approval of incentive tools. At the same time, the criteria and selection process of incentives should also be open to the public so as to facilitate transparency in the process. The third aspect of the recommendations was formulated to address the issue of lack of funding sources. The protection and maintenance of cultural heritage buildings as part of the cultural heritage preservation process often clashes with many interests such as economic and spatial interests. The high budget for financing the maintenance of cultural heritage buildings often burdens the owners and managers of cultural heritage buildings²². Efforts to utilize cultural heritage buildings, especially residential houses, are a form of indirect preservation of cultural heritage buildings because there is an effort to maintain the building while utilizing it as a place of business such as a café or restaurant and shop. However, the development of business activities in cultural heritage buildings must be balanced with regulations in the management of cultural heritage buildings. The fourth aspect of the recommendations was formulated to address the issue of lack of public participation in cultural heritage preservation in Indonesia. Strategies to address this issue are organized into two items. The first item aims to advance the level of transparency in the decision-making process, while the second item points out ways in which different sectors of society can participate in the preservation of cultural heritage in Indonesia. The preservation of cultural sites is not only done by the government, but there is community involvement. The role of communities in Indonesia in the preservation and protection of cultural heritage must be increased by giving them a portion to participate in determining the importance of a cultural heritage and making decisions for its utilization²³. The government is no longer the main determinant in the process of preserving cultural heritage. Communities are also involved in the process of nominating cultural resources that are in the public domain as cultural

²² Antonius Ardiyanto et al., “Upaya Pemanfaatan Bangunan Kolonial Untuk Usaha Mandiri,” in *Prosiding Seminar Nasional Arsitektur Populis*, 2017.

²³ Isnén Fitri, Yahaya Ahmad, and Faizah Ahmad, “Conservation of Tangible Cultural Heritage in Indonesia: A Review Current National Criteria for Assessing Heritage Value,” *Procedia - Social and Behavioral Sciences* 184, no. May (2015): 71–78, <https://doi.org/10.1016/j.sbspro.2015.05.055>.

heritage objects. If the nomination comes from bottom up is applied, the community will not only passively wait but also actively participate in the process of preserving cultural heritage. Community participation in Indonesia's urban areas towards the protection and preservation of cultural heritage is starting to become more visible after being motivated and accommodated by activists in NGOs in the field of cultural heritage preservation²⁴. In Bandung, the Bandung Heritage Society (BHS) was established in 1987 and plays an active role in protecting and managing cultural heritage in Bandung. BHS motivated the establishment of similar NGOs in various cities in Indonesia, namely Badan Warisan Sumatra (BWS) in Medan in 1998. The role of BWS is to educate the people of Medan and surrounding areas on the importance of cultural heritage protection.

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²⁴ Isnen Fitri, "Partisipasi Masyarakat Lokal Medan : Sebuah Tinjauan Atas Kriteria Nasional Pada Proses Penetapan Sebagai Cagar Budaya," *Berkala Arkeologi* 18, no. 2 (2015).

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