



Local Wisdom as a Form of Development Principles of Environmental Sustainability in Indonesia

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Abstract

This research is important to obtain the concept of developing the Principles of Environmental Sustainability in Indonesia, in order to preserve the marine environment against various forms of violations in the field of marine fisheries. The Principle of Environmental Sustainability is a moral approach and emphasizes more on preventive measures in the preservation of the environment in general and in particular the marine environment. For conditions in Indonesia, there is a potential for local wisdom of the community of an area spread throughout the archipelago as a form of real efforts to involve the community in the preservation of the marine environment. This research was carried out using a normative juridical approach, qualitative legal analysis with legal interpretation methods, and literature studies. The inclusion of Local Wisdom in the preservation of the marine environment is an important instrument as a form of Development of Environmental Sustainability Principles. The existence and role of local wisdom of coastal communities that are evenly distributed throughout the archipelago conceptually have the opportunity to be included as a form of developing the Principles of Environmental Sustainability in order to support the effectiveness and efficiency of monitoring the conservation of marine fishery resources.

Keywords: Supervision; Conservation; Fisheries; Sustainability; Nearby Awareness

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Introduction

The territory of the Republic of Indonesia, a single nation, is geographically an archipelagic state consisting of land, water and air, most of which is water. The sovereignty of the Republic of Indonesia in Indonesian waters and other waters must not only be preserved, but must be able to serve the best interests of the Indonesian people's prosperity. For this reason, as mandated by Her 1945 Constitution of the Republic of Indonesia, Indonesia's marine and fisheries resources (hereinafter referred to as SDKP) must be managed sustainably to promote common interests.

According to the Ministry of Maritime Affairs and Fisheries (KKP: 2017), the number of fishing crimes is still high year by year and is on the rise. The modus operandi of fishing crimes is determined from upstream to downstream when: b) when fishing (when catching fish); c) during landing (fish landing); d) after landing (fish processing stage).

Separately, KKP found that the distribution of vulnerability to destructive fisheries in Indonesia with high levels of vulnerability is in South Sulawesi, Riau Islands, West Nusa Tenggara, Papua and Aceh. Illegal fishing activities are commonly carried out by foreign fishing vessels (KIA) in the form of stealing fish in the Fisheries Management Areas of the Republic of Indonesia (WPP-NRI) and originate from several neighboring countries: Malaysia, Thailand, Philippines, Vietnam, China, Taiwan, Cambodia. Most of the illegal fishing takes place in Indonesia's Exclusive Economic Zone (ZEEI), which includes Lake Natuna, Lake Arafura and Lake Sulawesi, and also in archipelago waters. The types of fishing gear commonly used are purse seines and trawlers.

Prosecution of the various forms of violations listed above must be integrated into treatment, including enforcement of the entire legal system, including aspects of the legal system, legal substance, and legal culture (Dey Ravena and Kristina: 2017). In particular, this research focuses on law enforcement by strengthening aspects of the legal culture of communities that oversee the conservation of marine fish stocks. The current situation is still formal, and the general public has not yet touched the local wisdom body. The people of the region beyond, scattered throughout the archipelago. His aspects of the legal culture approach are consistent with environmental sustainability principles (Philippe Sands: 2012). The principle of environmental sustainability has long been recognized in international environmental law.

In the national realm, we have important tools to make that happen. It is Local Wisdom (Juliani: 2015), a form of moral approach to specific community groups. In certain areas of the display and processing of the environment. . Because the spirit and values embodied in Local Wisdom are universal, Local Wisdom is consistent with the global rules of international environmental law. Regulations for community participation in fisheries management are contained in Maritime and Fisheries Minister.

The specific aim of this study is to develop the concept of developing environmental sustainability principles in overseeing the conservation of Indonesia's marine fish stocks. Specifically, it incorporates aspects of local wisdom into environmental sustainability principles. The urgency of this investigation is based on the current situation where vulnerabilities have been identified and the potential for Local Wisdom has not been recognized with respect to community involvement in oversight of Indonesia's marine fisheries resource conservation activities.

Research Method

This study was conducted using a juridical normative approach. The analysis of the research subject is carried out by qualitative legal analysis, including legal interpretation. Data collection by literature study.

Results and Discussion

According to Lawrence M. Friedman (Dey Ravena and Kristian, 2017: 176-178), a comprehensive legal system should include: 2) the constituent elements of the entity, i.e. the legal entity (legal provision); 3) Components of legal culture, namely legal culture (legal culture). In order to realize the principles of environmental sustainability and international environmental law, there are several principles to ensure their enforcement as follows (Philippe Sands: 2012): Responsibility not to cause environmental destruction. 2) The Precautionary Principle. 3) the principle of cooperation; 4) Principles of Sustainable Development. 5) the precautionary principle, 6) the polluter pays principle, and 7) the principle of common but differentiated responsibility.

The principle of environmental sustainability as a moral approach places more emphasis on prevention, as recognized by the Iron Line tribunal: the law recognizes that activity in one area affects another. Formulated with reference to possible impacts. It states that the "duty to prevent" is now a general principle of international law that "applies not only to autonomous activities, but also to activities that implement specific treaties between parties."

Subsequent developments were confirmed by the International Court of Justice in the pulp mill case. The interrelationship between the duty to prevent harm and the need for due diligence was emphasized by the ICJ. The ICJ has characterized the duty to "act with due diligence" as one that requires a degree of care as well as the adoption of appropriate rules and measures.

Sustainability in the use of natural resources is also important to consider ecological aspects. The term ecology (Otto Soemarwoto: 1997, 22) comes from the Greek words *oikos* meaning house and *logos* meaning knowledge. Ecology therefore means the home science of organisms, or can also be interpreted as the science of the home of organisms. Otto Soemarwoto argues that ecology can also be described as a natural economy that trades in the form of matter, energy and information.

Since today's environmental management tends to be anthropocentric, i.e. looking at environmental problems in terms of human interests, the ecology needed is human ecology, the science that studies the interrelationships between humans and the environment.

Those who are endowed with reason and understanding by Almighty God can take advantage of their surroundings. Technical factors related to environmental use determine the magnitude of the benefits (economic value) and the resulting impact. The higher the performance of technology, the higher the benefits (economic value) that people can enjoy, both qualitatively and quantitatively. The environmental impact will certainly be greater. Strategies and techniques for managing environmental impacts are becoming increasingly important to address and improve their effectiveness.

Marine ecosystems have both living (living) and non-living (abiotic) organisms. The components of living organisms are composed of various kinds of animals and plants, from very small to large, and are in the system of the web of life (food chain). Abiotic elements such as water, soil, rocks and sand serve as support facilities for the survival of various species of plants and animals. The quality of sea water determines whether various animal and plant species can survive.

Based on the concept of human ecology, we have to balance two important things. b) environmental impact management; To achieve these two things, we must remember that both the use of natural resources and the management of environmental impacts are equally important human interests. The ocean and its contents, including marine fisheries resources, are elements of natural resources that must be exploited to increase levels of human prosperity. However, its use should not come at the expense of the environment. This is because the quality of the environment is very necessary for people to live their lives.

From the concept of human ecology specific to Indonesian conditions, there is an important tool for developing a widely recognized principle of environmental sustainability, namely local wisdom. Juliani (2015) explains that local wisdom is related to the customs and intellectual property of the local community. Local Wisdom is generally owned by people living in rural areas, including coastal communities based on fishery resources, which are vulnerable to risk and uncertainty. Studying Local Wisdom is important to gain an understanding of how local communities adapt to the environment and treat natural resources so that they are more equitable in assessing their capacities. The Local Wisdom Institute evolved evolutionarily as an accumulation of the experience of the local community for many years from generation to generation,

Empowerment of Local Wisdom is directed to support the effectiveness and efficiency of SDPL supervision activities. Mockler defines "Supervision" as follows (Steers, Ungson, Mowday: 1985): "Management control is a systematic effort to set performance standards with planning objectives, to design information feedback systems, to compare actual performance with these predetermined standards, to determine whether there are any deviations and to measure their significance, and to take any action required to assure that all corporate resources are being used most effectively and efficiently possible in achieving corporate objectives". As Clara Tiwow (2012) pointed out, the importance of monitoring the SDPL suggests that fish stocks in Indonesian waters have great potential but have not been optimally used for the benefit of the people. . Many obstacles stand in the way of realizing the lofty ideals of realizing the potential of the SDPL, including high levels of illegal, unreported and unregulated (IUU) fishing by fishing vessels, or illegal fishing as it is commonly abbreviated. It is under foreign control, under the Indonesian flag, and is showing signs of overfishing in some fisheries management areas.

Gjertsen (in Samsul Wahidin: 2019) in his research in 2005 that fishing activities carried out by humans without paying attention to the principles of sustainability and sustainability will cause many problems in the future. The capture fisheries sub-sector shows that fish stocks in several marine areas such as the Malacca Strait, Java Sea, South Sulawesi Coast, Bali Strait, and the Arafura Sea have experienced overfishing, as a result of management that does not heed the principle of overfishing. sustainability (sustainable). There are 3 (three) types of Marine Fisheries Resources (SDPL) management models in the context of monitoring SDPL conservation, namely: 1) Maximum Sustainable Yield (MSY), namely the SDPL management model based on the concept of maximum sustainable yield, starting from the biological growth model, maintain the biological balance of the SDPL so that it can be utilized optimally in the long term; 2) Maximum Economic Yield (MEY), namely the SDPL management model by finding the yield and effort points that can produce the maximum difference between total revenue and total cost; 3) Optimum Sustainable Yield (OSY), namely the SDPL management model that compromises the MSY and MEY approaches, is more of a modification of the MSY model so that it becomes relevant both in terms of economic, social, environmental and other factors, which is then better known as Total Allowable Catch (TAC).

namely the SDPL management model by finding the yield point and effort that can produce the maximum difference between total revenue and total cost; 3) Optimum Sustainable Yield (OSY), namely the SDPL management model that compromises the MSY and MEY approaches, is more of a modification of the MSY model so that it becomes relevant both in terms of economic, social, environmental and other factors, which is then better known as Total Allowable Catch (TAC). That is, the SDPL management model by identifying the revenue point and cost where the difference between total revenue and total cost is maximum. 3) Optimum Sustainable Yield (OSY), the SDPL management model, is a compromise between the MSY and MEY approaches and is a modification of the MSY model that takes into account economic, social, environmental and other factors are related from both perspectives as Total Allowable Catch (TAC).

Taking under consideration the approach of tracking the conservation of marine fishery resources (Trian Yunanda: 2020) via way of means of the Ministry of Maritime Affairs and Fisheries which has now no longer but optimized network participation, the empowerment of nearby knowledge of the archipelago network is an critical device to increase and realise the Principles of Environmental Sustainability in Indonesia. Some examples: a) Local Wisdom of fishing groups withinside the coastal place of East Kutai in sporting out fishing sports is classified primarily based totally at the ideals and taboos of fishing groups, both before, during, or after fishing sports. Likewise, nearby know-how and strategies of fishing groups associated with fishing gear, boats/ships, and fishing patterns. Apart from that, ethics and policies associated with the profit-sharing device and advertising of the trap also are studied, in addition to diverse sorts of herbal aid control (forests and waters), nearby institutions, and so forth associated with the nearby knowledge of the network. The fishing groups who stay in 7 (seven) coastal sub-districts (Gulf Pandan District, South Sangatta, North Sangatta, Bengalon, Kaliorang, Sangkulirang, Sandaran) East Kutai have nearby knowledge this is intently associated with fishing sports at sea; b) Local Wisdom withinside the coastal groups of Gili Ketapang Island Probolinggo, with the bulk of fishermen's livelihoods there's nearby knowledge primarily based totally on Islam that is used as a profile of authentic nearby knowledge at the coast of Gili Ketapang Island Probolinggo as a reference in network control this is seasoned to the environment, inclusive of the following: a) Petik Laut (picking the ocean), the ocean choosing subculture is completed each yr however nevertheless with the settlement of the Gili islanders, whether or not to do it this yr or now no longer. In this subculture, after the researchers interviewed numerous informants, the date and time of the occasion have been uncertain, because of this that that there's no set date for the scheduled sea choosing. This is due to the fact there's an settlement that turned into received thru previous deliberation performed via way of means of network leaders and a number of the Gili Island network in order that if the network needs it, the ocean-choosing subculture can be completed via way of means of the needs of the Gili Island humans. The association of occasions withinside the citation of the ocean: (1) Selamedden (salvation) is completed via way of means of the humans of the Gili islands, commonly led via way of means of nearby network leaders; (2) Jittek (reproduction boat), This reproduction of the boat that may be floated at sea is full of diverse offerings, from tumpeng to cow's head after which can be floated at sea observed via way of means of fishing boats. The contents of this jitter are commonly withinside the shape of a cow's head, family equipment (clothes, kitchen utensils, day by day human needs), clothing, or even the ocean choosing subculture withinside the beyond the use of gold and jewellery that turned into located in the ears of the cow's head to be crushed; (3) In the evening, this system keeps with kreningen or tabbuen or a ketoprak/ludruk performance, that is mainly invited from Madura Island and can be watched via way of means of the general public in a crowd in a area positioned west of the Gili Island place. For this occasion, the Gili Island humans name it kreningen or tabbuen; b) Onjem or Rumpon, Onjem is one manner for the Gili Ketapang island network to growth fish catches. This approach is a subculture handed down and handed down via way of means of the humans of the Gili Ketapang island and remains being completed that is usually called Rumpon. This approach is selected to be located on the selected spot, that is taken into consideration to have lots of coral round Gili Island. This is thought due to the fact the reef is a meeting place for fish. Rumpon is still traditionally made in the Gili Islands. The materials for this Rumpon consist of dried coconut leaves, small branches, old tires, caster ropes, and large rocks used as ballast. Nature, which has been handed down from generation to generation, is an image of how humans adapt to the environment in the middle of the sea, and is still valid today in modern times. The manufacturing technology is very good. Easy. The fishing community of the Gili Islands, with the help of modern tools like today, has no problem trying to arrest him in one place. We usually use tools such as trees found in the Gili Islands and mountains in Java; c) Local Wisdom in Lembata- East Nusa Tenggara: Badu, Muro, Kolo Umen Bale Lamaq,

Poan Kemer Pulu Larang, Toto, Bito Berue, Lepa Nua Dewe, Bruhu Bito, Leffa Nuang. These traditions and wisdom play a very strategic role in the management of coastal and marine resources. Local awareness and aspirations among coastal communities and fishermen in Lembata District, East Nusa Tenggara for local wisdom, customary traditions and customary law values related to the management of marine and coastal natural resources remains very strong. Recognized as and respected by the community. This awareness is expressed through various rituals before and after harvesting and cultivation activities. Because they realize that their life being is inseparable from the beings of other sentient beings who live with them on the same earth. It is particularly related to the development and conservation of marine resources and coastal communities in Lembata District, East Nusa Tenggara, and some of them have a local wisdom called 'Badu'. and is still well cared for by the local community. According to key figures and local communities, badu means exploitation (open badu) when capture is allowed and protection when prohibited/closed. means (letu badu). It is a ritual where the people of this region catch seafood for free, and it takes place both in the coastal areas (Lewu Leing) and in the mountains (Lewu Werang). This activity means feeding many people and enjoying together what the locals call the Pau Ribu Ratu. Badu is still recognized and accepted and is still well cared for by local communities, means protection if forbidden/closed (letu badu). It is a ritual where the people of this region catch seafood for free, and it takes place both in the coastal areas (Lewu Leing) and in the mountains (Lewu Werang). This activity means feeding many people and enjoying together what the locals call the Thousand Queens of Pau. Badu is still recognized and accepted and is still well cared for by the local community. Badu means exploitation when capture is allowed (open badu) and protection when prohibited/closed (letu badu), according to key figures and local communities. It is a ritual where the people of this region catch seafood for free, and it takes place both in the coastal areas (Lewu Leing) and in the mountains (Lewu Werang). This activity means feeding many people and enjoying together what the locals call the Pau Ribu Ratu. Badu means exploitation when capture is allowed (open badu) and protection when prohibited/closed (letu badu), according to key figures and local communities. It is a ritual where the people of this region catch seafood for free, and it takes place both in the coastal areas (Lewu Leing) and in the mountains (Lewu Werang). This activity means feeding many people and enjoying together what the locals call the Pau Ribu Ratu. 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The stages of opening Badu (Buka Badu) are carried out as follows: a) The ruler of the marine area or coast guard (Nama Watan) conveys to the ulayat/customary ruler (Kebelen Raya) that there is plenty of fish in the waters of the Badu area, so the time has come. Open Badu activities can be carried out; b) The ulayat leader (Kebelen Raya) together with other figures and the local government plan and determine the right time for the opening of Badu; c) Based on a time agreement determined by Kebelen Raya, the coast guard (Nama Watan) will immediately inform the owners of boats, canoes, and trawlers as well as the wider community in the village area, including those in the mountains (Lewu Werang) to catch fish in badu clearing areas; d) All fishing equipment and fishermen and the community must perform ritual offerings which in the local language are called "tunu muku manu" which has the meaning of feeding the ancestral spirits/spirits (pau lewotana) who have died at sea. This event is carried out by a traditional elder (Ata Molang) who has the authority to carry out the ritual; e) After the tunu muku manu and pau lewotana rituals are completed, the coast guard (Name Watan) will go into the sea and release the first trawler, followed by the others, while Kebelen Raya does not make any arrests, but Kebelen Raya always gets a share of all those who own boats, canoes, and trawlers; f) The Badu breaking ceremony only takes place one day a year, from morning to evening. When the day begins twilight and welcomes the evening Kebelen Raya together with Nama Watan and the local village government must hold a ban/closing event (Letu Badu). The event was marked by the sticking of a wooden pole which was tied with a white coconut leaf; d) Local Wisdom of the people on Bintan Island, Riau Islands Province, which is the Dugong's habitat. Several coastal locations on Bintan Island have a relatively good seagrass ecosystem, which is one of the most productive ecosystems in the sea commonly used by Dugongs. Local knowledge of possible conservation of dugongs is in the form of fishing gear that is environmentally friendly

and does not harm the seagrass ecosystem: Bekarang, Nyondong, fishing rods, bubu bento, hooked nets, and there are some no-take areas. However, one of the prohibited areas is the seagrass ecosystem, which means the sustainable protection of the seagrass ecosystem. Also, the 'Lobang Pari' regional study conducted by the Anambas community in the Riau Islands is one of the efforts to create a sustainable fish stock by closing the lagoon for her five years. The coastal areas of Sumatra are surrounded by mangrove forests, which protect villages from high winds and abrasion, and forest conditions are still sufficient, as are opportunities to catch crabs, shrimp, or potential fish in the only mangroves present. is kept in If the mangroves are well maintained and do not damage the environment of the mangrove forest. Jamu Laut parties have been run by the Jaring Halus community for generations. Jamu laut or sea jam party is held by killing animal sacrifices, a coastal ritual commonly seen among people on the east coast of North Sumatra. It is inseparable from the life of a fisherman. It has an important meaning in the life of the whole community of Jaring Halus village. Jamu laut implementations involve the community during and after implementation. The community follows ritual processes and the taboos imposed after the Jamlaut ceremony. Initially, the Seaherb Festival in Jaring halus village was held annually, but now the Seaherb Festival is held every three years. Sopian's supervisor said the change was due to more people now. In the past, it was somewhat easier to regulate the number of population (residents) so that abstinence was not violated, but as the population increased, it became increasingly difficult to maintain abstinence, as abstinence violations would result in violators. It's getting harder.

The few examples of local wisdom in various regions above represent the forms of local wisdom found throughout Indonesia, wise ways of the marine environment, including resources, to protect marine fisheries. , showing the richness of local culture with a global and universal perspective. Sustainability is maintained when using marine marine resources from the marine environment because it is done in a way that does not damage the marine environment.

Taking into account the opinion of MS Lubis (Iman Pasu Marganda Hadiarto Purba: 2017) and the opinion that cultural dimensions represent a set of values and the opinion of Soerjono Soekanto (Iman Pasu Marganda Hadiarto Purba: 2017). Culture is defined as the collective social values related to law. In keeping with Romli Atmasasmita (2012). Romli Atmasasmita (2012), in pyramid building, initiated an integrative legal model in which the legal system forms an interactive and hierarchical relationship between he three elements: the value system. The system of norms and the system of behavior, in a single social system. Romli Atmasasmita further stressed that law, seen only as a system of norms and behavior systems and used as a "bureaucracy", loses its spirit if it ignores the value system.

Satjipto Rahardjo (in Taking into account the progressive legal model developed by Romli Atmasasmita: 2012), one of his thoughts is: So it is also important to be mindful of cultural approaches and use them to make law enforcement more streamlined. Enhancing Participant Culture (Muh. Sudirman Sesse: 2013) is important both conceptually in shaping laws and regulations and in the practical realization of local wisdom in law enforcement.

Effective implementation of preventive measures requires the support of a strong legal culture in the community. Indonesian people are *Bineka Tunggal Ika*, units are diverse and contain differences, so in addition to the national outlook on life, there are local outlooks on life or local groups. By tracing human behavior in people's lives, this local legal system demonstrates a series of interconnected mechanisms of function and role in successive legal processes of the past, present and future. I'm here. The region's legal system is therefore bound to an ideal model. The ideal pattern is that of legal culture intended to be adopted by a particular community. An ideal pattern is a basic pattern that is reflected in various conceptual forms such as views on life, views on life, legal ideals, legal norms, and legal actions, and in which initial functions as a legal system are mutually related. Political measures for legislation through a cultural approach were eventually included in the 1998 National Policy Guidelines (GBHN). The "cultural" dimension in the 1998 GBHN was placed as a sub-system of legal development, as follows: 1) The development and development of legal culture is directed to shape the attitudes and behavior of community members including state administrators in accordance with the values and norms of Pancasila so that the legal culture is more deeply internalized in people's lives, so that awareness, obedience and legal compliance will increase and human rights will be more respected and upheld; 2) Awareness to increasingly respect and uphold human rights as the practice of Pancasila and the 1945 Constitution is directed at the enlightenment of human dignity and worth and to promote the general welfare and the intellectual life of the nation; 3) The development and development of a legal culture is aimed at creating peace and order and upholding the law with the core of honesty, truth and justice in order to create legal certainty in the context of growing national discipline; 4) Legal awareness of state administrators

and the public needs to be improved and developed continuously through education, counseling, socialization, role modeling and law enforcement to respect, obey and obey the law in an effort to create a nation with a legal culture.

A strong community legal culture illustrates the existence of a strong legal awareness of the community. Strong public legal awareness is needed to support community participation in law enforcement activities on the supervision system for the conservation of Indonesian marine fishery resources.

The importance of "Supervision" for an organization according to Steers et al is based on several considerations as follows (Steers, Ungson, Mowday: 1985): a) Most organizations exist in turbulent environments; b) The growing complexity of today's organization means that more controls are needed to coordinate departments and divisions; c) People make mistakes; d) Control systems often provide a way of monitoring subordinates who have been given tasks.

Monitoring systems enable organizational managers to anticipate the effects of changes inside and outside an organization's environment that directly or indirectly affect organizational operations, and to establish appropriate action plans to respond to the changes. You can give instructions to these changes. Inter-departmental issues within an organization are so complex that they require close scrutiny and increased coordination between departments within the organization. Monitoring is important based on the premise that someone could or could make a mistake or deviate from the gist of the policies established by the organization.

This kind of community oversight (Makmur: 2015) is therefore necessary because it is known that the state has the community as citizens and the government as the state manager, so the control of the state is based on the constitution. to prevent state abuse. power and resources. citizen. The expected role of the community is to actively participate in SDPL management planning, use of the SDPL, and management of the use of the SDPL. A form of active community involvement can take the form of activities or activities undertaken by the community in planning the SDPL, using the SDPL, and managing the use of the SDPL. Activities or Community Activities are Planning for the SDPL, Use of the SDPL, and SDPL. Thus, by enhancing local wisdom, especially in coastal communities, it becomes clear that there is an obligation to involve communities as agents or agents in the management of the SDPL. The involvement of the role of the community through the Local Wisdom Institute can be specifically regulated in the form of laws and regulations with laws and regulations to further ensure legal certainty and effectiveness in its application.

Conclusions

The environmental sustainability principles currently known in international environmental law do not take into account the presence and role of local wisdom. Unique to the Indonesian context, the presence and role of local wisdom in coastal communities evenly distributed across the archipelago is conceptually seen as one of the key elements and forms of the development of environmental sustainability principles. You have the opportunity to be included, validated and supported. Efficiency of monitoring the conservation of marine fish stocks. The involvement of the role of the community through the Local Wisdom Institute can be specifically regulated in the form of laws and regulations with laws and regulations to further ensure legal certainty and effectiveness in its application.

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