

Renewable Energy Policy to Achieve Sustainable Development Goals in Indonesia

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Abstract

The imposition and establishment of a new policy for new energy and renewable energy in Indonesia has become decisive. Indonesia has signed the Paris agreement and has ratified it into national law. Indonesia also has a commitment to fulfill the target of sustainable development goals 7. However, in its implementation there are still challenges and obstacles to increase new and renewable energy in the national energy mix. The research method used is normative juridical with literature study. The objective of this paper is that Indonesia has a new renewable energy policy to meet the achievement of SDGs and Paris Agreement. It will identify and collect laws and regulations related to new and renewable energy. Then map the problems and obstacles in the development of renewable energy in Indonesia. It is desirable for the existing problems and obstacles can be overcome by amending the energy law. Currently, the Indonesian government has outlined the arrangement of the draft of law convening new and renewable energy and is currently incorporated in the national legislative program 2022. Amendments to the new and renewable energy law are important instruments for policy changes to realize the SDGs that can provide legal certainty, strengthen institutions and governance for renewable energy development, create an investment climate and support funding. For this reason, the participation of all elements of the nation is to provide input on the draft law on renewable energy discussion in the House of Representative of Republic Indonesia.

Keywords

Renewable Energy, Legal Policy, Normative Juridical Method, SDGs, Indonesia

1. Introduction

As the 4th largest population in the world, Indonesia is indivisible from the use of energy to meet its needs. The increase in energy use is in line with economic and population growth. Nonetheless, the use of fossil energy rises the fear of its extinction over time. In 2021, The Indonesia Ministry of Energy and Mineral Resources stated that the deposit of petroleum will be available for the next 9.5 years, while Indonesia's natural resources will remain for 19.9 years. Such forecast relied upon the deposit data in 2020 and assumed none of new oil and gas reserves had been discovered. In 2018, the total primary energy production consisting of oil, gas, coal and renewable energy was 411.6 Million Tonnes of Oil Equivalent (MTOE). Around 64% or 261.4 MTOE from the total production especially coal and Liquefied Natural Gas (LNG) was exported. Besides that, Indonesia also imported energy especially crude oil and petroleum products of 43.2 MTOE and small volume of high rank to meet industrial sector's need (Suharyati et al. 2019).

As the demand for fossil energy increases, the deposits of such are dwindling. Consequently, the transition from the use of fossil to new and renewable energy (*Energi Baru dan Terbarukan/EBT*) is necessary. *EBT* will spur the creation of long-term stable economic development and attain community welfare. New and renewable energy has become a world issue by implementing the Sustainable Development Agenda. In 2015, the UN General Assembly adopted the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs), which include a dedicated and stand-alone goal on energy, SDG 7, calling to "ensure access to affordable, reliable, sustainable and modern energy for all". Energy lies at the heart of both the 2030 Agenda for Sustainable Development and the Paris Agreement on Climate Change. Ensuring access to affordable, reliable, sustainable and modern energy for all will open a new word of opportunities for billions of people through new economic opportunities and jobs, empowering women, children and youth, better education and health, more sustainable,

equitable and inclusive communities and greater protection from and resilience to, climate change. One of the goals is increase substantially the share renewable energy in the global energy mix.

To fulfill the target of SDGs on renewable energy, Indonesia commits to use its enormous potential of renewable energy with its eco-rich in the form of geothermal, water, ocean waves, heat, and solar power to displace fossil energy in consequence of the signing of the Paris Agreement which then ratified and enacted by the Law No.16 of 2016. This international agreement becomes the turning point for all nations to bring attention, prepare, and carry-out solid action to curtail their respective greenhouse gas emissions. Indonesia has become a party to the United Nations Climate Change Conference (UNFCCC) which held its 26th annual agenda, Conferences of the Parties (COP) 26, which convened on 1 to 12 November 2021 in Glasgow, UK. During the meeting, President Jokowi mentioned Indonesia's commitment to forum COP 26 and that with its country's potential, Indonesia will continue to contribute to the handling process of climate change; inter alia in the energy sector, Indonesia shall come forward by expanding the electric vehicle and by the establishment of the solar system in Southeast Asia. In addition to that, Indonesia shall utilize the new and renewable energy, including biofuel, and develop the clean energy basis industry comprise of the biggest green industry in the world, located in North of Borneo Island. One of the COP26 outcomes is moving away from fossil fuels, countries ultimately agreed to a provision calling for a phase-down of coal power and a phase-out "inefficient" fossil fuel subsidies- two key issues that had never been explicitly mentioned in decisions of UN climate talks before, despite coal, oil and gas being the main drivers of global warming.

Lessening of fossil energy, specifically for petroleum and the global commitment to reducing greenhouse gas emissions conclusively encourage the Government to ad hance its role in new and renewable energy continuously as a part in preserving energy resilience. One of efforts made by Government is seen through policy in shaping rules that support the utilization and development of new and renewable energy in Indonesia by signing the international agreement to achieve the sustainable development goals for a prosperous society. Therefore, this paper will elaborate the prevailing regulations on new and renewable energy. First, Are the existing regulation capable of fulfilling the SGDs targets to ensure access to affordable, reliable, sustainable and modern energy for all. Second, how can the format of upcoming regulations be able to expedite the achievement of new and renewable energy in Indonesia.

1.1 Objectives

The purpose of this study is that all existing legal policies support the transition from fossil energy use to new and renewable energy in accordance with Indonesia's obligations in the SDGs and the Paris agreement. For this reason, this research will identify and compile existing regulations related to renewable energy in Indonesia. Following that, elaborate problems and challenges faced in increasing new and renewable energy which is then formulated into articles in the New and Renewable Energy Bill to find solutions. Thus, it is hoped that a New and renewable Energy Law that is comprehensive and can be carried out in compliance with the actual needs of the community.

2. Literature Review

The reading material that became the source of this research relates to energy in general, renewable energy, efforts to use renewable energy, problems in the use of renewable energy and renewable energy policies both internationally and in Indonesia. A related issue to renewable energy is an international policy related to SDGs section 7, an international agreement (the Paris agreement), the Conference of the Parties (COP) United Nations Climate Change Conference (UNFCCC) agreement which is the basis for countries to demonstrate their commitment to reducing world gas emissions. Renewable energy is a backbone in supporting national energy security because of the potential of renewable energy sources that have not been optimized for use. In the energy sector in Indonesia, legal certainty, permits, land acquisition are issues that hinder investment. In addition, the limited state budget makes support for renewable energy in Indonesia not very satisfactory (Aris Prasetyo et al. 2021). Research from the Center for the Study of State Financial Accountability, Expertise Board of the House of Representatives of the Republic of Indonesia, mentions that there are problems and challenges in increasing new and renewable energy in the national energy mix (Lestari 2021), one of which is problems in policies and regulations that are not yet comprehensive. Another research finds that one of the problems in the legal aspect is the absence of a comprehensive national law which will be the umbrella for the regulation of laws related to renewable energy in Indonesia (Yudha and Tjahjono 2019). Furthermore, Indonesia has political barriers to develop renewable energy policy between national government and local government such as a lack of consultation between decision makers both horizontally and vertically, weak local capacity lack of national awareness of the local condition (Marquardt

2014). Based on these researches. It can be used to evaluate the existing laws on energy and to establish a new renewable energy law in accordance with the Paris Agreement and the SDGs targets.

3. Methods

Legal research methods can be classified into three categories: (i) doctrinal; (ii) non-doctrinal. or empirical and (iii) integrated methods (Bhat 2019). The type of research that the author is used to write is juridical-normative research (doctrinal). The meaning of normative juridical is legal research on principles, norms and legal doctrines. Normative legal research is carried out using a statutory approach, namely tracing existing laws and regulations in Indonesia related to renewable energy which is spread across several types of legislation (Ibrahim, 2005). Legal research on the legal dogmatic level or research for the purpose of legal practice does not escape the approach to legislation. Legislative approach is an approach using legislation and regulations (Marzuki, 2005). This research specifically focuses on the new legal policies that will be formed to address the problem of renewable energy in Indonesia.

The practice of law application and law enforcement should ideally adhere to applicable legal and legal theories. In law, the terms *ius constitutum* and *ius constituendum* are known. *Ius constitutum* is a positive law of a country, namely the law that applies in a country at a certain time in this case is the legislation that regulates energy (Asyhadi et al. 2015). Meanwhile, the *ius constituendum* is a law that is aspired by the association of life and the state, but it is not yet a rule in the form of a law or various other provisions (Dirdjosisworo 2019), in this case the draft law on new and renewable energy. This research identifies the laws and regulations related to energy that are scattered in various current laws (*ius constitutum*). Then analyze the effectiveness of the implementation of the current law based on research conducted on energy whether it is in accordance with the needs of the community. Problem solving and improvements that are expected from the current law with the preparation of a new law so that Indonesia achieves the SDG 7 (seven) target to ensure affordable, reliable, sustainable and modern energy for all (*ius constituendum*).

4. Data Collection

The research method chosen will ultimately determine the quality, appropriateness of the data and ultimately the results of the data. In other words, the collection of data determines the fate of the research. When choosing a data collection method, the researcher must consider the purpose of his/her research and the nature and scope of the investigation whether the data are primary or secondary. Data were collected by researchers, using primary sources that are primary. Data that has been collected by several institutions and is available in several published forms is secondary data (Vibhute and Aynale 2009). Legal research sources can be divided into research sources in the form of primary legal materials and secondary legal materials. Primary legal materials are legal materials that are authoritative, meaning they have authority such as legislation, judges' decisions. The secondary materials are all publications on law that are not official documents such as books, legal journals, comments on court decisions. (Marzuki, 2005).

Data processing in this study was carried out by collecting primary legal materials in the form of constitutions and laws and regulations on energy and also collecting secondary legal materials in the form of research on the implementation of energy regulation, academic texts and renewable energy Bill. Data that has been collected from various libraries sources, the website is divided into classifications according to the formulation of the problem. The statutory approach is used to assess the norms contained in the articles in the Law on Energy and other related laws. Then juxtaposed with existing research on energy problems in Indonesia. Subsequently, an analysis is carried out to determine the improvement of the draft law on energy so that it is in line with public expectations. The last step is to answer the problem formulation and make conclusions and suggestions.

5. Results and Discussion

5.1 Current New and Renewable Energy to Achieve Sustainable Development Goals (*Ius Constitutum*)

Control of energy in Indonesia is carried out by the state for the welfare of the people as stipulated in Article 33 paragraph (3) 1945 Constitution states "The land, the waters and the natural resources within shall be under the powers of the State and shall be used to the greatest benefit of the people." The extensive element in the article is the natural resources, the control by the state, and it aims to benefit people. Therefore, all energy resources have to be controlled by the state; hence the state obliges to use and foster them optimally to actualize the ideals of the Indonesian nation, i.e. improve public welfare. The most effective way to reduce poverty and improve welfare is

through inclusive economic development. Nevertheless, most economic activities are likely impossible without the supply of modern energy that sufficient, capable, and tagged at a competitive price. Notwithstanding, energy issues become central to government, researchers, and entrepreneurs to be resolved to carry out sustainable development goals (SDGs). SDGs are a set of goals by countries proclaimed by the United Nations to create a habitable world. SDGs consist of 17 points to achieved for the continuity of the global community. One of the points in the SDGs is clean affordable energy to eventuated through the proper development of renewable energy. Actions carried out, i.e., power from the sun, wind, water, geothermal, and biomass. The background of a point in SDGs concerning clean and affordable energy is that it has to use efficiently, sustainably, and renewably. In the last 20 years, several countries, including Indonesia, have made a significant step in reducing the intensity of the use of non-renewable energy.

Indonesia declares its commitment to climate change by ratifying the Paris Convention over the enactment of Law No.16 of 2016. In the long term, Paris Convention urges parties to work together towards net zero carbon by the middle of this century. To attain the target, Indonesia contributes the decrease of emissions to 29% (NDC) on its efforts and 41% with external assistance by 2030. The explanation of such Act, stated that Paris Convention is legally binding and applicable to all within the differentiated responsibilities and respective capabilities and obliges the developed countries to provide funds, capacity building and transfer of technology to the developing countries by way of broadening bilateral and multilateral cooperation. In the national context, the control of climate change is a constitutional mandate stating that everyone has the right to live in prosperity physically and mentally, to have a good and healthy environment and access medical health services. The state shall provide direction and is obliged to reassure that augmentation to benefit people has to consider the environmental and social aspects.

In the National Medium-Term Development Plan (*RPJMN 2020-2024*), the fulfillment of energy from renewable energy is one of the priority programs. The 23% target in the national energy fuse is in line with the 23% renewable energy *EBT* target in national agenda by 2025 Government awareness of the significance of *EBT* and conservation of energy. Therefore in 2010, The Directorate General of New, Renewable Energy and Energy Conservation was formed at the Ministry of Energy and Human Resources (Khaeron 2020). Not merely in terms of institutions, Indonesia also has laws and regulations concerning Energy. The applicable regulation is Law No.30 of 2007 governing Energy, which states that energy is no longer an export commodity as part of state revenue but has become a development capital. Consequently, sustainable energy is required. One deliberation in establishing the energy law is due to the limitation of unrenewable energy reservation; therefore, it involves diversification in maintaining its availability. According to the Law, the application of energy management covers energy sufficiency, assures the availability of domestic and nondomestic resources, ensures the energy resources management is optimal, integrated and sustainable, the efficient use of energy, to granted the people access to energy, improves industry capacity and domestic energy services to be independence, to create space of works, and to persuade continuity of environmental. In detail, the management of energy as stipulated in the Law of Energy mandates the following:

- a. New energy resources and renewable energy resources shall be managed by the state and utilized for the greatest welfare and prosperity of the people.
- b. Priorities to provide energy by the Government and/or the regional government shall be given to underdeveloped regions, remote areas, and village regions by using local energy sources, particularly renewable energy sources.
- c. The Government and the Regional Government shall enhance the utilization of new and renewable energy.
- d. Energy shall be utilized by optimizing all potential energy resources, considering technological, social, economic, conservation, and environmental aspects, and prioritizing the fulfilment of the community's requirements and the improvement of economic activities in the region producing energy sources.

In addition, Law Number 11 of 2020 concerning Job Creation (*Cipta Kerja*) also has an impact on energy management with the issuance of implementing regulations, namely Government Regulation Number 5 of 2021 concerning Implementation of Risk-Based Business Licensing and Government Regulation No. 25 of 2021 related to the implementation of the Energy and Mineral Resources sector. Government Regulation No. 5 of 2021 which regulates risk-based business licensing, including for geothermal where direct geothermal utilization does not require a permit. The permit is not from the local government level but from the business license. Furthermore, the job creation law has an impact on Law No. 4 of 2009 concerning Mineral and Coal Mining (*Minerba*) by inserting Article 128A and revising Article 162 of the *Minerba* Law. Article 128A paragraph (2) states: "The provision of

certain treatment to the obligation of state revenue as referred to in paragraph (1) for activities to increase the value added of coal can be in the form of imposition of royalties of 0% (zero percent) which will be regulated by a Government Regulation. This article provides benefits for coal mining actors, but does not contribute to state revenue. Meanwhile, the provisions of Article 162 of the *Minerba* Law are amended which in essence states that anyone who hinders or interferes with mining business activities from the holder of a mining business permit, special mining business permit, people's mining permit who has met the requirements shall be punished with imprisonment for a maximum of one year or a fine of a maximum of one hundred million rupiah. This provision can also threaten local communities who feel that their rights to get a clean and healthy environment have been violated if they refuse to establish mining companies that already have permits in their area.

To expedite the development of new and renewable energy, the government stipulates several regulations under the Act, which consist of:

- a. Presidential Regulation (PP) No.4 of 2016 governing Electricity Infrastructure Acceleration.
- b. Presidential Decree No.66 of 2018 regarding the second amendment of Presidential Decree No.61 of 2015 concerning the Collection and the Use of Palm Oil Plantation Funds.
- c. Regulation of the Minister of Finance No. 177/PMK.011/2007 concerning the Exemption of Import Duty on the Import Goods for Upstream Oil and Gas and Geothermal Business Activities
- d. Regulation of the Minister of Finance No. 03/PMK.011/2012 concerning Procedures and Accountability of Geothermal Fund Facilities.
- e. Regulation of Minister of ESDM No.49 of 2017 is a refinement of the Minister of Energy and Mineral Resources Regulation No.10 of 2017 concerning Principles in Electricity Sale & Purchase Agreement.
- f. Regulation of Minister of ESDM No.50 of 2017 is a revision of the minister of energy and mineral resources regulation no.12 of 2017 concerning Utilization of Renewable Energy Resources for the Provision of Electricity, issued in creating a business climate while encouraging efficiency practices and providing reasonable and affordable price
- g. Regulation of Minister of ESDM No.49 of 2018 regarding the Use of Solar Heat Roof by Consumers of PT PLN
- h. Government Regulation No.79 of 2014 concerning the National Energy Policies that enacted on 17th October 2014.
- i. Government Regulation No.27 of 2017 governing National Energy General Plan

As stipulated above, a set of regulations stipulating energy and renewable energy has been outlined in several laws and not comprehensive in one law on energy. The paradigm shift in the direction of energy policy, especially with the signing of the Paris Agreement through the Law in 2016, requires specific and comprehensive regulations that are in line with the Paris Agreement as the main regulation on energy enacted in 2007.

5.2 New and Renewable Energy for the Future (Ius Constituendum)

Institute for Essential Service Reform stated that based on several prevailing regulations related to new and renewable energy, it has not yet had a significant development of such over the five years. The average additional installed capacity per year is only 400 MW (Mega Watts). Even though Indonesia is committed to achieving 23% renewable energy in the national primary energy by 2025. However, such accomplishments thus far are only approximately 11-12%. In addition, the summits meeting by countries was also held to discuss the development and use of energy to provide comfortable earth to live on. The results of the Paris Agreement that were ratified through the enactment of Law No.16 of 2016 regarding ratification of the Paris Agreement to the United Nations Framework Convention on Climate Change emphasize the importance of maintaining the threshold for earth temperature to below 2 degrees and suppressing the temperature limit to 1.5 degrees above the earth's temperature. Several years later, in 2021, the Minister of Energy and Mineral Resources Arifin Tasrif said that the Indonesian Government is committed to reducing gas emissions to support the net zero emissions attainment.

Institute for Essential Service Reform, in its annual report "Indonesia Energy Transition Outlook 2022," states that new and renewable energy is still low and not on track compared to the renewable energy fuse target by 2025. The unfavorable climate for renewable energy investment and inconsistent political will can hinder the attainment of the 23% target. Up to Q3 (quarterly 3) 2021, the renewable energy fuse is still at 11.2%. IESR recommends that Government should focus to strengthen the political will for decarbonization by amending the national energy policy and national energy general plan to align with the Net-Zero Emissions (ZNE) and to improve the quality of regulations to attract investment, reduce licensing barriers and accelerate the development and the utilization of

renewable energy beyond State Electricity Company (*PLN*) by encouraging community and businesses to invest in renewable energy. Thus, 23% national energy fuse in 2025 can be achieved.

Issues in the program to increase the contribution of new and renewable energy in connection to the national energy fuse (Lestari, 2021):

- a. The barrier related to policy and regulations for the use of *EBT* in the national energy fuse. The Government delineated several positive outcomes where 15 of 34 provincial authorities established The Regional Energy General Plan (*Rencana Umum Energi Daerah*) as stipulated in the National Energy Policy in December 2019. Disharmony regulation issued by the Ministry of Energy and Mineral Resources (ESDM) and disharmony of regulation that come across sectoral are factors that hinder the efforts to increase investments.
- b. Data issues. Most of the investors use the potential data issued by the Ministry of ESDM, but these data often are not up to date.
- c. Private investment is one of the significant factors in supporting the achievement. To the enormous need for investment to achieve the target, it cannot merely depend on the government funds. If it is done so, a 98% gap will arise in developing the energy system in Indonesia.
- d. Lack of government support in research and development and lack of funding is also an issue in the *EBT* area. Further, the existing funds amount at the work unit decreases gradually. The research to support the technology prototype in *EBT* is conducted in a small capacity. Up to date, none of the efforts aims to bring innovation to the industry.

The Natural Resources Governance Institute stated the Barriers on *EBT* development in Indonesia:

- a. Government policies: i) Low subsidies and intensive, ii) Lack of development of *EBT* and the grasp of production technology.
- b. Funding aspect and synergy in the development of new and renewable energy.
- c. High production cost, particularly to the initial investment that relies on technology.
- d. New strategy specifically for the long-term contract of the purchase agreement on new and renewable energy.
- e. Community's mindset in seeing that renewable energy is wasteful.
- f. Lack of human resources in regions.
- g. New methods of energy use that are considered bankable.
- h. The possibility of the emergence of regional regulations that are not in sync with *EBT* policy.

Findings from interviews conducted on multi-level governance of renewable energy support in Indonesia are as follows: weak local capacity, lack of national awareness of local conditions, lack of consultation between decision makers both horizontally and vertically during the policy formulation process are obstacles critical to support renewable energy. In addition, there are political barriers to the development of renewable energy. The view of multi-level governance helps us understand the relationship between these barriers and the larger systematic and political context in a decentralized country like Indonesia. Based on these preliminary findings, a more in-depth analysis is needed to relate the specific linkages to the political framework and outline the solution in the larger context. The multi-level governance perspective itself does not provide a generalizable blueprint for energy transitions around the world. However, if done carefully and adapted to the specific context of the country and its governance system, it can help address specific barriers to renewable energy and outline steps to address them. Referring to transition management, Indonesia will be in the early phase of renewable energy experimentation despite decades of experience. Indonesia has established a very stable fossil fuel-based electricity regime, making planning or managing the transition a challenge. Hence, the results of these findings can be used as material for public policy discussions on renewable energy within the framework of multi-level governance (Marquardt 2014).

Moreover, Indonesia has a need to meet targets for the development and utilization of renewable energy. One of the problems related to the legal aspect is the absence of a comprehensive national law or regulation that will serve as a specific legal umbrella for all additional regulations on renewable energy. Currently, the 2007 energy law is too broad in definition and lacks the specific level of explanation needed to be truly comprehensive. Renewable energy policies are currently being formulated and discussed in the House of Representatives and it is hoped that the government can formulate policies to improve the renewable energy sector, such as by providing convenience to investors in the renewable energy sector so as to support effective and efficient management of the renewable energy supply chain (Yudha and Tjahjono 2019).

There is a need to elaborate a new strategy to expedite the new and renewable energy development to pursue the national target and net-zero emissions by 2060. Commission VII The House of Representatives of Republic Indonesia (DPR RI) on January 25th 2021 has prepared an academic text and draft Law on the new and renewable energy to preserve legal certainty in the *EBT* development. The Ministry of Energy and Mineral Resources Republic of Indonesia (2021) gave its views at the Working Meeting of the Legislative Body of the House of Representatives on the harmonization of the New and Renewable Energy Bill that the importance of a legal umbrella upon the *EBT* rules are required to create the conducive sustain and continuity circumstance to benefit people. The draft Law is expected to play the following rules:

- a. To provide legal certainty;
- b. To harmonize with related laws on energy (Law of Energy, Law of Geothermal, Law of Natural Resources, Law of Nuclear);
- c. To strengthen the institutions and govern the development of *EBT*;
- d. To establish a conducive climate for *EBT* investors;
- e. To optimize the *EBT* resource in supporting the industrial development and national economy.

Therefore, the substance of the legislative version of the *EBT* Bill (dated 17 March 2022) has included issues that are problematic in the current regulation on energy by including them in the articles of this draft law of renewable energy as follows: (Table 1)

Table 1. Substance of the Draft of Law on Energy and Renewable Energy (*EBT*)

No	Chapters	Subject
1.	Chapter I: General Provision	- Definitions for energy, new energy, renewable energy, sources of new/renewable energy, sources of renewable and unrenewable energy, business entities, licensing, etc. (Article 1)
2.	Chapter II: Principles, Objectives, and Scope	- The principles on implementing new energy i.e, benefits, effectiveness, fairness, environmentally-minded, and justice (Article 2) - The objective of convening <i>EBT</i> i.e. to warrant endurance, self-sufficiency, nation sovereign on energy, set <i>EBT</i> to the position to substitute the unrenewable energy gradually and measurably and rational (Article 3) - The scope of <i>EBT</i> rules i.e., controlling, transition, and mapping, source of <i>EBT</i> , supply and use, etc (Article 4)
3.	Chapter III: Control	- New and renewable energy is a natural resource that shall be under the powers of the state and shall be used to the greatest benefit of the people (Article 5)
4.	Chapter IV: Transition and Road Map	- New and renewable energy development to replace unrenewable energy shall be done gradually, measurably, rationally and sustainable. (Article 6). - Central Government establishes a roadmap for new and renewable energy to ensure a balance between the supply and demand in the national supply system that refers to national energy policy (Article 7)
5.	Chapter V: New Energy	- New Energy resources consist of nuclear, gas, metana, coal bed methane, coal liquefaction, coal falsification Pasal Article 9) - Central government establishes a nuclear energy supervisory agency to report directly to the President (Article 11). - Licensing and control of new energy (Article 16 until 25) - Supply and use of new energy (Article 26 until 29)
6.	Chapter VI: Renewable Energy	- Renewable energy resources consist of geothermal, wind, biomass, solar, water stream and waterfalls, waste, agricultural and plantation product, livestock wastes, movement and

		temperature difference of the ocean layers, etc. (Article 30 until 31). - Private and Business licensing to renewable energy (Article 32 until 39). - The Central and Regional Governments supply and use renewable energy to support sustainable energy needs (Article 41 until 47).
7.	Chapter VII : Environmental stewardship and Occupational Health and Safety	Business entities establishing new and renewable energy shall guarantee the standard and quality of the environment, health, and safety (Article 48 until 49).
8.	Chapter VIII: Research and Development	Research and development aimed to support and create and independent and sustainable national energy industry (Article 5 until 52)
9.	Chapter IX: Valuation on new and renewable energy	New and renewable energy valuation is determined based on: (Articles 53 and 54) - The agreement of parties considering the economic value and a reasonable rate of return for the business entities. - Government assurance to support such programs in developing the industrial area, economic expansion to the leading, remote and underdeveloped area
10.	Chapter X: Incentives	The Central government and local government support in the form of incentives and ease of doing business (Article 55).
11.	Chapter XI: Fund on New and Renewable Energy	Central and local governments are obliged to fund the <i>EBT</i> to accomplish the national energy target policy (Article 56)
12.	Chapter XII: Guidance and Supervision	Central and local governments are obliged to conduct guidance and supervision to the <i>EBT</i> implementation i.e., licensing, efforts, occupational safety and health, data processing, information on <i>EBT</i> as well as reporting (Article 57 until 58)
13.	Chapter XIII: Community Participation	The community has the right to participate in implementing <i>EBT</i> (Article 59).
14.	Chapter XIV: Closing	Upon this law's effective date, all related laws and regulations shall remain in effect as long as they are not in contradiction with or have not been replaced under this law (Article 61 until 62).

6. Conclusion

New and Renewable energy is essential in sustaining energy preservation to support its growth. However, several problems with policy rules and regulations exist today that might affect the enhancement of renewable energy in Indonesia namely the barrier related to policy and regulations, disharmony regulation on energy, lack of funding, lack of government support in research and development, lack of consultation between decision maker in national and local government, the absence of comprehensive national law on energy. According to these legal problems, the House of Representative through Commission 7 (seven) has drafted a new law on new and renewable energy into the National Legislative Programs of 2021. This law is expected to answer problems and challenges in developing new and renewable energy in the future. There is an urge to form this law to reduce emissions to zero. Throughout the issuance of the new draft of The Law, an assessment of the implementation of existing laws of new and renewable energy is required. Draft of New Law on *EBT* provides opportunities to accelerate the *EBT* potential in fulfilling national energy needs. Linkage or harmonization with other related laws. The House of Representative with the government shall have to administer a convalescent umbrella law to develop the new and renewable energy, and to provide the related derivative rules. The Government is obliged to sharpen its political commitment to surge the quality of rules, and assure the availability of investment and the funds to support the new and renewable energy development. The House of Representative needs to provide the possible space to listen and get input from various stakeholders such as the public, academics, policymakers, entrepreneurs, non-governmental organizations. It will make the draft Law of *EBT* meets expectations and can be implemented in the future.

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Biography

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