

The Government of Indonesia's Policy Towards the Triple Planetary Crisis in the Environment and Sustainable Development Agenda in the Perspective of Environmental Law

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Abstract

The environment is a vital boon that now faces serious threats due to industrialization, pollution and climate change. Indonesia, as a country of megabiodiversity, is experiencing great pressure on the sustainability of its natural resources. Although it has regulations such as Law No. 32 of 2009 on Environmental Protection and Management, Implementation Challenges are still very large. The Triple planetary crisis-climate change, pollution, and biodiversity loss carries significant ecological, social, and economic impacts. A clear example is the shrinking of glaciers in Papua and the destruction of primary forests due to industrial and mining activities. This study uses normative juridical methods with a legislative, conceptual, and comparative approach to other countries such as the European Union and Costa Rica. The first discussion highlighted that although Indonesia has a complete legal framework, implementation of environmental policies is still hampered by the weak legal binding power of strategic documents such as IBSAP, overlapping authority between the central and regional levels, as well as the lack of Cross-Sector Coordination and consistent funding. The second discussion focused on the "Environment and Sustainable Development" agenda by the Ministry of Environment and Forestry (KLHK), including the preparation of the 2025-2055 Environmental Protection and Management Plan (RPPLH) and the 2024 party. MoEF also cooperates with international organizations such as UNEP and IUCN in strengthening environmental monitoring and conservation. Although policies have been designed with a clear direction, the gap between their formulation and implementation remains a major obstacle in environmental governance in Indonesia.

Keywords: Policy, Environment, Triple Planetary Crisis.

INTRODUCTION

The environment is a vital gift of God for human life and other living things. However, the pace of industrialization, population growth and changing times cause great stress on the environment, which leads to serious degradation. These conditions require strong and adaptive environmental laws. In the formation of law, it is important to understand the legal ratio, which is the rational reason that underlies the rules, which is the basis for the interpretation of the law. Law has the function of regulating human behavior and is carried out with sanctions by the authorities. Understanding the law and its legal ratio is very important to create fair, effective, and sustainable regulations for the environment.¹

The world is currently facing a very complex and interrelated environmental challenge, known as the triple planetary crisis: climate change, pollution and pollution, as well as the accelerated loss of biodiversity. These three crises not only threaten the sustainability of the global ecosystem, but also have a direct impact on social, economic, and development resilience around the world, including Indonesia. The nickname "lungs of the world" given to Indonesia is not just a baseless metaphor. Indonesia has the third largest tropical rainforest in the world after Brazil and the Democratic Republic of Congo. These forests serve as

¹ Gatot Soemartono, R. M. (1991). *Mengenai Hukum Lingkungan Indonesia*. Sinar Grafika, Jakarta, hal, 23

a natural carbon sink, habitat for biodiversity, as well as a source of economic and social life for the millions of communities that live in their vicinity.²

According to data from the Ministry of Environment and Forestry (MoEF), more than 120 million hectares of forest cover Indonesia, which contributes an important role in mitigating global climate change by absorbing large amounts of carbon emissions. This ecological function is vital given the high greenhouse gas emissions from the energy and transport sectors. However, behind this huge potential, Indonesia's forests face serious threats from illegal practices such as illegal logging, forest burning, and massive land conversion for industrial, mining, and oil palm plantation expansion. Many of these activities are carried out without official permission, involve local actors as well as large companies, and are often not matched by reforestation or environmental rehabilitation efforts. The impact is real and layered which includes :

- 1) Ecological impacts, namely the increasing frequency of disasters such as floods, landslides, and droughts.
- 2) Climatic impacts - the release of carbon from forest fires-contribute to global warming.
- 3) Socio-economic impacts, namely those that cause land conflicts, loss of livelihoods, and health crises due to smog.

The analysis of Sutomo (2009) which states that the condition of forests that have been degraded must be restored immediately, remains relevant to this day. Rehabilitation efforts through replanting (reforestation), peatland restoration, and involvement of local communities in sustainable forest management are key steps so that forest functions can be optimal again³.

As a country with abundant natural resources, Indonesia is in a strategic position as well as vulnerable to the effects of the global environmental crisis. Climate change is causing an increase in the frequency of natural disasters such as floods, droughts and forest fires. Air, water, and soil pollution also threaten public health and economic productivity. Meanwhile, the high rate of biodiversity loss due to deforestation, land conversion, and overexploitation of Natural Resources raises concerns about the long-term sustainability of the environment⁴. Indonesia is facing three major interrelated environmental challenges, known as the triple planetary crisis: climate change, pollution and pollution, and biodiversity loss. This condition not only threatens the ecosystem, but also affects the social and economic welfare of Indonesian people.⁵

- 1) Climate Change

Indonesia is currently experiencing significant impacts from global climate change which is increasingly worrying. The year 2024 was recorded as the hottest year in history, with global average temperatures increasing by 1.45°C compared to the pre-industrial era (1850-1900). This rise in temperature is triggered by greenhouse gas emissions from human activities, aggravated by the El Niño phenomenon. The impact is particularly pronounced in Indonesia, especially in sensitive areas such as Puncak Jaya in Papua, the only region in Indonesia that has tropical glaciers. In the past two years, there has been a drastic shrinkage of ice in this region. In 2022, the area of the ice sheet was still about 0.23 km², but in 2024 it shrank to only 0.11–0.16 km². That is, almost half of the ice mass has been lost in just two years. This indicates a very fast and alarming rate of ice melting, with predictions that the ice in Puncak Jaya could completely

² Shafira Salsabil Auliyya Ansar. (2024). Peninjauan Bencana Alam akibat Deforestasi Hutan dan Tantangan Penegakkan Hukum mengenai Kebijakan Penebangan Hutan Berskala Besar di Indonesia. *Indonesian Journal of Law and Justice*, Volume: 1, Number 4, hal 1-11

³ Sutomo. (2009). Kondisi vegetasi dan panduan inisiasi restorasi ekosistem hutan di bekas areal kebakaran Bukit Pohen Cagar Alam Batukahu Bali (Suatu kajian pustaka). *Jurnal Biologi Udayana*, 13(2).

⁴ Rosefi, dkk. (2024). Peran Pemerintah Dalam Membangun Kesadaran Masyarakat Terhadap Krisis Iklim Global. *Jurnal Hukum Progresif*, 7(11), 86

⁵ Faturrohman, Lucki Hidayanto, DKK, (2024), Analisis Dampak Perubahan Iklim Terhadap Hak Pada Manusia, *TERANG : Jurnal Kajian Ilmu Sosial, Politik dan Hukum*, Volume 1 No. 3 September , Hal 01-08, <https://doi.org/10.62383/terang.v1i3.346>

disappear in the next few years. This phenomenon is not only an indicator of global climate change, but also has a direct impact on local ecological systems, such as changes in water flow, loss of microhabitats, and potential disturbances to the environmental balance in the Papua region. In addition, the shrinking of this ice also has a strong symbolic meaning, marking that even the tropics are not immune to the climate crisis. These changes are clear evidence that Indonesia is at the forefront of climate change impacts and requires serious and integrated mitigation and adaptation efforts. Collective action from governments, communities, and the international community is critical to reducing emissions and maintaining national environmental sustainability.⁶

2) pollution

Air, water and soil pollution in Indonesia are showing increasingly alarming trends in line with population growth and environmentally unfriendly economic activity. One of the most tangible indicators is the increase in domestic waste production which is projected to reach 82.2 million tons per year by 2045, up significantly from the current estimate. If this trend continues without an effective and sustainable management system, existing landfills (TPA) are predicted to reach full capacity by 2028. Landfills that are already overloaded run the risk of polluting the surrounding environment, especially water bodies such as rivers, lakes and seas, through leachate (liquid resulting from the decay of waste) that seeps into the soil and water. In addition to polluting water, the process of decomposing organic waste in landfills also produces methane gas, which contributes greatly to global warming and worsens local air pollution. On the other hand, many major rivers in major cities such as Citarum, Brantas, and Musi have been heavily polluted due to direct disposal of domestic and industrial waste without treatment. Soil pollution is also increasing due to the accumulation of plastic waste and waste of toxic hazardous materials (B3) that are not managed. Without systemic intervention, these conditions will have an impact on people's quality of life, Public Health, availability of clean water, agricultural productivity, and long-term environmental sustainability. Therefore, Indonesia urgently needs the transformation of the waste and waste management system, including the strengthening of treatment infrastructure, increasing public awareness, as well as the implementation of the principles of the circular economy and the responsibility of producers in the management of post-consumption products⁷.

3) Loss Of Biodiversity

Indonesia is one of the most megabiodiversity countries in the world, being home to about 12% of all mammal species globally, including rare and endemic species such as orangutans, Sumatran tigers, and anoa. However, this biodiversity condition faces serious threats, as about 25% of Indonesia's native mammal species are now threatened with extinction due to habitat destruction, illegal hunting, and landscape changes. One of the main causes of the threat is the continued deforestation. In 2020, Indonesia's primary forest loss rate was recorded at 270 thousand hectares, placing the country as one of the highest deforestation rates in the world. This deforestation is largely driven by the expansion of extractive industries, especially mining and plantations, which convert natural forest areas into areas of exploitation. Furthermore, about 73.47% of Indonesia's coal mining area is on the island of Kalimantan, a region rich in biodiversity and important habitats such as tropical rainforests and mangrove ecosystems. Massive mining activity in the region leads to extensive habitat degradation, soil and water pollution, and ecosystem fragmentation that limits wildlife's range of motion. The presence of Mines near conservation

⁶ "Bappenas Beberkan Dampak Ngeri Krisis Iklim dan Sampah ke Indonesia," diakses dari https://ekonomi.bisnis.com/read/20240729/9/1786425/bappenas-beberkan-dampak-ngeri-krisis-iklim-dan-sampah-ke-indonesia?utm_source=chatgpt.com

⁷ Triple Planetary Crisis dan Penguatan Tata Kelola Keragaman Hayati," diakses dari https://www.aeer.or.id/triple-planetary-crisis-dan-penguatan-tata-kelola-keragaman-hayati/?utm_source=chatgpt.com.

areas and mangroves also exacerbates the damage, disrupting ecological functions such as carbon sequestration, coastal protection, and sustaining the livelihoods of local communities. If this trend is not stemmed, Indonesia risks losing most of its iconic species in the near future. Therefore, stronger protection policies, a moratorium on mining expansion in high-risk areas, consistent enforcement of environmental laws, and the involvement of Indigenous and local communities in maintaining high ecological value areas are needed to ensure the sustainability of National Biodiversity.

4) efforts of the Government of Indonesia through the Ministry of Environment and Forestry
In response to this environmental crisis, the Ministry of Environment and Forestry (MoEF) has launched various strategic policies and programs. On the anniversary of World Environment Day 2024, LHK Minister Siti Nurbaya emphasized the importance of public participation in overcoming these three global crises, focusing on land restoration, desertification, and drought resilience MoEF also supports environmental conservation by the younger generation, as seen in the activities of the Youth Conservation Camp 2024 on Pramuka Island, which involves mangrove planting and coral reef rehabilitation⁸. In response to this, the Indonesian government through the Ministry of Environment and Forestry (MoEF) has formulated and implemented various strategic policies that are in line with the global agenda, especially in the framework of 'Environment and Sustainable Development'. Although the government has implemented various programs and policies such as strengthening climate policy, national waste management, ecosystem restoration, biodiversity conservation, to the implementation of the circular economy principle as part of the response to the triple planetary crisis (climate change, pollution, and biodiversity loss), its implementation on the ground still faces various challenges., Weak law enforcement against illegal activities that threaten biodiversity in Indonesia is one of the main factors causing the continued decline in protected species populations and the destruction of natural ecosystems. Although Indonesia has a number of strong regulations such as Law No. 5 of 1990 on the Conservation of Natural Resources and ecosystems, law no. 32 of 2009 on Environmental Protection and management, as well as the Forestry and fisheries law, its implementation in the field is still weak.

During this time, the implementation of various biodiversity action plans in Indonesia, such as BAPI 1993, IBSAP 2003-2020, and IBSAP 2015-2020, faced repeated challenges, especially the absence of a binding legal basis. This lack of legal force has caused many programs that have been designed cannot be implemented consistently and sustainably, because their nature is more of a strategic planning document without clear obligations to stakeholders. This has an impact on weak coordination between sectors, limited policy integration at the national and regional levels, and not optimal monitoring and evaluation of the implementation of biodiversity programs. In addition, the lack of sustainable funding and not optimal use of technology is also a major obstacle in efforts to protect and manage biodiversity effectively. Various illegal activities such as hunting and wildlife trade, encroachment on conservation areas, illegal logging, and destructive fisheries continue to occur due to low surveillance capacity and lack of deterrent effect for perpetrators. Law enforcement officers in the regions often lack resources and training, while legal sanctions against violations are often mild and not strictly enforced. In addition, corrupt practices and weak coordination between agencies such as the MoEF, police, and local governments make the enforcement process ineffective. This situation is compounded by the extent of conservation areas that are difficult to monitor thoroughly and the low participation of the community in environmental monitoring. As a result, many endemic and rare species such as Sumatran tigers, orangutans, and other rare birds continue to be endangered, and Indonesia is at risk of losing a huge potential of its biodiversity, both from the ecological, economic, and cultural aspects. To improve this condition, it is necessary to increase the

⁸ "Hadapi 3 Krisis Planet, KLHK Tanam Mangrove & Terumbu Karang di Pulau Pramuka," diakses dari https://news.detik.com/berita/d-7565324/hadapi-3-krisis-planet-klhk-tanam-mangrove-terumbu-karang-di-pulau-pramuka?utm_source=chatgpt.com.

capacity and budget for environmental law enforcement, the use of monitoring technology such as drones and satellite imagery, as well as more assertive and transparent law enforcement, including to large industry players who are often the main actors behind environmental crimes.

Legal research methods

This research uses normative legal research method, which is often referred to as library research. Normative legal research aims to examine the law in terms of the rules, norms, and principles of applicable law, not the social or empirical behavior of society. In this context, law is understood as a written normative document, and research is carried out by examining the relevant primary and secondary legal materials. As stated by Philipus M. Hadjon and Tatiek Sri Djatmiati, normative legal research moves from the nature of legal science itself, namely law as a normative science that examines the structure and content of positive law.⁹ Thus, this study will focus on the analysis of legislation, state policy, and legal doctrines related to Indonesia's policy response to the triple planetary crisis, especially in the implementation of the Environment and Sustainable Development agenda by the Ministry of Environment and Forestry (MoEF). To support the study of this law, the author uses two relevant approaches as presented by Peter Mahmud Marzuki¹⁰, namely: the Statute Approach is used to analyze the legal framework underlying the Indonesian government's policy on climate change, pollution, and biodiversity loss, by assessing regulations such as Law No. 32 of 2009 on Environmental Protection and management and Law No. 41 of 1999 on forestry. The Conceptual Approach is used to examine the theory of sustainable development, environmental governance, and precautionary principles in the face of complex environmental crises. Meanwhile, the Comparative Approach analyzes Indonesia's policies with those of other countries such as the European Union, China, Costa Rica, Australia, and Brazil, which each implement important policies such as the European Green Deal and Forest Code to address the climate crisis and deforestation. Through this approach, Indonesia can identify commonalities and potential lessons learned to strengthen sustainability policies and measures in the face of global environmental challenges.

RESULTS AND DISCUSSION

1. Government policies on climate crisis, pollution, and biodiversity loss.

According to Mochtar Kusumaatmaja, the regulation of environmental law requires special attention to create certainty and legal order, which is reflected in the concept of ratio legis or rational reasons behind the birth of regulations. In the context of Environmental Law, the ratio legis acts as a philosophical and practical basis that directs the drafting of legal norms, to ensure that any provision made answers the real needs of Environmental Protection. Therefore, environmental law must consider the balance between ecological interests and sustainable development. Preventive and repressive legal approaches, such as licensing or fines, are manifestations of legal ratios aimed at regulating human behavior towards the environment, which is very relevant in facing the challenges of the climate crisis, pollution, and biodiversity loss, as reflected in IBSAP and other regulations that need to be implemented firmly.¹¹

The climate crisis, pollution, and biodiversity loss in Indonesia show that even though there is a complete legal framework, as set out in the 1945 Constitution and its various implementing regulations, its implementation is still far from optimal. This is mainly due to the weak legal binding power of strategic documents such as IBSAP. Article 28h of the 1945 Constitution affirms that every citizen has the right to a good and healthy living environment, which is a human right that must be protected. This situation illustrates that environmental management must involve human rights and pay attention to the principles

⁹ Philipus M Hadjon dan Tatiek Sri Djatmiati, (2016), *Argumen Hukum*, Gadjah Mada University Press, Cetakan Ke 7, Surabaya, hal 3

¹⁰ Peter Mahmud Marzuki, (2005), *Penelitian hukum*, Edisi Revisi, Kencana, Jakarta, hal 136

¹¹ Kusumaatmaja, M. (2002). *Konsep Hukum Dalam Pembangunan*. Alumni, Bandung,, hal. 32

of social justice, not just ecological problems. In addition, Article 33 paragraph (4) of the 1945 constitution stipulates that the implementation of the national economy must be based on sustainable and environmentally sound principles, which are increasingly relevant in the face of the climate crisis and damage to nature. This shows that environmental policies cannot be separated from the Sustainable National Development Goals and pay attention to the balance between economic progress and the preservation of nature.¹²

The government stressed the importance of concrete steps in the face of the climate crisis and environmental damage through three main strategic approaches. First, the government encourages the strengthening of research and development of innovative technologies, especially for the recovery of degraded land and handling the effects of climate change such as drought, flooding, and ecosystem degradation. Renewable energy technologies such as solar, wind, and hydraulic power are also required to be developed to reduce dependence on fossil fuels, which are the main source of greenhouse gas emissions. Second, the government insists that the burden of climate change must be borne fairly and equitably, taking into account the historical responsibility, level of vulnerability, and adaptive capacity of each party. Mitigation and adaptation policies should be structured with attention to the most vulnerable groups, such as Indigenous Peoples, women, and the poor who are often the most severely affected but have limited adaptation capacity. Third, the government emphasizes the need to strengthen land and forest governance through increased supervision of illegal activities that exacerbate environmental damage as well as consistent enforcement of laws, including the implementation of strict sanctions for violators. In this regard, compliance with regulations should be a common priority for all stakeholders¹³.

Government policies related to climate change and environmental sustainability in Indonesia can be outlined in various action plans and regulations that underlie these strategic measures. First, this policy is in line with the National Action Plan on Climate Change (RAN-PIK), which includes efforts to mitigate and adapt to climate change. Renewable energy technologies, such as solar, wind, and hydraulic power, are also being pushed to reduce reliance on fossil fuels that cause greenhouse gas emissions. The government emphasizes that the impacts of climate change must be borne fairly and equitably, taking into account the historical responsibility and vulnerability of vulnerable groups. This is reflected in policies that take into account the needs of Indigenous Peoples, women, and poor groups in designing mitigation and adaptation policies. Furthermore, better land and forest management policies are outlined in regulations such as the Forestry Law (Law No. 41 of 1999) and the Natural Resources Conservation Law (Law No. 5 of 1990), which regulates the protection and management of Natural Resources. To increase the effectiveness of Land Management, the government also emphasizes the importance of monitoring illegal activities that exacerbate environmental degradation, as well as strict enforcement of laws with appropriate sanctions. This policy is further strengthened through Presidential regulations that support the development of renewable energy and green economy policies.¹⁴

The Indonesian government's policy related to climate change and environmental sustainability can be analyzed with two very relevant legal theories, namely the theory of progressive law and the theory of state obligations. The theory of progressive law, pioneered by Rahardjo, s, emphasizes that the law must adapt to the Times and can provide social justice, especially for groups most vulnerable to the effects of climate change. In the context of climate change policies in Indonesia, such as waste management efforts and

¹² Irwansyah. (2017). Research-Based Environmental Law: The Debate Between Ecology Versus Development. *Sriwijaya Law Review*, 1(1), hal 17

¹³ Qasthary, A. (2024). Kebijakan Hukum Terhadap Perlindungan Keanekaragaman Hayati Di Era Perubahan Iklim. *Jurnal Ilmu Hukum Humaniora, Politik*, dinasti Law review, Vol. 4, No. 5, hal. 1630

¹⁴ Hayatulah, G. E., Mahasari, J., Ihsan, M., Wicaksono, M. B. A., & Alhamda, S. (2023). Kebijakan Lingkungan Dalam Menanggapi Permasalahan Perubahan Iklim Di Indonesia: Sebuah Tinjauan Integratif. *Ministrate: Jurnal Birokrasi Dan Pemerintahan Daerah*, 5(2), hal 266–276.

renewable energy, this theory points to the importance of policies that prioritize equitable distribution and equal access for communities, including Indigenous peoples and marginalized groups¹⁵. It is urgent that policies are taken not only to reduce greenhouse gas emissions, but also to ensure that marginal groups are not left behind in benefiting from green technologies or climate adaptation programmes. In practical terms, Indonesia has encouraged the use of clean energy technologies such as solar, wind, and hydraulic power to reduce greenhouse gas emissions.

Data from the Ministry of energy and Mineral Resources (2023) shows that the new and renewable energy (EBT) mix has only reached about 13% of the total national energy consumption, still far from the target of 23% in 2025. On the social side, the government seeks climate justice by involving vulnerable communities such as Indigenous Peoples, women, and poor groups in the formulation of climate adaptation and mitigation policies. Meanwhile, the state has the primary responsibility of regulating, supervising, and enforcing environmental laws to protect the human right to a healthy environment.

In Indonesia's policy on forest management and Nature Conservation, this theory requires the state to ensure that existing environmental regulations, such as forestry laws and waste management regulations, are implemented effectively and with close supervision. States must also take responsibility for providing infrastructure that supports these policies, such as waste treatment technologies or renewable energy, and ensuring that there are strict sanctions against violations that can damage the environment¹⁶. Thus, these two theories together provide a comprehensive framework for analyzing climate change and sustainability policies in Indonesia, focusing not only on achieving ecological goals, but also on social justice and the state's obligation to protect the environment as a basic right of all people. The government insists that preserving the environment is not just a technical obligation, but a moral responsibility between generations, to ensure that future generations can still enjoy a healthy, productive and sustainable environment.

This call is a reminder that climate policy must be based on strong principles of Justice, Science and governance to achieve resilient development against climate change. The Indonesian government's policy in dealing with the climate crisis through the development of green technology, climate justice, and strengthening environmental governance faces serious problems in its implementation. Although it has been regulatively supported by RAN-PIK, Forestry Law, and various presidential regulations, realization on the ground is still constrained by the low achievement of renewable energy (only 13% of the target of 23% in 2025), overlapping authority between the center and regions, and weak supervision and law enforcement against environmental violations. In addition, policy approaches have not fully addressed climate justice for vulnerable groups such as Indigenous Peoples, women, and the poor. The Indonesian government's policy in dealing with the climate crisis through the development of green technology, climate justice, and strengthening environmental governance faces serious problems in its implementation. Although it has been regulatively supported by RAN-PIK, Forestry Law, and various presidential regulations, realization on the ground is still constrained by the low achievement of renewable energy (only 13% of the target of 23% in 2025), overlapping authority between the center and regions, and weak supervision and law enforcement against environmental violations. In addition, policy approaches have not fully addressed climate justice for vulnerable groups such as Indigenous Peoples, women, and the poor.

Although Indonesia has a strong legal basis to address the climate crisis, pollution, and biodiversity loss—as stipulated in Article 28h paragraph (1) and Article 33 paragraph (3) and (4) of the 1945 Constitution which guarantees the right to a healthy environment and sustainable management of Natural Resources—

¹⁵ Rahardjo, S. (2006). *Hukum progresif: Hukum untuk manusia dan keadilan*. Jakarta: Kompas, hal 54

¹⁶ Kusumawati, R., Mu'mining, K., Wulandari, K., Apriyani, & Suwignyo. (2023). Edukasi Perubahan Iklim Untuk Menambah Pemahaman Tentang Kondisi Iklim Saat Ini. *Jurnal Pengabdian Kepada Masyarakat*, 5(1), hal. 64–67

various strategic policies such as IBSAP (1993, 2003-2020, 2015-2020) have not been effective. This is due to several main factors:

- 1) documents such as IBSAP do not have binding legal force, because they are not stipulated in the form of legislation;
- 2) weak coordination between sectors and overlapping authorities as seen in the implementation of Article 63 of law no. 32 of 2009 on the authority of Environmental Protection and management between Central and regional;
- 3) the lack of funding allocated consistently and sustainably; and
- 4) not optimal monitoring and law enforcement mechanisms in the field. Meanwhile, law No. 5 of 1990 on the Conservation of living Natural Resources and their ecosystems, which form the foundation of Conservation Law, is already considered obsolete and has not been revised in the context of global climate change.

Based on Hans Kelsen's theory of legal effectiveness, a new norm is effective if it has binding force, functioning implementing institutions, and a clear system of sanctions¹⁷. In addition, the Good Environmental Governance approach requires transparent, accountable, inclusive, and coordinated governance. Therefore, IBSAP after COP 15 CBD must be established through Presidential regulations or special laws, in order to have legal force, guarantee cross-sector integration, and be supported by integrated funding, technology and monitoring mechanisms to answer the challenges of the environmental crisis in a concrete and sustainable way.¹⁸

2. 'Environment and Sustainable Development' Agenda by the Ministry of Environment and Forestry.

The concept of ecological justice corresponds to Aristotle's theory of distributive justice, which states that justice is achieved if the benefits and burdens of the environment are divided proportionally. In this context, the benefits of exploiting natural resources should not be enjoyed by only a few parties, while environmental losses (such as pollution and deforestation) are borne by communities, especially vulnerable groups¹⁹. The 'Environment and Sustainable Development' Agenda by the Ministry of Environment and Forestry (MoEF) focuses on sustainable development that prioritizes economic, social and environmental balance. This Agenda seeks to ensure the benefits of development are felt equally, especially by those affected by environmental damage, reflecting the principles of ecological justice.

The "Environment and Sustainable Development" Agenda promoted by the Ministry of Environment and Forestry (MoEF) includes various strategic steps to achieve sustainable development in Indonesia. One of the main initiatives is the preparation of the National Environmental Protection and Management Plan (RPPLH) 2025-2055, which serves as a reference in the implementation of national environmental and development strategic agendas, such as the 2030 Sustainable Development Goals (SDGs) and the Paris Agreement (Paris Agreement). It also aims to strengthen governance and community institutions in Environmental Protection and management, as well as improve climate resilience through sustainable forest management and better management of Natural Resources²⁰. In addition, KLHK also organized the week of environmental and forestry standards (PeSTA) 2024 with the theme "LHK standardization maintains the sustainability of Natural Resources". This event aims to improve the understanding and application of environmental and forestry standards that support the implementation of the job creation

¹⁷ Kelsen, H. (1945). *General Theory of Law and State*. Cambridge: Harvard University Press, hal 41

¹⁸ Stone, Christopher D. (1972). *Should Trees Have Standing? Toward Legal Rights for Natural Objects*. Southern California Law Review, 45(2), hal 450–501.

¹⁹ Aristoteles, teori keadilan dalam perspektif hukum, cet 2, Sinar Grafika Jakarta, 1997, hal 81

²⁰ KLHK Sebut Pentingnya Keseimbangan Agenda Ekonomi, Sosial, dan Lingkungan, oleh Dea Duta Aulia, DetikNews, 21 Juni 2024, diakses dari <https://news.detik.com/berita/d-7400629/klhk-sebut-pentingnya-keseimbangan-agenda-ekonomi-sosial-dan-lingkungan>.

law (UUCK) while ensuring environmental sustainability. Through clear standards, it is expected to facilitate business activities and encourage environmentally friendly investments, as well as support the achievement of national targets such as Net Zero emissions 2060 and climate change control through FOLU Net Sink 2030²¹

MoEF is also active in strengthening international cooperation to support the environmental and sustainable development agenda. For example, through cooperation with the United Nations Environment Programme (UNEP) for tropical forest monitoring systems, as well as with the International Union for Conservation of Nature (IUCN) in the preservation of nature and biodiversity. In addition, MoEF participated in international forums such as the 61st Asian-African Legal Consultative Organization (AALCO), where Indonesia called for three main issues related to the environment and sustainable development, namely climate change, pollution, and biodiversity loss²²

One of the concrete forms of this cooperation is the collaboration between MoEF and the United Nations Environment Programme (UNEP) in building a tropical forest monitoring system, as well as cooperation with the International Union for Conservation of Nature (IUCN) in the preservation of nature and biodiversity. Indonesia is also involved in international forums such as the Asian-African Legal Consultative Organization (AALCO), to fight for strategic issues such as climate change, pollution, and biodiversity loss at the global level. This cooperation is not only technical, but also strategic in terms of knowledge transfer, funding and policy support. As stated by Rahman, Indonesia's approach to international cooperation includes environmental diplomacy that emphasizes the principles of climate justice and common but differentiated responsibilities.²³

Other countries' policies in the face of the Triple planetary crisis (climate change, pollution, and biodiversity loss) can provide valuable insights in the context of Indonesia's Environment and Sustainable Development Agenda, particularly through a review of Environmental Law and sustainable development. Each country faces different challenges and dynamics, but many of them have approaches that can be used as a reference for Indonesia in addressing similar problems²⁴. Here are some important policies of other countries in relation to the triple planetary crisis:

1. European Union (EU) - the European Green Deal and achieving Net Zero

The European Union, through the European Green Deal, has underlined its commitment to becoming net-zero carbon by 2050. It includes in-depth policies in terms of renewable energy, green transport, as well as emission reduction through strict regulation of industries and the energy sector. Member states such as Germany and Sweden strongly promote the implementation of a circular economy that focuses on reducing waste and improving resource efficiency. The European Union also enacted Fit for 55, a package of policies targeting a 55% reduction in greenhouse gas emissions by 2030. This legal approach emphasizes strengthening binding environmental regulations, as well as providing incentives for the industrial sector to shift to more environmentally friendly practices. Indonesia can adapt this policy, especially in the

²¹ KLHK dan IUCN Bahas Kerja Sama Konservasi dan Aksi Iklim Pasca COP28, TopNews62, 3 Februari 2024, diakses dari <https://topnews62.com/posts/284748/klhk-dan-iucn-bahas-kerja-sama-konservasi-dan-aksi-iklim-pasca-cop28>

²² Pertemuan AALCO Ke-61, KLHK Angkat Isu Perubahan Iklim dan Polusi Plastik, Kementerian Lingkungan Hidup dan Kehutanan, 16 Oktober 2023, diakses dari <https://ppid.menlhk.go.id/berita/siaran-pers/7447/pertemuan-aalco-ke-61-klhk-angkat-isu-perubahan-iklim-dan-polusi-plastik>.

²³ Rahman, Vidia Syahbani Putri. 2019. "Strategi Indonesia Dalam Mengatasi Perubahan Iklim Melalui Kerjasama Internasional." *Mimbar: Jurnal Penelitian Sosial Dan Politik* 11 (1): 98–103

²⁴ Ismiyati, Pencemaran Udara Akibat Emisi Gas Buang Kendaraan Bermotor, *Jurnal Manajemen Transportasi & Logistik (JMTransLog)* - Vol. 01 No. 03, November 2014, hal 241

development of renewable energy and the implementation of circular economy principles, with emphasis on reducing pollution and emissions.²⁵

2. Costa Rica-Nature Conservation and Biodiversity

Costa Rica has long been known for its commitment to biodiversity conservation. For example, the country has managed to significantly reduce deforestation, and now has more than 25% of its territory protected as nature conservation areas. This policy is driven by financial incentives given to local residents who maintain forests, as well as strict regulations against illegal logging. In addition, Costa Rica develops a green economy policy, by diversifying its sources of income from ecotourism and renewable energies. The legal approach in Costa Rica focuses on strict enforcement of laws against the illegal exploitation of Natural Resources and providing incentives for communities to participate in Environmental Conservation. This policy can serve as an example for Indonesia in managing biodiversity and reducing deforestation, as well as in strengthening cooperation with local communities.²⁶

3. China-Green Policy and energy transition

China, the world's biggest emitter, has launched a series of green policies to tackle climate change and pollution. The Energy Transition policy under way, with a carbon-neutral target by 2060, involves major investments in renewables, such as solar, wind and green hydrogen. China is also boosting electric vehicles and reducing dependence on fossil fuels through government regulation and subsidies. In addition, China has introduced strict pollution control rules, particularly in the industrial and transport sectors. As the country with the largest population, China also faces major challenges in terms of waste management and air pollution. However, strict waste and waste management policies can provide valuable lessons for Indonesia, particularly with regard to the management of plastic waste and air pollution²⁷.

4. Australia - Natural Resource Management and Ecosystem Restoration

Australia has also taken concrete steps in ecosystem restoration and nature conservation. Australia focuses on the protection of coastal areas and biodiversity, with policies such as coral reef restoration and mangrove Ecosystem Management. In addition, forest fire management is a top priority in the country given the impact of climate change that exacerbates the incidence of fires. In terms of Environmental Law, Australia develops a legal framework that regulates the protection of Natural Resources and engages communities in safeguarding ecosystems through funding and training. Indonesia can strengthen ecosystem restoration policies, especially in coastal areas and mangrove forests, with a similar approach²⁸.

5. Brazil-forest management policies and deforestation reduction

Brazil, which has one of the world's largest tropical rainforests, the Amazon, has been developing policies to reduce illegal deforestation and improve sustainable forest management. However, under certain governments, forest management policies in Brazil have faced challenges due to pressure to clear land for agriculture and mining. In terms of law, Brazil implements strict regulations against illegal deforestation and provides incentives for sustainable forest management. Indonesia can learn lessons on law

²⁵ Uni Eropa, "The European Green Deal: Striving to become the first climate-neutral continent," diakses dari https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en.

²⁶ Kosta Rika, "Kosta Rica's commitment to biodiversity conservation," diakses dari <https://www.worldwildlife.org/countries/costa-rica>.

²⁷ China, "China's 14th Five-Year Plan for Ecological and Environmental Protection," diakses dari https://www.gov.cn/zhengce/content/2021-03/12/content_5597891.htm.

²⁸ Australia, "Australia's national environment policy," diakses dari <https://www.environment.gov.au/about-us/national-environment-policy>.

enforcement against illegal deforestation and encourage collaboration with the private sector for sustainable forest management²⁹.

The Environment and Sustainable Development Agenda run by the Ministry of Environment and Forestry (MoEF) reflects Indonesia's commitment in responding to global challenges such as climate change, pollution, and biodiversity loss. Through strategic documents such as the 2025-2055 National RPPLH, the implementation of the 2024 PeSTA, and strengthening international cooperation, Indonesia seeks to strengthen environmental governance, the use of environmental standards, and public and private sector participation. However, the implementation of this agenda still faces various problems.

1. First, there is a gap between policy and implementation. Many policies have not been effective in the field due to weak inter-agency supervision and coordination.
2. Second, environmental law enforcement is still weak. Despite the availability of regulations, sanctions against environmental violations are often not strictly enforced, especially against large corporate actors.
3. Third, the participation of the community and local communities is still limited. The involvement of indigenous peoples and vulnerable groups is often symbolic, making their aspirations less accommodated in policy.
4. Fourth, dependence on extractive industries such as mining and large plantations is a major challenge in realizing sustainable development.
5. Fifth, weak inter-ministerial coordination often leads to policy overlap. This hinders the synergy of environmental programs across sectors. Finally, limited funding and technology become obstacles in the implementation of programs such as clean energy transition and Ecosystem Restoration.

CONCLUSION

1. Indonesia has a complete legal framework related to environmental protection, as stated in the 1945 Indonesian constitution and various related regulations, the implementation of environmental policies still faces major challenges. The lack of implementation optimization is caused by several factors, such as weak legal binding power to strategic documents such as IBSAP, overlapping authority between the center and regions, and lack of coordination between sectors and sustainable funding. This indicates a gap between existing legal norms and practice in the field.

2. The "Environment and Sustainable Development" Agenda by the Ministry of Environment and Forestry (MoEF) focuses on balanced economic, social, and environmental development. One of the important steps is the preparation of the National Environmental Protection and Management Plan (RPPLH) 2025-2055. MoEF also held the 2024 environmental and forestry standards week (PeSTA) to improve understanding and implementation of sustainable environmental standards. In this effort, MoEF works with international organizations such as UNEP and IUCN to strengthen environmental monitoring and conservation. Although various policies have been implemented, challenges such as the gap between policy and implementation, weak law enforcement, and dependence on the extractive industry sector are still obstacles. On the other hand, policies from other countries such as the European Union and Costa Rica provide important examples that can be adapted to improve environmental management in Indonesia.

recommendations

1. It is necessary to strengthen the legal binding power of environmental strategic documents such as IBSAP (Indonesian Biodiversity Strategy and Action Plan) through integration into binding and

²⁹ Brazil, "Brazil's Forest Code and Deforestation Control," diakses dari https://www.researchgate.net/publication/338989228_Brazil's_Forest_Code_and_Recent_Efforts_to_Control_Illegal_Logging.

operational legislation. In addition, harmonization of authority between Central and local governments should be more clearly regulated to avoid policy overlap, accompanied by a systematic Inter-Sector Coordination Mechanism and sustainable environmental budget support.

2. The Ministry of Environment and forestry can strengthen the effectiveness of the Sustainable Development agenda by following the practices of other countries such as Costa Rica that promote an ecocentric approach and community involvement in conservation. In addition, it is necessary to carry out periodic evaluations of the implementation of the RPPLH and activities such as parties so that they are not only ceremonial, but are able to produce concrete and measurable policy outputs in support of Environmental Conservation and law enforcement.

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