



INDONESIA'S LAWMAKING FOR SUSTAINABLE DEVELOPMENT AGENDA: A REVIEW OF LEGAL FRAMEWORKS AND POLICY PROGRESS

PEMBUATAN PERATURAN PERUNDANG-UNDANGAN DI INDONESIA UNTUK AGENDA PEMBANGUNAN BERKELANJUTAN: TINJAUAN KERANGKA HUKUM DAN KEMAJUAN KEBIJAKAN

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Abstrak

Makalah ini mengkaji upaya Indonesia dalam menyelaraskan kerangka hukum nasionalnya dengan tujuan pembangunan berkelanjutan global, khususnya dalam konteks perlindungan lingkungan. Indonesia menghadapi tantangan yang kompleks: menyeimbangkan industrialisasi yang pesat dengan keberlanjutan lingkungan, seperti yang ditunjukkan oleh bencana alam yang sering terjadi. Melalui tinjauan hukum lingkungan utama dan perjanjian internasional, termasuk Protokol Kyoto dan Perjanjian Paris, makalah ini menilai komitmen hukum Indonesia terhadap pembangunan berkelanjutan. Makalah ini juga mengkaji peran peraturan nasional dalam memajukan Tujuan Pembangunan Berkelanjutan (SDGs), khususnya dalam mengatasi perubahan iklim. Makalah ini menyimpulkan bahwa meskipun Indonesia telah membuat kemajuan signifikan dalam pembuatan undang-undang, tantangan substansial tetap ada dalam hal implementasi yang efektif.

Kata Kunci: Pembangunan Berkelanjutan, Perubahan Iklim, Hukum Lingkungan

Abstract

This paper explores Indonesia's efforts in aligning its national legal frameworks with global sustainable development objectives, particularly in the context of environmental protection. Indonesia faces a complex challenge: balancing rapid industrialization with environmental sustainability, as highlighted by frequent natural disasters. Through a review of key environmental laws and international agreements, including the Kyoto Protocol and the Paris Agreement, the paper assesses Indonesia's legal commitment to sustainable development. It also examines the role of national regulations in advancing the Sustainable Development Goals (SDGs), particularly in addressing climate change. The paper concludes that while Indonesia has made significant progress in lawmaking, substantial challenges remain in terms of effective implementation.

Keywords : Sustainable Development, Climate Change, Environmental Law

INTRODUCTION

Indonesia is a country marked by rapid industrialization and significant environmental vulnerability. Over the past few decades, the country has experienced numerous natural disasters—earthquakes, floods, and volcanic eruptions—which have underscored the urgency of addressing environmental degradation. The situation has brought into sharp focus the need for sustainable development that balances economic growth with environmental protection. Indonesia's aspiration



to become a highly developed nation by 2025, as outlined in the Master Plan for the Acceleration and Expansion of Indonesia's Economic Development (MP3EI), emphasizes industrial expansion. However, the rapid pace of industrialization has led to environmental crises that threaten long-term ecological stability.

This paper aims to examine Indonesia's legal frameworks and regulations designed to achieve sustainable development, particularly in the context of its commitment to the Sustainable Development Goals (SDGs) and international environmental treaties like the Kyoto Protocol and Paris Agreement. While Indonesia has made considerable strides in aligning its laws with global sustainability agendas, the country faces ongoing challenges in implementing these laws effectively.

METHODOLOGY

This study employs a normative legal analysis methodology to explore Indonesia's laws, policies, and regulations regarding sustainable development. The analysis focuses on key legal documents, including Indonesia's Environmental Protection Law (1982), Environmental Management Law (1997), and the Law on Environmental Protection and Management (2009), which form the legal basis for sustainability efforts in the country. In addition, the study examines Indonesia's participation in international environmental agreements, specifically the Kyoto Protocol and Paris Agreement.

Data was collected from primary legal texts, government reports, international treaties, and academic literature on sustainable development and environmental law. The paper also reviews Indonesia's National Development Plan and Presidential Regulation No. 59 of 2017, which outlines the country's strategy for achieving the SDGs. This approach allows for a comprehensive understanding of how Indonesia's legal framework aligns with its sustainability goals and how these laws address the challenges posed by climate change.

RESULTS AND DISCUSSION

1. Results

Key Findings

Indonesia has made considerable progress in integrating sustainable development principles into its legal and policy frameworks. The country has passed several key environmental laws that reflect global sustainable development goals, including the Environmental Protection Law (2009) and Presidential Regulation No. 59 (2017) for SDG implementation.

Additionally, Indonesia has ratified significant international agreements like the Kyoto Protocol and Paris Agreement, demonstrating its commitment to global climate action. However, the challenge remains in the effective implementation of these laws. Despite having a solid legal framework, issues such as weak enforcement, insufficient funding, and lack of technical capacity persist.



Challenges in Implementation

The main barriers to effective implementation of Indonesia's sustainable development agenda include :

1. Weak enforcement mechanisms: While Indonesia has strong environmental laws, enforcement remains inconsistent due to limited institutional capacity and corruption.
2. Limited financial resources: Adequate funding for environmental protection projects and SDG initiatives remains a challenge.
3. Public participation: While public participation is a principle enshrined in law, in practice, the involvement of local communities in decision-making is often minimal.
4. Climate change vulnerability: Indonesia's geographical location and susceptibility to natural disasters require significant investment in climate-resilient infrastructure and disaster risk management.

2. Discussion

The Concept of Sustainable Development

Sustainable development has become a central focus of global environmental law, integrating economic, social, and environmental objectives into one overarching goal. Initially introduced in the Stockholm Conference (1972) and later expanded by the Brundtland Commission in 1987, the concept of sustainable development has evolved to emphasize the need for development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This concept has been adopted globally through key international frameworks like the Rio Declaration (1992), which introduced the three pillars of sustainable development: economic, social, and environmental sustainability.

For Indonesia, achieving sustainable development is particularly challenging due to its growing population, heavy reliance on natural resources, and vulnerability to environmental disasters. The country's rapid industrialization, aimed at achieving the targets set under the MP3EI, creates a paradox: how to foster economic growth while preserving the environment for future generations.

Indonesia's Legal Framework for Sustainable Development

Indonesia has taken important steps to integrate sustainable development principles into its legal system. The Environmental Protection Law (1982), the first significant piece of environmental legislation, laid the groundwork for sustainable development by emphasizing the importance of protecting the environment for future generations. This law was later replaced by the Environmental Management Law (1997) and further updated by the Law on Environmental Protection and Management (2009). These laws reflect an evolving commitment to environmental sustainability, incorporating principles such as the right to a healthy environment, public participation in decision-making, and sustainable use of natural resources.

The 2009 Environmental Protection and Management Law is particularly significant as it explicitly incorporates the principles of sustainability and social justice, reflecting the three



pillars of sustainable development. Furthermore, Indonesia's Constitution (1945), specifically Article 33, mandates that natural resources should be used for the welfare of the people, reinforcing the integration of social and environmental concerns in development.

However, despite these legal advancements, the challenge lies in the implementation of these laws. Indonesia has struggled with issues of enforcement, corruption, and lack of technical capacity, which hinder the effective application of these laws at the national and local levels.

Indonesia's International Commitments: Kyoto Protocol and Paris Agreement

In addition to national laws, Indonesia has also made significant international commitments to address climate change and environmental sustainability. The Kyoto Protocol (1997), which Indonesia ratified in 2004, established binding emission reduction targets for industrialized countries. While developing countries like Indonesia were not required to reduce emissions under the Protocol, the country's involvement in the global climate change regime reflects its growing role in international environmental governance.

Indonesia's commitment was further solidified with the ratification of the Paris Agreement in 2016. Under this agreement, Indonesia has committed to reducing its greenhouse gas emissions by 29% by 2030, with a potential increase to 41% with international support. This demonstrates Indonesia's alignment with global efforts to limit global temperature rise to below 2 degrees Celsius above pre-industrial levels.

Achieving the SDGs: Indonesia's National Strategy

Indonesia has also committed to achieving the Sustainable Development Goals (SDGs), which were adopted by the United Nations in 2015 as part of the ****2030 Agenda for Sustainable Development****. The ****Presidential Regulation No. 59 (2017)**** provides the framework for integrating the SDGs into Indonesia's national development plan. The regulation sets out specific targets for each of the 17 SDGs, with a focus on climate action (SDG 13), poverty reduction (SDG 1), and sustainable cities (SDG 11).

Despite this legal framework, challenges remain in translating these goals into effective policies. The success of Indonesia's SDG agenda will depend on the implementation of key measures, such as improving public participation, ensuring financial resources for sustainable development projects, and enhancing transparency in governance.

CONCLUSION

Indonesia has shown a clear commitment to achieving sustainable development through a combination of national laws, international treaties, and policy initiatives. Despite having a strong legal foundation, the country faces significant challenges in translating these frameworks into effective outcomes, particularly in the areas of climate action and disaster resilience. The tension between economic development and environmental protection remains a key issue, and Indonesia must strengthen its enforcement mechanisms, increase financial investments, and ensure greater public participation to meet its SDG targets.

Indonesia's experience highlights the broader challenge of balancing growth and sustainability in developing countries and underscores the importance of international cooperation



in addressing climate change. Future efforts should focus on overcoming implementation challenges, ensuring that legal frameworks are not only aspirational but also practically effective in achieving sustainable development goals.

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