

IDLO - International Development Law Organization | OIDD - Organisation Internationale de Droit du Développement

STRENGTHENING ENVIRONMENTAL LAW COMPLIANCE AND ENFORCEMENT IN INDONESIA Towards Improved Environmental Stringency¹ and Environmental Performance²

> Lessons learned from the Indonesia Australia Specialised Training Project, Environmental Law and Enforcement – In Australia course – September 19 – December 10, 2005

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Strengthening the rule of law and good governance is the main impetus driving the International Development Law Organization in assisting developing, transitional and post conflict nations on the path towards sustainable development and poverty alleviation. Environmental degradation affects most directly and brutally the poorest communities that rely directly on their natural environment for their very subsistence. Environmental sustainability is critical to poverty alleviation, for it underpins long term sustainable economic and social development. It necessitates the effective enforcement of a sound environmental law and policy framework that is only achievable through a paradigm of good governance.

It is in this context that this issue of the DLU proposes to sketch the major challenges to environmental law and enforcement in Indonesia, and suggests possible strategies to address them. This issue summarizes the lessons learned from the 12-week 'Environmental Law and Enforcement' workshop implemented by IDLO at its Asia Pacific Training Centre, Sydney, Australia, for the first six-week component, in September-October 2005. A select group of 18 Indonesian judges, prosecutors, environmental law enforcement officers and environmental non-government organizations' lawyers benefited from the training which focused primarily on criminal and civil aspects of environmental law and good governance principles as they relate to environmental law enforcement. The training workshop was part of phase III of the wider

Protection of the environment and good environmental management can only be attained by compliance with environmental laws. The best tool for achieving environmental compliance is effective and consistent civil and criminal enforcement of the law. "Indonesia Australia Specialised Training Project" (IASTP III), supported by AusAID and the Government of Indonesia, and managed by Hassall and Associates International. The implementation was ensured by a consortium joining IDLO, the University of South Australia and SAGRIC International. The

second component of the course was delivered by the Centre for Environmental Management and Compliance, University of South Australia over October-December 2005.





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The DLU endeavors to provide information concerning current, important lessons learned pertaining to the development field, largely based on IDLO videoconference sessions, Rome-based legal training programs and incountry legal training and technical assistance programs.

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ABOUT IDLO

The International Development Law Organization (IDLO) is an international inter-governmental organization dedicated to promoting the rule of law and good governance in developing countries, countries in economic transition and in those emerging from armed conflict.

By doing this, IDLO creates the basis for economic and social development and favors conditions that are conducive to improved social justice, increased trade and investment and more efficient distribution of all forms of aid. IDLO fulfils its mandate through training, technical assistance, distance learning, research and publication. Since its establishment in 1983, IDLO has worked with over 15,000 legal professionals from more than 175 countries and IDLO Alumni Associations now operate in 41 countries.

The following 18 countries are the current IDLO Member States: Australia, Austria, Bulgaria, Burkina Faso, Colombia, Ecuador, Egypt, France, Italy, the Netherlands, Norway, the People's Republic of China, the Philippines, Romania, Senegal, Sudan, Tunisia and the United States of America.

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IDLO/ Italian-financed Project: Ansari Square towards Kulala Pushta, first street on the left, 2nd house, Shari-Now, Kabul, Afghanistan

IDLO/ Canadian-financed Project: Nearby Muslim square 2nd street, Shari-Now, Kabul, Afghanistan

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Indonesia's Biodiversity

ndonesia is a rich and diversified archipelagic nation, with over 13500 islands -6000 of them inhabited- and a population of 223.8 million (2004) belonging to over 300 ethnic and tribal groups. Recognized as a major world centre for biodiversity, Indonesia has a wide range of natural habitats rich in fauna and flora. Its forests harbour the world's greatest diversity of palms as well as a great number of commercially valuable tree species. The extensive reef systems are among the world's richest in a variety of corals, fish and other reef organisms. Indonesia's biodiversity is the country's greatest natural resource, and is ecologically and economically important. However, it is also extremely vulnerable.

Development and Environment

he rapid economic growth that has characterized the policy of Indonesia's New Order Government since 1966 has intensified environmental pressures threatening the sustainability of whole sectors of the economy such as forestry, fisheries and tourism. These sectors depend on the diversity of the natural ecosystems and the environmental functions they protect. The Indonesian population and the region suffer from the effects of environmental degradation resulting from poor environmental management practices and inadequate governance, which threatens the subsistence of the most vulnerable groups.

"Natural forest cover in Indonesia has decreased from 80% of the land area in the 1960s to 57% today. Indonesia now has over 100 million ha of natural forest, the third largest area of tropical forest in the world, but this is being destroyed at a rate of 1 million ha a year (or 1% a year)."³





Deforestation in Indonesia (source: www.manila.indymedia.org)

Environmental Issues Affecting Indonesia

Indonesia is confronted with a long list of environmental issues affecting land, air, marine and coastal areas at local, regional and national levels. They range from air and water pollution caused by industrial and domestic sources, illegal clearing and deforestation (large scale burning for oil palm plantations and small-scale slash and burn for itinerant farming, as well as illegal logging and trade in timber). In fact, Indonesia has one of the world's worst deforestation rates, with an estimated area of the size of Switzerland being lost every year. Indonesia also suffers from decreasing biodiversity, land and natural resources mismanagement, as well as from the local effects of the global phenomenon of climate change.

Illegal poaching, trade in protected species, and illegal and unsustainable fishing threaten Indonesia's biodiversity. Indonesia is home to two critically endangered species of rhinoceros, the Javan rhinoceros (Rhinoceros javanicus) of which only about 50 remain in the Ujung Kulon National Park in Banten, and the Sumatran rhinoceros (Rhinoceros sumatraensis). Poachers have hunted down the rhinoceros for its horns that are used in traditional Asian medicine⁴.

Along with those issues, the large-scale forest fires have recently been among the most serious and prominent on the international scene. Their devastating effects in Indonesia, which include air pollution, loss of biodiversity and landslides, are compounded by the transboundary air pollution generated in the region. At the global level, these effects further contribute to the already critical issue of climate change (emission of large quantities of greenhouse gases and loss of carbon sink).





principles are reflected in Indonesia's

domestic legislation.

Field visit at the High Court of Australia (Canberra)

Indonesia's Environmental Legal Framework

International Legal Framework

ndonesia has been actively involved in the development of an international environmental law framework. As a member of the World Commission on Environment and Development (WCED) and a participant to the United Nations Environment Program (UNEP), Indonesia has ratified most of the major international environmental treaties. Once ratified, the treaties

become theoretically part of the **Only some international environmental law** Indonesian domestic law (monist theory). However, in practice, judicial decisions rarely refer to

international principles either through lack of knowledge on the part of the lawyers and the judges involved in these particular matters or the failure to adopt detailed provisions of the international agreement into relevant laws (or both).

Only some international environmental law principles are reflected in Indonesia's domestic legislation. The

Environmental Management Act, No. 23 of 1997 (EMA) appears to support the principles of Environmentally Sustainable Development (ESD), and by implication its elements: the precautionary core principle, intergenerational equity and the polluter-pays principle. Clauses b., c. and d. of the EMA's Preamble refer to ESD

> and Article 3 of Chapter II ("Basis, Objectives and Target" of the Act) states that "Environmental Management which is performed with ... a

of sustainability ... aims to create principle environmentally sustainable development".5

Furthermore, the concepts of sustainable development find expression in the preamble to the Law on Forestry (Law No. 41 of 1999) which refers to sustainable forestry management, and in the Government Regulation on Environmental Impact Assessment (No. 27 of 1999).



Therefore, it is arguable that the Indonesian administration and courts should be bound by the core elements of Environmentally Sustainable Development, as appears to have occurred in relation to the precautionary principle in the *Mandalawangi Landslide Case.*⁶

Regional Environmental Legal Framework

ndonesia is one of the 10 member countries of the Association of the Southeast Asian Nations (ASEAN), created in 1967 with its Secretariat in Jakarta.

The ASEAN founding mandate to promote economic development and peace in the region did not mention the environment, but evolved to include the protection of the environment and the promotion of sustainable development.

The ASEAN Agreement on the Conservation of Nature and Natural Resources (ACNNR) was reached in 1985. At the time, it was considered a most progressive instrument, despite its weak wording and lack of effective implementation mechanisms. It has not to date come into force, failing to reach the required minimum number of ratifications.

However, the momentum created by this Agreement has resulted in the development of regional environmental cooperation, with the creation of Working Groups on the Environment (e.g. ASEAN Working Group on Multilateral Environmental Agreements, ASEAN working group on Nature Conservation and Biodiversity) and the adoption

of declaration and action plans, such as the Environmental Education Action Plan (2000-2005).

The unprecedented scale of the Indonesian forest fires of 1997 and the air pollution they generated in the region inspired the adoption of the Regional Haze Regional Action Plan in the same year. In 2002, it was followed by the ASEAN Agreement on Transboundary Haze Pollution (THP). The THP came into force in 2003, but its purpose is largely defeated by Indonesia's failure to ratify it.

The environment reached the top of ASEAN's agenda in 2003, with the launch of the ASEAN Environment Year. The theme was "Together Towards Sustainable Development," with a pledge to *"ensure sustainable*



Training Session at the IDLO Asia-Pacific Training Center (APTC) in Sydney



IASTP Group Work at the APTC

development and poverty alleviation, which includes the implementation and expansion of afforestation and reforestation programmes, the careful management of natural resources and the ratification of the Kyoto Protocol."

The development of a regional environmental law framework is encouraging. But for a variety of reasons, including a lack of political will, it has failed so far to bring practical solutions to Indonesia's current environmental problems.

Domestic Environmental Legal Framework

W^{ith the 1972} UN Stockholm Conference on the Environment came the emergence of environmental

issues on the international scene. In Indonesia, it prompted the establishment of the Office of the State Minister for the Environment and the enactment of the *Environmental Management Act* (EMA) *No. 4 of 1982* replaced in 1997 by the EMA *No. 23 of 1997*. This Act and its implementing regulations are set in the broader context of

the state policies passed every 5 years by the People's Consultative Assembly (the Garis-garis Beluar Haluan Negara (GBHN) and the REPELITA (5 year development

Plan), which have since the early seventies progressively entrenched the concepts of sustainable development and natural resources management. The EMA must also be read in the context of other natural resources management acts, such as the *Forestry Act No. 41 of 1999*, and the *Fisheries Act No. 31 of 2004*, and associated regulations and decrees.

From 1990, the non-ministerial Environmental Impact Management Agency (BAPEDAL) assumed the bulk of the responsibility for the implementation of environmental laws, allowing the Ministry of the Environment to address policy formulation and coordination. In 2002, as part of the decentralization process, the functions of the BAPEDAL were fused into the Office of the State Ministry for the Environment. Environmental Non-Government Organizations strongly opposed this reform arguing that "the state ministry deals only with policy not practicalities and therefore is not equipped to deal with Bapedal's functions as the supervisor and lawenforcement body," and that the reform would result in the loss of the power to issue permits, to make legallybinding regulations and opinions, to control and carry out investigations on environmental offences at a national level.⁷ Responsibility for environmental management was transferred to the local (provincial and district) governments' agencies (BAPEDALDA).

Improving compliance and effective enforcement of environmental law in Indonesia

Protection of the environment and good environmental management can only be attained by compliance with environmental laws. The best tool for achieving environmental compliance is effective and consistent civil and criminal enforcement of the law. Despite the increased recognition of the importance of resolving the many urgent environmental issues and the apparent political will to do so, cultural, economic, political, legal and geographical factors combined with a lack of resources and technical skills hinder Indonesia's ability to address these issues effectively.

> The future strategy to promote effective enforcement of environmental law in Indonesia may involve strengthening its

institutional capacity to manage and enforce environmental law, improving the legal and regulatory environmental framework and increasing public awareness and participation.

Institutional Capacity Building

The intricacy of Indonesia's legal and regulatory framework, the highly complex prosecution and civil enforcement processes and the lack of institutional capacity in environmental law jointly contribute to poor environmental law enforcement.

Judicial Training

The best tool for achieving environmental

compliance is effective and consistent civil

and criminal enforcement of the law.

ndonesia has no specialized environmental law courts. Environmental cases are heard by the general and administrative courts as well as the Supreme Court on appeal.

A relatively small number of environmental cases reach the courts. When they do, the plaintiffs are often faced with powerful and resourceful business interests. Through the IASTP Environmental Law and Enforcement training, both in Indonesia and in Australia, approximately 1000 Indonesian judges have been equipped with enhanced knowledge of the complex environmental legislative and regulatory framework, relevant legal concepts such as strict liability, standing and class action, and environmental law principles such as environmental sustainable development (ESD), the precautionary principle, the polluter pays principle, and intergenerational equity. This on-going training of the judges in environmental law is essential to ensure a fair hearing of prosecuted cases, to promote enforcement, deter environmental violations and encourage compliance.





It is therefore critical to train both police

and prosecutors in environmental law

to improve its enforcement

Participants to the IASTP III, Environmental Law and Enforcement-In Australia-training session at the APTC (Sydney)

Prosecution of Environmental Law Violations

No matter how extensive and effective the training of Indonesian judges in environmental law may be, it is of little value if appropriate cases do not reach the courts.

The relatively small number of cases of environmental law violations being prosecuted or otherwise pursued through the courts may be caused by a variety of factors, including

the lack of resources and corruption. Other causes relate to geographic isolation, particularly in the smaller islands where legal mechanisms are difficult to

implement, and where there is a lack of available technical and legal expertise to gather circumstantial and expert evidence.

Technical skills in investigation and prosecution are essential to a successful use of the Indonesian legal system to address the more severe breaches of environmental legislation.

Evidence gathered must be technically and forensically valid, which requires the effective use of environmental experts and the gathering of evidence based on generally accepted international protocols. This becomes particularly critical with respect to environmental breaches where complex scientific dispute may arise regarding matters such as causation and the environmental effects of the alleged activities, particularly in the longer term.

The use of scientific tools, such as satellite imagery may be developed and promoted as a powerful and effective tool for the investigation and the prosecution of illegal

clearing and forest fires.

Government officials (e.g., from the environmental agencies or the Ministries of Forestry and

Fisheries) under Indonesian environmental legislation do not have the power to investigate or prosecute environmental violations. These cases must be investigated by the police before being presented to the courts by a prosecutor. It is therefore critical to train both police and prosecutors in environmental law to improve its enforcement. As indicated above, the enhancement of investigation skills is important and would be assisted by the development of national environmental investigation guidelines or standards. Environmental prosecution guidelines would also be valuable in the prosecution of environmental cases.



Improving the Legal Framework -Reform of the Environmental Management Act

The central piece of Indonesian environmental legislation, the *Environmental Management Act* (EMA) *No. 23 of 1997* was an improvement on the EMA of 1982 it replaced. However, its effectiveness may be improved by addressing its major weaknesses. Some of the improvements suggested by participants in the 2005 IASTP Environmental Law and Enforcement Course relate to the following:

- Widening the standing provisions to encourage civil enforcement breaches to the act (open standing for civil enforcement);
- Recognizing a full range of administrative enforcement tools (art. 25);
- Allowing for government officials to prosecute breaches of environmental law;
- Imposing the new requirement of obtaining an environmental licence from the relevant environmental authority for certain types of activities that are likely to cause significant environmental pollution/damage and then creating new offences under the EMA:

> to not have a licence; or> to breach the conditions of a licence;

- Adding penalties for contempt of court in civil proceeding when court orders are not implemented (contempt of court);
- Increasing the penalties for breach of the Act;
- Improving the drafting of the act to reduce the scope for conflicting interpretations of its provision and the opportunity, in case of breach, of non prosecution for lack of certainty;
- Clarifying the definition of some terms, for example "environmental pollution" and "environmental damage" (articles 41 and 42);
- Improving consistency of the provisions within the Act; and
- Ensuring compatibility of the EMA and other Acts or regulations (see below).

Jurisdictional Issues

ndonesia is divided into 27 provinces, which are subdivided into regions and further divided into districts. The multiplicity of jurisdiction over environmental matters results in uncertainty and constitutes a major hurdle for the effective enforcement of environmental law.

Jurisdictional issues appear at two levels: horizontally between ministries/government departments and agencies, and vertically between national, provincial, regional and local authorities.

The respective jurisdiction of the Office of the State Minister/BAPEDAL and that of other sectoral ministries (Ministry of Forestry, Ministry of Agriculture and Ministry of Industries) are not clearly divided and overlap. The same issues appear at the provincial/local level.

The implementation of the decentralization and regional autonomy policy has given local government bodies a major role in the protection of Indonesia's environment and the management of its natural resources. The division of responsibilities between national, provincial, regional and local agencies is also subject to overlapping legislatures creating more uncertainty.

This situation is conducive to apathy and poor enforcement. When environmental damage occurs, lack of certainty about which agencies have competence can lead to none of them taking action to address the environmental violation. For instance, the 1997 forest fire crisis revealed the uncertainty as to whether the Forestry or Industry government agency or local authority would be responsible for the pollution generated by the fires.

Good Governance and Environmental Law Enforcement

Good governance, defined as the "commonly shared goal on accountability, transparency, participation, rule of law, predictability, responsiveness, consensus, equity, effectiveness and efficiency, and strategic vision"⁸ is a prerequisite to strengthening enforcement of environmental law.

Corruption is recognized and has been documented as a significant issue in Indonesia inhibiting



effective enforcement of environmental law.⁹ Powerful business interests have the resources to 'persuade' the police, government officials and judges to overlook environmental law violations, to deter witnesses from testifying and to influence the outcome of court cases.

In the last few years, the Government of Indonesia has displayed its political will to promote good governance and combat corruption with the adoption of the Law 28 of 1999 on "Clean government and freeing Indonesia from corruption, collusion and nepotism" and the establishment of a Corruption Eradication Commission (KPK).

The strong correlation between good governance and good environmental results is highlighted in the conclusions of the Yale and Columbia Universities' Pilot 2006 Environmental Performance Index presented at the Davos World Economic Forum in 2006. It concludes that "Good environmental results correlate significantly with good governance. Policy emphasis at the national and global levels on establishing the rule of law, eliminating corruption, promoting a robust policy dialogue, and setting up effective regulatory institutions appears fully justified."10

D^{ublic} **Participation** is one of the core concepts of good governance critical to the effective enforcement of environmental law. Indonesian environmental legislation formally acknowledges public participation: Chapter III "Community rights, obligations and role," Article 5 of the EMA provides that "Every person has the right to environmental information which is related to environmental management roles" (Art.5 (2)) and that "Every person has the right to play a role in the scheme of environmental management in accordance with applicable laws and regulations" (Art. 5(3)). The Government Regulation No. 27 of 1999 on Environmental Impact Assessment and the Decree of the Head of Environmental Impact Management Agency (Bapedal) No. 8 of 2000 further provide for access to information and public participation. However, in practice, wide gaps are revealed in the opportunities for public participation. In relation to environmental impact assessment, the timeframe allocated for submissions restricts public participation. "With a mere 45 days allocated for the development of the ANDAL and related documents, citizens and environmental groups have little time to give proper regard to the impact of the project. The narrow

timeframe also restricts their ability to make submissions during the EIA assessment period."11

Effective public participation is hindered by ineffective procedures to guarantee **public access to information**. While access to information is a right entrenched in the second amendment of the Indonesian Constitution (Undang-Undang Dasar 1945),¹² public access to information proves often difficult due to the complex bureaucracy involved in obtaining information, the absence of clearly defined mechanisms to obtain information, the lack of explicit standards for exemptions to disclosure requirements, the lack of human resources available to support information management and service to the public, and the lack of awareness of the public on their right of access to information.¹³

Public Awareness of Environmental Issues and of Legal Enforcement Mechanisms is essential to the prevention of damage to the environment and to the prosecution of environmental law violations. It can discourage 'traditional' practices detrimental to the environment—e.g. fishing with explosives destroying the reef and fish habitat or 'slash and burn' itinerant farming practices—although the social and economic dimensions of such unsustainable practices should not be dismissed. Raising the awareness of the public on their right to a clean and healthy environment and on their legal standing (including in the context of class actions) may contribute significantly to the reduction of environmental degradation in Indonesia. It may also lead to realistic consideration of economic alternatives for those whose living increasingly depends on exploiting the country's natural resources, often by damaging methods.

The development of Environmental Non-Government Organisations (ENGOs)¹⁴ has played a leading role in raising awareness of environmental issues in Indonesia, and in the enforcement of environmental law. ENGOs have initiated most of the landmark environmental cases. The EMA (Art. 38) grants ENGOs standing to sue in the name of the environment. ENGOs also play an important role in raising the profile of environmental issues, conducting environmental educational and research activities, as well as lobbying the government and the international community.





Field visit at forests in New South Wales (Australia)

Conclusion

his DLU has sought to give an overview of the main challenges to effective enforcement of environmental law in Indonesia and the role that strengthening institutional capacity, improving the legal and regulatory framework and promoting good governance can play in overcoming these challenges.

IASTP III Environmental Law and Enforcement – in Australia 2005 graduates are now, along with the project's alumni, better equipped to contribute to address Indonesia's environmental issues, commencing with the implementation of the Action Plans they designed with the support of their mentors during the course.

However, enhancement of technical skills contributes only partially to resolving the conflict between Indonesia's need for economic development in Indonesia and the need to protect the country's natural resource base effectively. The demands on Indonesian governments to provide for the needs of over 200 million people in a developing economy are enormous and there is an inevitable temptation to ignore longer-term consequences in order to meet more immediate needs.

It is arguable that a meaningful commitment by the national Indonesian government to the principles of ecologically sustainable development could start to address this problematic dilemma. However, such a re-direction requires political will by the country's national and provincial governments and the support of the international community. In the latter case, developed economies must recognize that it is very much the consumption patterns of western societies that are contributing to the loss of some of the most precious resources of developing countries such as their forests. Fundamentally, in developing as in developed countries, progress on the challenging road to improved environmental stringency and environmental performance, depends on laying the foundations of sustainable development, good governance, the rule of law and compliance.¹⁵



Endnotes

¹ Environmental stringency indicator captures the extent to which the country has in place institutions and policies that result in effective responses to environmental problems. IMF Working Paper *The Rule of Law and the Pattern of Environmental Protection*, Per B. Fredriksson and Muthukumara Mani, March 2002, at http://www.imf.org/external/pubs/ft/wp/2002/wp0249.pdf

² *The Pilot 2006 Environmental Index*, released at the Davos World Economic Forum 2006, ranks Indonesia 79 out of 133 countries worldwide on the Environmental Performance Index (EPI), a measure of "how close a country comes to established goals" based on a series of 16 indicators ranging from Child mortality to Co2 per GDP. Source: *The Pilot 2006 Environmental Index*, Center for International Earth Science Information Network (CIESIN), Columbia University, and Yale Center for Environmental Law and Policy (YCELP), at http://beta.sedac.ciesin.columbia.edu/es/epi/downloads.html#data

3 FAO State of the of the World's Forests, *quoted in*, Friend of the Earth – Indonesian Forest Fires Briefing (1997), available at http://www.foe.co.uk/resource/briefings/indonesian_forest_fires.html.

4 '*Poachers, loggers put Sumatran rhino on brink of extinction*', The Jakarta Post, 3 January 2006, available at http://www.planetmole.org/06-01/poaching-logging-until-extinction-sumatra-indonesia.html.

⁵ *The Precautionary Principle – Its Origins and Role In Environmental Law* by David Cole, Environmental Law and Enforcement Alumni Bulletin, April 2005, Vol. 2#1

⁶ *Mandalawangi Landslide Class Action Case (Civil Litigation)*. No.49/PDT.G/2003/PN.District Court Bandung, 4 September, 2003, quoted in David Cole Ibid Footnote 5

7 *Environmentalists oppose scrapping of Bapedal*, Tertiani ZB Simanjuntak, The JakartaPost.com, 10/01/02, at http://www.ecologyasia.com/news-archives/2002/jan-02/thejakartapost.com_20020110_G03.htm.

⁸ IASTP III Generic module – training guide p 15 – AusAID & HAI

9 Indonesia is ranked 134 out of the 158 countries on the Transparency International 2005 Corruption Perception Index (CPI), with a score of 2.2.

¹⁰ Ibid Note 2- Full Report at pg. 46- See also pg. 27.

¹¹ Sugianto (1996:6) quoted in *The Primacy of Development: Environmental Impact Assessment in Indonesia and Australia*, Margaret A Young, Asian Law, Vol. 1, 1999

¹² Article 28F of the Indonesian Constitution states that "*Everybody has the right to communicate and the right to information to develop his/her personal and social environment, and has the right to seek, receive, possess, keep, develop, and give the information by any means.*"

¹³ Indonesian Centre for Environmental law (ICEL), *Access to Information, Participation and Justice in Indonesia*, 05/04/2005 at <http://www.icel.or.id/eng/cdetails.php?guid=702adbf5c14f5065b9ad1d2fa31352d8> and *Indonesian NGO Movement for Public Access to Information & The Struggle for Enactment of a Freedom of Information Act*, Josi Khatarina (ICEL), Conference on Freedom of Information and Civil Society in Asia held by Information Clearinghouse Japan in 13-14 April 2001, at http://www.foi-asia.org/Indonesia/JKreport.html.

¹⁴ In particular, WALHI and the Indonesian Centre for Environmental Law (ICEL).

¹⁵ "Wealth and a country's level of economic development emerge as significant determinants of environmental outcomes. But policy choices also affect performance (...). In this regard, good governance appears highly correlated with environmental success" Source: *The Pilot 2006 Environmental Index, Ibid note 1*.





International Development Law Organization Organisation Internationale de Droit du Développement

Upcoming Activities

Rome-Based

Seminar on "**Legal Framework of Water Resource Management**" (in English) - Rome, Italy September 11-22

Public International Trade Law Course (in English) - Sydney, Australia November 6-24

Public International Trade Law Course (in Arabic)- Cairo, Egypt November 20-December 8

Development Lawyers Course (French version) - Rome, Italy October 2 - December 8

In-Country

Training workshop on "**Intellectual Property**" (In English) - Beijing, China August 28-September 1

Microfinance: Building Inclusive Financial Sectors & Supportive Legal and Regulatory Frameworks in the Asia Pacific Region (In English) Sydney, Australia - Septemebr 11-23

Training workshop on "**Civil Procedures**" (in French) - Nouakchott, Mauritania - September 11-15

Training workshop on "**Criminal Law**" (In French) - Nouakchott, Mauritania -September 18-22

Distance Learning

Seminars:

"**Regulatory Framework**" - September 12-15 - Connecting Tanzania, Uganda and Kenya

"**Performance Contract**" - October 2-5 -Connecting Tanzania, Uganda and Kenya

Policy Dialogues:

"Regulatory Framework for Countering Terrorism in Kenya" - October 17

"Countering Terrorism in Nepal" -October 6

"Countering Terrorism in Sudan" -November 7

"Countering Terrorism in Bangladesh" -December 5

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