

Criticizing potential deviations in the role of environmental impact analysis after the enactment of the job creation law

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Abstract. Because the implementation of sustainable environmental programmes is not viewed as optimal in terms of environmental protection, the Job Creation Law (UUCK), which was drafted using the Omnibus Law, attempts to integrate 80 laws into just one Job Creation Law that regulates multiple sectors, including the environment. This study examines how the Environmental Impact Analysis (AMDAL) in the Job Creation Law varies from the norm. This study aims to decipher how the Omnibus Law might affect AMDAL rules, spot and examine any potential role deviations, and assess the results for the environment. Literature reviews, legislation analyses, and case studies are all examples of research approaches. This study's findings show that anomalies in the implementation of Amdal in the Omnibus Law pose a threat to environmental quality and long-term viability. This modification reduces the significance of AMDAL as a factor evaluated by the government in deciding whether or not to grant a business license. Clearer and parallel rules that prioritize sustainable environmental protection are required to offer a new legal base that safeguards and covers legal principles and standards pertaining to the environment.

1 Introduction

The Omnibus Law was originally mentioned by President Joko Widodo during his 2019–24 inaugural address. In his address, he pledged to pass the job development law and the tax code via omnibus legislation. He explained that the overarching law will help streamline regulations and boost Indonesia's investment climate [1]. "A Omnibus Bill is a draft before a legislature that contains more than one substantive matter or several minor matters that have been combined in one bill, ostentatiously for the sake of convenience," according to the United States Duhaime Legal Dictionary [2].

The administration passed Law No. 6 of 2023 on Job Creation despite widespread public opposition and the Constitutional Court's decision to temporarily block its implementation. This case merits a formal review by the Constitutional Court for the following reasons: UUCK violates two provisions of Indonesian law: 1) the format of the regulations as outlined

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in the Law regulating Legislation in Indonesia, and 2) the principles outlined in the Law regulating Legislative Invitations in Indonesia. 3) Alterations to Content That Contradict Indonesian Law After Receiving DPR and Presidential Approval [1].

The fundamental motivation behind an omnibus bill is the difficulty of investing in Indonesia. Investing in Indonesia can be difficult due to the complexities involved in obtaining the necessary permits, acquiring land, and paying taxes. Investment in Indonesia is anticipated to be facilitated by the omnibus law model. Investment is crucial because it brings in much-needed funds to support national priorities like infrastructure development, employment expansion, innovation in key industries, tax revenue growth, and national security [3].

Government Regulation No. 22 of 2021 governs the implementation of Law No. 32 of 2009 on Environmental Protection and Management. Law No. 6 of 2023 on Job Creation regulates a number of aspects of these two laws [4]. Numerous modifications to licensing requirements are brought about by this law's implementation. In addition, the Job Creation Law's implementing regulation, Government Regulation Number 5 of 2021 Concerning the Implementation of Risk-Based Business Licencing, modifies rules for obtaining a business licence [5].

The structure and essential functioning of life-supporting ecosystems are threatened by increased development's potential for pollution and destruction of the environment. The ultimate cost of recovery falls on society and the government, making situations like these a social burden. To raise the carrying capacity of the environment, everyone in society must do their share in maintaining a good and healthy ecosystem. In order to achieve sustainability and ensure the welfare of present and future generations, intelligent growth (particularly in the environmental sector) must be based on environmental knowledge [6].

Exploring the environment or natural resources requires AMDAL to be implemented [7]. In actuality, AMDAL's primary responsibility is to organise the effects of planned development activities so that they can be integrated into the ecosystem as a whole. Parameters of environmental quality can be compared in a controlled experiment. When one machine is configured as a controller, it can be given responsibility for monitoring specific regions. At the same time, development is taking place in other natural systems, particularly in agricultural regions. Disjointed or overlooked aspects of an AMDAL evaluation can throw the whole thing off balance. The purpose of AMDAL is development, and it is used to track down ways in which development might be improved. At the project level, AMDAL is one of the sustainable development instruments for making decisions [8].

The concept of sustainable development is multifaceted, encompassing not only the physical and ecological realms but also the social, cultural, political, and legal realms. Inequality is relatively high in developing nations, making social, cultural, political, and legal factors crucial to environmental management based on sustainable development.[9] Therefore, the idea of sustainable development is not a fixed and immutable one; rather, it is a dynamic and adaptable one that calls for ongoing research and improvement [10].

The analysis of several pieces of legislation shows that there is a severe threat to a sustainable environment since they are either directly proportional or contradictory [11]. Among these, some are:

- Streamlining the permitting process by converting environmental permits into environmental approvals that can't be challenged in court [12].
- Confusing the issue of responsibility (Aguirre & D'esposito, 1999; Riyanto et al., 2020) which nearly shifts the definition of absolute responsibility (strict liability) to liability based on fault, potentially weakening justice for the community; this is exacerbated by the fact that only communities directly affected by environmental issues are allowed to participate in environmental decision-making at all [15].

The Environmental Management Act of 1997 was updated by Law No. 32 of 2009. Different rules apply under Law 32 of 2009 and Law 23 of 1997. Human rights, in the form of the right to a safe and healthy community, are viewed and appreciated philosophically in this law. The sustainable and environmentally sound development concept is central to Law Number 32 of 2009, which also provides a philosophical foundation. Because environmental issues are only going to become more complex and full of investment interests in the future, this is crucial for the growth of the national economy. Thus, environmental challenges affect both the government and the general public.

Harmony between economic interests for the wellbeing of citizens and environmental sustainability as a citizen's right is the goal of implementing environmental protection and management [16]. Environmental law's application of contemporary environmental legal principles prior to the enactment of rules pertaining to the creation of new jobs is, in general:

- Prior to the passage of rules relevant to the creation of new jobs, it was common practice in environmental law to apply modern environmental legal principles.
- If the proposed project or activity falls into the "small" category and has few environmental implications, the applicant may submit an Environmental Document (also known as Environmental Management Efforts or UPL) in place of an Environmental Study.
- In addition to the environmental study or environmental documents, the applicant must submit any licences, permits, or other technical documents that are necessary for the implementation of the proposed project or activity.
- When seeking environmental approval, applicants are obligated to consult with the local community and other relevant parties.
- Evaluation by the Environmental Institute (LLH) and government-appointed environmental agencies is part of the process of requesting environmental approval [17].

Before the Omnibus Law, EIA was crucial in conducting a comprehensive assessment of the environmental impacts of proposed developments. Concerns have been raised about the potential for less stringent monitoring and assessment of more far-reaching environmental repercussions as a result of the Omnibus Law's loosening of requirements. Environmentalists and critics are concerned that a reduction in the stringency of required environmental impact studies will make it easier for projects with major environmental implications to secure the necessary licences. After the passing of Law No. 11 of 2020 about Job Creation (UUCK), the community has taken on new responsibilities in preparing AMDAL. The controversy over the removal of Articles 24, 25, and 26 of UUCKs from UUPPLH is evidence of this. The reduction of environmental observers, a lack of transparency, and the reduced opportunity for direct community input all contribute to the contentiousness surrounding the preparation of AMDAL documents [18].

Take Riyanto's empirical work as an example [14], signifying a move away from less automated and more interactive assessment methodologies. This critique not only brings attention to the lowering of sustainability requirements but also demonstrates the government's propensity to ignore the opinions of locals and outsiders when making decisions. Considering the many international accords that Indonesia has signed stressing the significance of community engagement in environmental decision-making, this is very ironic.

Muryati also pointed out how the new policy undermines environmental justice. This research claims that as society's role in preventing and punishing AMDAL declines, so does its political significance. This challenges the strict liability' paradigm in legal theory, according to which those who cause harm or injury should bear the onus of proving and assuming responsibility for any resulting damages [19].

Bilal's study emphasises the institutional factors, stating that the decreased power of state and federal agencies to ensure environmental compliance is a result of deregulation. In this setting, the government's ability to consult with a wide range of interested parties, such as citizens and NGOs, is constrained [20].

Because of this, fundamental concepts of sustainable development are put in jeopardy by the Job Creation Law. The government's institutional and ethical capability to confront the issues of ecological sustainability has been weakened as a result of the deregulation and bureaucratization of the AMDAL process, which has restricted the space for public engagement and accountability. This represents a departure from a model of governance that prioritises the common good in favour of one that serves business interests at the expense of protecting the environment.

In addition, it is important to understand the theoretical and conceptual context that supports the study. In the context of environmental law and policy theory, this study is particularly relevant as it highlights the significant impact of the job creation law on EIA practices and community participation in environmental decision-making. Environmental justice theory, raised by Muryati, emphasizes that every individual and community should have equal and equitable access to the decision-making process that impacts their environment. Riyanto highlighted the shift from a more interactive assessment method to a more automated approach, pointing out how the new policy ignores the principles of sustainability and community participation.

From an institutional perspective, as expressed by Bilal, the study highlights how deregulation in the job creation law reduces the power of state and federal agencies to ensure environmental compliance, as well as limiting space for public participation and accountability. This is indicative of the transfer of a governance model that is more concerned with business interests than environmental protection, which is contrary to the principles of sustainable development.

The importance of this study lies in its ability to demonstrate the impact and relevance of these policy changes to environmental justice, community participation, and ecological sustainability. Through critical analysis, this study explores how the deregulation and bureaucratization of the EIA process have an impact on the ability of government institutions to face ecological sustainability challenges and provide space for community voices. Arranging the structure of the text and the flow of arguments makes it easier for readers to understand how changes in the job creation law are impacting the landscape of environmental policies and practices in Indonesia, as well as their implications for the principles of justice, sustainability, and public participation.

This leads us to ask, (1) Is Amdal an oxymoron in the UUCK context when it comes to ecological sustainability and economic recovery? (2) What are the legal ramifications of the inconsistencies in the implementation of AMDAL that result in UUCK's failure to meet its environmental agreement obligations?

2 Method

This magazine is written using a normative research approach, which seeks to address legal questions by identifying applicable legal rules, principles, and doctrines [21]. To determine if a system complies with applicable legal principles and if there are any legal gaps that can be exploited, normative legal researchers consult secondary sources such as statutes, regulations, doctrine, jurisprudence, and legal literature [22].

According to this definition, the author does not do original fieldwork, and instead relies on existing library resources to conduct case analyses. This study relied on secondary sources from libraries to gather information about the law, including treaties, statutes, case law, and other statutory and statutory sources:

- Primary legal sources are documents that provide context for the issues at hand. Constitutional provisions, statutes, executive orders, and executive orders in lieu of laws are all examples.
- Data resources that explain primary legal documents are called secondary legal sources. Publications such as journals, reports, research findings, scientific works, etc.
- Supplementary legal resources that supplement main and secondary sources The internet, newspapers, magazines, and books are only a few examples of such sources.

3 Results and discussion

3.1 Sustainability oxymoron: Does the environmental impact assessment in UUCK illustrate a duality between economics and ecology or is it just a regulatory paradox?

An oxymoron is a figure of speech that uses seemingly contradictory terms in the same clause [23]. Therefore, the question of whether or not AMDAL laws post-UUCK implementation prioritise investment for ecological sustainability will be discussed in this sub-discussion.

In general, AMDAL can be put to use in three ways: 1) by providing clear information about a business plan and the environmental impacts it will cause; 2) by accommodating the hopes, skills, and opinions of the population when a project or business plan is to be established, particularly in regards to environmental issues; and 3) by accommodating local information that is helpful for initiators and communities in anticipating impacts and managing the environment [24].

When it comes to preserving the environment, AMDAL is particularly helpful for doing the following three things: 1) preventing the potential of managed natural resources from being damaged, especially non-renewable natural resources; 2) preventing the negative effects of resource processing on other natural resources, other projects, and the community so that conflicts do not arise; and 3) preventing environmental damage due to pollution so that it does not interfere with the health, comfort, and safety of the people living in the area [24].

The terms of PPLH Law Number 30 of 2009 pertaining to AMDAL are significantly altered by UUCK. There has been a significant shift in both the meaning and preparation process of the term AMDAL, yet it is still present in the UUCK. Despite claims that UUCK will make things easier, in practice, they end up being far more convoluted and fraught with uncertainty [25]. UUCK is being implemented by the government as a deliberate strategy to foster national economic growth and development. The presence of this status quo simplifies the many unintended consequences of reductionism. Nonetheless, the status quo law is on hold for the time being, but there is a great possibility that it will be enacted without any major revisions. The inclusion of the status quo statute represents the government's desire to improve Indonesia's business environment. UUCK controls a number of clusters, and one of them is ecological. Since UUCK has weakened the regulations on AMDAL established by Law No. 32 of 2009 about Environmental Protection and Management (UU PPLH), many people are worried about the possibility of negative environmental impacts from development. The environmental factor has an enormous impact on both the preventative and punitive measures taken [26].

- In this scenario, the existence of AMDAL, the Environmental Permit, and spatial planning are all related to the preventative component.
- Considerations for correcting the environmental damage caused by a company's operations.

The author argues that there are significant differences between the UUCK and a number of earlier environmental rules with regard to these two environmental protection pillars. According to Law No. 4 of 1982, Basic Provisions for Environmental Management, "the environment" is "the unity of space with all objects, forces, and conditions of living creatures, including humans and their behaviour that influence the continuity of life and human welfare," and "the regulation prioritises the protection of environmental diversity in environmental management by parties who carry out environmental exploration." [27].

The preceding normative provisions are very similar to the normative provisions of Law No. 23 of 1997, which regulates environmental management. Relevant between environmental protection states, legislative instruments for environmental protection are essential for providing legal certainty for environmental protection. Efforts to preserve and safeguard the environment include the presence of environmental legislation, which provides an instrument of legal certainty for the environment [28]. Similarly, the principles of contemporary environmental law are reflected in Law No. 32 of 2009 concerning Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5059) [29]. Eco-Sufism, also known as green Sufism, is a relatively recent Sufi idea that was developed via the merging of concerns for the natural world and faith in a higher power.

Since its inception, the ethics of deep ecology have evolved to include at least eight additional concepts. The richness and diversity of life forms contribute to the realisation of these values and are values themselves; (3) humans have no right to reduce this richness and diversity except to meet their vital needs; (4) the good conditions of human life and culture can be matched by a substantial reduction in population; (5) human interference with the ecosystem is now too great to be ignored. There needs to be a shift in overall policy, which has implications for how things are done economically, technologically, and ideologically; (7) the emphasis of the new ideology is on prioritising quality of life over material wealth; Indirectly and directly, those who agree with the preceding arguments have a responsibility to work for the aforementioned improvements.

The government's environmental regulations prior to the UUCK were all founded on the principle of long-term preservation of natural resources. The author concludes that UUCK was disproportionately contrary to the goals of earlier environmental laws when it was issued by the government. The preventive and enforcement aspects of environmental change are crucial. In this instance, environmental permits and spatial planning are relevant to the preventative part of AMDAL. Other parts of the article focus on keeping an eye on the police. Important rules and mechanisms for controlling impacts can be found in both the preventative and enforcement provisions of the Law on Environmental Protection and Management [30].

Several of Job Creation's rules are so ludicrous that they've been called "deliberately absurd" by some. The word "absurd" is derived from the concept of the impossible, irrational, silly, and humorous. To be ridiculous is to encounter the impossible in one's own absurd way of thinking. Something that lacks clarity and logic, or is otherwise out of sync with reality, can also be described as absurd [31]. Examples of such environments include:

- Several provisions linked to business licencing that were formerly regulated in the Environmental Law are modified, deleted, or given new regulations under this Law in order to make it easier for everyone to receive environmental approval," as stated in Article 21 of the Job Creation Law.
- To the definition of Amdal given in Article 1 Number 11 of the Job Creation Law, the words "...and is included in business licencing, or approval from the Central Government or Regional Government..." are appended. The insertion of "or" to this amendment makes its provisions non-mandatory. You can select any one of the three options laid out in the Job Creation Law article. You are not obligated to comply with all three of these conditions, but you may do so if you so desire. In this way, business

owners who are interested in incorporating Amdal into their operations can do so with either federal or regional government approval.

- The wording "leading the implementation of government affairs that fall under autonomous authority..." appears in the modification to number 37. At first glance, this seems OK; nevertheless, upon further inspection, it becomes clear that the regional government's authority is being severely constrained by the limitation of its autonomy to the performance of statutory support duties. The idea at play here is that the Regional Government is merely a subordinate branch of the Federal Government, with the Federal Government having final say over all things not specifically delegated to the Regions.
- The federal government is the sole arbiter of who gets company licences. For the purposes of this paragraph, if Article 22 paragraph (1) number 37 is being referred to, the Regional Government is not a decision-maker on its own accord but rather an extension of the Central Government charged with providing aid.
- Articles 29–31 of the PPLH Law are being repealed in their entirety. Article 29 of the PPLH Law establishes the Amdal Assessment Commission, which is composed of the Minister and the Regional Government (Governor, Regent, or Mayor) and is responsible for evaluating Amdal papers. The central government's environmental due diligence institute has already established an environmental due diligence team, which is similar to what is proposed in this article; therefore, both pieces of legislation should work well together. As a result, the Job Creation Law operates under the idea of centralised permitting and decision-making by the Central Government.
- Article 30 was repealed, which contained the composition of the Amdal Assessment Commission, whose composition was regulated in the a quo article and was very complex and contained an element of balance, where the membership included almost all levels of society, beginning with environmental agencies, related technical agencies, experts in the field of knowledge related to the type of business and/or activity being studied, and experts in the field of knowledge related to the impacts. However, this article was removed from the Job Creation Law, reducing the community's input into the creation of Amdal papers to a minimum.
- Since Article 31 of the PPLH Law is a continuation of Articles 29 and 30, the Amdal Assessment Commission's determination of whether or not a site is environmentally suitable or unsuitable for development is also absent from Article 31 of the Job Creation Law. The Environmental Due Test Team that had been established by the government in place of the Amdal Assessment Commission and the authority to make determinations about environmental appropriateness had led to the removal of this item. Despite the Regional Government's superior knowledge of the local climate and terrain, the Central Government is ultimately responsible for determining and issuing business licences [25].
- According to Article 25 of both the Job Creation Law and the Perpu, communities that will be directly impacted must be consulted throughout the creation of an Environmental Impact Analysis (AMDAL). In fact, according to the Environmental Protection and Management Law, everyone is affected by everything. This includes environmental watchdogs and communities that aren't directly impacted. EIA determinations are also at stake. Participation in the AMDAL preparation process is an upstream stage of an activity, so residents' thoughts, feedback, and reactions to project pioneers and business owners will shape the course of development in their neighbourhood. There are three reasons why community involvement is crucial, as stated by Diana Conyers [32]:
 - Without active community participation, development initiatives are doomed to fail. This is why it is so important to get feedback from the locals;

- Trust in development initiatives or programmes is increased when the public is included from the very beginning, during all stages of planning and execution. As a result, people will feel more invested in these endeavours;
- In many nations, citizens are actively encouraged to take part in shaping their own societies, with the idea that doing so is a fundamental democratic prerogative.

Because residents of an area can have a say in its future development by offering recommendations, feedback, and reactions to project founders and business owners, community participation in the AMDAL preparatory process is an upstream stage of the activity. To ensure that community engagement in environmental activities is embedded within the context of safeguarding the right to a decent and healthy environment in line with environmental instruments, it is crucial to include the role of the community as a monitoring space. Here is a look at how the sweeping new law compares to the prior set of restrictions:

Table 1. Comparison of regulations before and after the omnibus law.

No	Previous Regulations	Omnibus law	Explanation
1	<ul style="list-style-type: none"> a. Decision on Environmental Feasibility/Recommendation from UKL and UPL[†] [30] b. Ecological licence c. Authorization to Operate [30] 	<ul style="list-style-type: none"> a. Acceptance from the environment, in the form of. b. Resolution of environmental destruction; c. Description of capabilities in environmental management d. Authorization to Operate 	Licensing Procedures Simplified
2	<ul style="list-style-type: none"> a. The municipal authority of Amdal, with public input, can establish an assessment commission (Article 24 of Law No. 32 of 2009 concerning Environmental Protection and Management, 2009) b. Neighbourhoods impacted by commercial or industrial endeavours c. Environmentalist d. Groups concerned with the environment, and e. Experts on Amdal and its ecosystem should be included in decision-making processes [28]. 	<ul style="list-style-type: none"> a. Committee for Environmental Checkup Only the federal government can form these. b. Only locals feel the effects. c. The conditions must be meaningful, especially for the affected populations [33].[‡] d. Which waste products can be safely discarded is set by environmental regulations [33].[§] 	A decline in team members during the Amdal feasibility test severely impacted the project's viability.
3	The person who comes up with the idea has sole authority over any decisions made and may only solicit help from other people [27].	The original party has the option of appointing someone to take on certain roles	Creator of Amdal paperwork

[†]Amendments to Article 34 and Article 35 regulate that activities and/or businesses that do not have a significant impact must comply with UKL and UPL standards. These businesses and/or activities must make a statement of capability for environmental management and monitoring which is integrated into the Business Identification Number. Initially, based on Article 34 UU-PPLH, businesses and/or activities that do not require Amdal are required to have UKL-UPL

[‡]Addition to five (5) paragraphs in the Job Creation Law

[§]Amendments to Article 20 paragraph (3) letter b, "Every person is permitted to dispose of waste into environmental media with the following requirements: a. meet environmental quality standards; and b. obtain approval from the central government or regional government. Previously in UU-PPLH "obtain permission from the Minister, governor, or regent/mayor in accordance with their authority". Changes to permits are replaced by approval and the Minister, Governor or Regent/Mayor is replaced by the Central Government or Regional Government. UU-CK also deletes paragraph (2) which delegates to the Minister to issue regulations regarding waste water quality standards; sea water quality standards and disturbance quality standards. In UU-CK, regulations regarding environmental quality standards are further regulated by government regulations

3.2 From theory to practice: How do discrepancies in amdal implementation affect the legal consequences of environmental approvals in the era of job creation laws?

The term "discrepancy" is used to describe a situation in which one's actual outcomes deviate from their anticipated outcomes [34]. Initiators typically prepare Amdal and/or UKL-UPL at the pre-launch phase of a venture or undertaking. The term "project stage test" is well-known in the Amdal or UKL-UPL assessment, and it governs two things: whether or not a business or activity is in conformity with the spatial plan and whether or not it is still in the planning stage. Other processes will be used to evaluate the business or activity in compliance with applicable laws and regulations if an EIA or UKL-UPL assessment has already been conducted prior to, during, or after construction or operation.

This is in line with operations that have been granted permission to conduct their company or engage in their activity but lack the requisite environmental documentation and licences. For businesses and/or activities that are equal to AMDAL and DPLH, respectively, DELH and DPLH must be prepared. and UKL-UPL. State administration law, civil law, and criminal law are all brought together in Law Number 32 of 2009 in an effort to create a unified legal framework for environmental protection and management that is clear, firm, comprehensive, and provides legal certainty in the protection and management of natural resources and activities. The use of criminal law enforcement as a last resort when administrative law enforcement has failed, the gathering of accumulating evidence, and the development of the *Ultimum Remedium* principle are all examples of this kind of fortification. Criminal infractions regarding waste water quality regulations, contaminants, and disruptions in services are the only ones covered by this rule.

Principles from Law No. 32 of 2009 are being applied in a way that gives mediation and arbitration, two types of ADR that don't take place in court, a higher priority [35]. State administration law, civil law, and criminal law are all brought together in Law Number 32 of 2009 in an effort to create a unified legal framework for environmental protection and management that is clear, firm, comprehensive, and provides legal certainty in the protection and management of natural resources and activities. The use of criminal law enforcement as a last resort when administrative law enforcement has failed, the gathering of accumulating evidence, and the development of the *Ultimum Remedium* principle are all examples of this kind of fortification. Criminal infractions regarding waste water quality regulations, contaminants, and disruptions in services are the only ones covered by this rule.

State administration law, civil law, and criminal law are all brought together in Law Number 32 of 2009 in an effort to create a unified legal framework for environmental protection and management that is clear, firm, comprehensive, and provides legal certainty in the protection and management of natural resources and activities. The use of criminal law enforcement as a last resort when administrative law enforcement has failed, the gathering of accumulating evidence, and the development of the *Ultimum Remedium* principle are all examples of this kind of fortification. However, this rule only applies to specific sorts of criminal offences, such as those that compromise the quality of waste water, release contaminants, or interrupt service. A few of them:

- Permit holders who commit irregularities are subject to administrative sanctions imposed by the entity or agency authorised to provide environmental clearances. A variety of consequences, including reprimands, warnings, suspensions, revocations, closures, transfers, interim suspensions, and confiscations, may be imposed. With this type of administrative punishment, not only the regulations outlined in the Omnibus Law but also any other rules judged appropriate to the situation, such as:
 - Warning Letter (Article 510, PP No. 22/2021) Article 510 of PP No. 22/2021 lays forth this penalty.

- Governmental Threats and Pressures (Articles 511–513) of PP No. 22/2021. If the infraction has resulted in losses, impacts, or even threats, this discipline may be given without prior written warning.
 - PP No. 22/2021, Articles 514–520 Administrative Penalties. If the criteria are met, including pollution, negligence, or the lack of an Amdal that is suitable for its purpose (going beyond what is determined by environmental management), the responsible party may be liable to administrative sanctions in the form of administrative fines.
 - Licencing revocation (Article 521 PP No. 22/2021) Those in charge of companies or endeavours that don't comply with government coercion face suspension of their business licences if they don't pay administrative fines and/or penalties for delays in enforcing government coercion.
 - Taking Away Permission to Do Business (Article 522 of PP No. 22/2021) If a company's leaders fail to pay fines and other duties as specified in its contracts and local laws, the company's licence may be revoked.
- Authorities may pursue criminal charges if they determine that a party's failure to carry out actions required by environmental accords constitutes a severe violation of the law. A number of environmental criminal regulations from earlier regulations can be utilised to circumvent these regulations, including ones that the Job Creation Law does not define in detail and uses a lot of the phrase "or" to imply ambiguity:
- Although the Criminal Code does not contain a specific chapter devoted to environmental offences, several paragraphs address environmental concerns (see paragraphs 187 and 188). Destroying (and similar acts) structures used to store or direct water (Article 191 of the Criminal Code); Contravening Article 202 of the Criminal Code by introducing a hazardous substance into a public water system; Starting a fire on a public road that poses a fire risk is a violation of Article 497 of the Criminal Code. Making explosives without a licence (Article 500 of the Criminal Code); Selling (and similar conduct related to) food or drink that has been contaminated, is spoiled, or comes from sick cattle (Article 501 of the Criminal Code); Without a valid hunting licence, it is illegal to hunt in a forest (Article 502 of the Criminal Code). Inciting a riot or causing a disturbance near a house of worship is a crime under Article 503 of the Criminal Code. Allowing cattle access to a garden or seed field in violation of Articles 548–549 of the Criminal Code.
 - Articles 41–44 of the UULH govern several types of criminal behaviour. Crimes of environmental pollution, destruction, and other violations of applicable laws are all covered by the UULH's environmental criminal crimes regulations [36].
- If an activity is carried out improperly and causes harm to a third party, that party may file a claim for reimbursement with the permit holder.
- According to Article 90(1) of Law No. 32 of 2009 on Environmental Protection and Management, government agencies and regional governments responsible for the environmental sector have the authority to submit claims for compensation and certain actions against businesses and/or activities that cause environmental pollution and/or damage resulting in environmental losses.
 - Paragraph one of Article 87 is the codification of the polluter-pays principle, an established concept in environmental law. In addition to being ordered to pay monetary damages, pollutants and/or destroyers of the environment may also be ordered to perform other legal acts at the judge's discretion.
 - For the purposes of subparagraph (b) of Article 54, "remediation" refers to actions taken to repair the damage caused by pollution and enhance the quality of the surrounding environment. The C-Letter: The term "rehabilitation" refers

to the process of fixing a damaged area so that it can once again serve its intended purpose and benefit society. In the sense of the definition given in clause (d), "restoration" refers to any efforts made to return the environment or its elements to their original state of functionality [37].

Legal repercussions for failing to carry out Amdal activities in accordance with the terms of the Environmental Agreement between the Job Creation Law include the three regulatory elements the author has stated above. Job Creation, also known as the Omnibus Environmental Protection Act, seeks to enact regulations in areas where doing so will have a deterrent effect on perpetrators, in this case irresponsible individuals, so that they will not repeat acts of environmental destruction. Moreover, since the passing of the Job Creation Law (UU Ciptaker), rules pertaining to Environmental Impact Analysis (Amdal) must pay attention to certain crucial areas to ensure that they do not have the potential to damage the environment. Here are a few key considerations:

- Explicit and binding terms: All agreements involving the Amdal procedure must include such terms. Criteria for environmental safeguarding, such as open processes and limits on environmental damages, are also included.
- Including the community and key stakeholders is crucial to the success of the Amdal process. To fairly and adequately reflect the public interest, public opinion and input must be heard and incorporated into the decision-making process.
- After a project has been put into action, it needs to be continuously monitored and supervised by a reliable system. Scheduled, continuing impact evaluations that can adapt to new or unexpected outcomes throughout the project lifecycle are essential.
- Regulations must guarantee an efficient law enforcement system to deal with any Amdal infractions. Sanctions must be controlled to be both strict and effective in order to deter and prevent infractions.
- Sustainability concepts should play a central role in the development and implementation of Amdal (5. Long-term interests must be appropriately considered, and this encompasses economic, social, and environmental factors.
- Efforts are needed to raise public awareness about EIA and the need to care for the environment. Raising public understanding will encourage more people to keep an eye out for and report violations of Amdal rules.
- Working closely with other institutions is crucial, especially those in the commercial sector and government. To better coordinate the rollout of Amdal and the incorporation of sustainability concepts, this is being done.

Even after the passage of the Job Creation Law, potential environmental damage can be avoided through careful preparation and implementation of EIA requirements.

4 Conclusion

Many communities and environmentalists have been affected differently by the government's new rules issued in place of Law No. 2 of 2022 concerning job creation, which is seen by some as "dwarf" environmental protection. This is because the new rules are seen as removing or changing the consideration of previous environmental rules that are very clear and firm in Environmental Protection, beginning with Law No. 4. Law No. 32 of 2009 on Environmental Protection and Management (LN year 209 No. 140, abbreviated as UUPPLH) deemed Law No. 23 of 1997 (UULH 1997) null and void, effectively rendering UULH 1982 null and void. Environmental Impact Assessments (EIAs) are inconsistent with the premise of modern environmental law, which is the definition of how the government, society, and other parties handle the environment without causing damage to it. Meanwhile, certain parties are considered to have less stringent legal consequences for environmental damage in the

event of deviation from the implementation of EIA activities against the obligations in the environmental agreement between the job creation law.

This research looks at how the Environmental Impact Analysis (EIA) function may change now that the Jobs Bill has been passed. The focus is on determining if the EIA's implementation is consistent with the law's stated goals of environmental protection, sustainability, and economic growth mitigation. This research delves deeply into how post-employment legal regulation influences the EIA process and the consequences for ecological sustainability. The research criticises the EIA for possible deviations, including hazy rules, a lack of openness, and an emphasis on economic growth without proper consideration of environmental repercussions. In light of the job creation law, this suggests that stricter oversight and monitoring are required to guarantee that EIA is carried out in line with the goals of environmental protection and sustainability.

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