

COMMUNITY PARTICIPATION IN THE PROCESS OF MAKING AN ENVIRONMENTAL IMPACT ASSESSMENT ASSOCIATED WITH LAW NUMBER 6 OF 2023 CONCERNING JOB CREATION

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ABSTRAK

This study aims to analyze community participation in the Environmental Impact Assessment (EIA) in connection with Article 22 of Law Number 6 of 2023 concerning Job Creation (Omnibus Law on Job Creation). The object of this research is changes in community participation in the process of issuing the EIA after the enactment of Omnibus Law on Job Creation. The research was carried out from December 2023 to March 2024. The research approach used a normative juridical approach using the Library Research method. Data analysis used a qualitative descriptive approach with a deductive logic approach. The study results show that the Omnibus Law on Job Creation has reduced the rights and obligations of the community in the EIA process. The initiator's obligation to provide transparent and complete information and to be notified prior to EIA activities has been abolished so that the initiator is not required to provide complete and detailed information when development activities are to be carried out. Omnibus Law on Job Creation has eliminated the principle of Free, Prior and Informed Consent in the EIA process. Omnibus Law on Job Creation has also limited the number of people who can be involved in the EIA process. Only directly affected communities can be involved in the EIA process. Furthermore, the community's right to object to the EIA document has been removed so that the community must accept the EIA document even though it is detrimental to society and does not support sustainable development.

Keywords: Community; Environmental Impact Assessment (EIA), Participation, Omnibus Law

A. INTRODUCTION

Law Number 6 of 2023 concerning Stipulation of Government Regulation in Lieu of Law (PERPU) Number 6 of 2022 concerning Job Creation to Become Law (hereinafter referred to as Law Number 6 of 2023 concerning Job Creation) has been ratified by the the House of Representatives of the Republic of Indonesia (DPR RI) to become Law Number 6 of 2022 concerning Job Creation on March 21, 2023. This law has generated a lot of criticism, especially in terms of environmental management and protection. Law Number 6 of 2023

Concerning Job Creation is another form of Law Number 11 of 2020 concerning Job Creation which reduces efforts to manage and protect the environment.^{1,2}

Law Number 6 of 2023 concerning Job Creation is considered not environmentally friendly and does not guarantee the preservation of nature.³ Law Number 6 of 2023 concerning Job Creation has deleted and changed the permits stipulated in Law Number 32 of 2009 concerning Environmental Protection and Management and is considered to endanger environmental sustainability. There are several critical issues in the contents of Law Number 6 of 2023 related to the environment. First, Law Number 6 of 2023 concerning Job Creation is considered to have ignored the precautionary principle used as the main guideline for the use of natural resources and environmental protection by changing the concept of Environmental Permits that previously existed in the Law Number 32 of 2009 concerning Environmental Protection and Management to become environmental “approvals”. Second, Law Number 6 of 2023 concerning Job Creation has significantly reduced community participation in decision-making processes related to development plans that have the potential to impact the environment.⁴

In the process of EIA, Law Number 6 of 2023 concerning Job Creation has reduced the scope of society from multi-stakeholders to only “communities directly affected”. In fact, the involvement of the wider community in the process of preparing the EIA is considered beneficial for the selection process and protection of environmental sustainability. In the study of law and development, the involvement of the community in development is absolutely necessary because the community is the party that knows the environmental conditions and community needs best. In the development process, the government requires community participation to realize their ideas, while the community requires the government. The development process can improve the quality of life of the community.

The controversial part of Law Number 6 of 2023 concerning Job Creation relating to community participation and the EIA process lies in Article 22 in which there are significant changes in this article including limiting community groups that can participate in the EIA process, limiting the types of participation, loss of community rights obtaining open information in the process of developing and preparing the EIA and losing the community’s right to submit objections to the EIA document as stipulated in Law Number 32 of 2009 concerning Environmental Protection and Management.

Law Number 6 of 2023 concerning Job Creation has amended the Law Number 32 of 2009 concerning Environmental Protection and Management, especially regarding community involvement in the preparation of the EIA and environmental permits which are considered as trimming the community’s rights in the process of EIA and weakening laws that threaten environmental sustainability. Moreover, EIA preparation activities are only for high-risk projects. The term “specific high-risk businesses and/or activities” refers to businesses and/or activities that, in the event of accidents and/or emergencies, can cause significant and widespread impacts on human health and the environment, such as petrochemicals, oil and natural gas refineries, and nuclear power plants.⁵ Whereas in Law Number 6 of 2023 concerning Job Creation, the rules for determining a low or high risk project are unclear. Pruning community rights raises concerns among many parties that Law Number 6 of 2023

¹Saputra, Rahmat, and Rama Dhianty. “Investment License and Environmental Sustainability in Perspective of Law Number 11 The Year 2020 Concerning Job Creation.” *Administrative and Environmental Law Review* 3, no. 1 (2022): 27–40.

²Sudharto P Hadi, Rizkiana S Hamdani, and Ali Roziqin. “A Sustainability Review on the Indonesian Job Creation Law,” *Heliyon* 9, no. 2 (2023): e13431, <https://doi.org/https://doi.org/10.1016/j.heliyon.2023.e13431>.

³Hadi, Hamdani, and Roziqin. “A Sustainability Review on the Indonesian Job Creation Law.” *Heliyon* 9, no. 2 (2023): e13431. <https://doi.org/https://doi.org/10.1016/j.heliyon.2023.e13431>

⁴Mohamad Mova Al’afghani and Bisariyadi Bisariyadi, “Konsep Regulasi Berbasis Risiko: Telaah Kritis Dalam Penerapannya Pada Undang-Undang Cipta Kerja,” *Jurnal Konstitusi* 18, no. 1 (2021): 066–090, <https://doi.org/10.31078/jk1814>.

⁵Law Number 32 of 2009, “Law Number 32 of 2009 Concerning Environmental Protection and Management” (2009), [https://jdih.esdm.go.id/peraturan/UU 32 Tahun 2009 \(PPLH\).pdf](https://jdih.esdm.go.id/peraturan/UU%2032%20Tahun%202009%20(PPLH).pdf).

concerning Job Creation has the potential to easily issue “fake” EIA because the process of issuing this EIA is without community control from pre-activity to post-activity.

Previously, the process of EIA as a condition for issuing environmental permits was carried out carefully and rigidly to ensure that an activity would not harm the environment and society.^{6,7} Community involvement in the preparation of the EIA is an effort to ensure that development activities are truly safe in terms of the environment and benefit all parties, including the community.^{8,9} In some cases, the removal of community involvement in the EIA process has led to environmental pollution and conflicts between companies and communities.^{10,11} So that changes in the EIA process after the enactment of Law Number 6 of 2023 concerning Job Creation are considered to have the potential to create policies that are detrimental to environmental and societal aspects. Trimming community participation in the EIA process is a setback in the development process, because actually community participation is the “soul” in issuing EIA document, so reducing community participation will eliminate the main value of the EIA process. This study aims to analyze community participation in the preparation of an Environmental Impact Analysis (EIA) Associated with Article 22 of Law Number 6 of 2023 concerning Job Creation.

B. RESEARCH METHODS

The object of this research is changes in community participation in the EIA process after the enactment of Law Number 6 of 2023 concerning Job Creation. Law Number 6 of 2023 concerning Job Creation has reduced community involvement in the EIA licensing process as stipulated in Law Number 32 of 2009 concerning Environmental Protection and Management. The research was carried out from December 2022 to March 2023.

The approach used in this study is a normative juridical approach,¹² which is approaching problems using operational norms regarding research objects or in other words a normative juridical research approach is an approach based on the main legal material by examining theories, concepts, principles legal principles and laws and regulations related to this research.¹³ This study uses the Library Research method, namely this research is carried out by writing, classifying, reducing, and transforming data obtained from written sources.¹⁴ In this study, the authors used various data sources from valid books, journals and documents related to Law Number 6 of 2023 concerning Job Creation.

This study uses two sources of law, primary legal sources and secondary legal sources. Primary legal sources are legal materials that cover a set of laws and regulations. The primary sources used in this study are: 1) Law Number 32 of 2009 concerning Environmental Protection

⁶Farihah and Femi. “Prinsip Kehati-Hatian Dan Kerugian Potensial Dalam Perkara Tata Usaha Negara Terkait Lingkungan Hidup.” *Jurnal Yudisial* 5, no. 3 (2012): 241–60. <https://jurnal.komisiyudisial.go.id/index.php/jy/article/view/123>.

⁷Sari, Indah. “Amdal Sebagai Instrumen Dalam Mempertahankan Sustainable Development Yang Berwawasan Lingkungan.” *Jurnal Ilmiah Hukum Dirgantara* 8, no. 2 (2014): 59–79. <https://doi.org/10.35968/jh.v8i2.255>.

⁸Syaputri, Martika Dini. “Partisipasi Masyarakat Dalam Penyusunan Analisis Mengenai Dampak Lingkungan Berdasarkan Uu No 32 Tahun 2009.” *Varia Justicia* 13, no. 2 (2017): 123–31. <https://doi.org/10.31603/variajusticia.v13i2.1886>.

⁹Mumpuni, Niken Wahyuning Retno. “Peran Serta Masyarakat Dalam Pengendalian Dampak Lingkungan Hidup Dalam Mewujudkan Sustainable Development.” *Amnesti: Jurnal Hukum* 3, no. 2 (2021): 71–86. <https://doi.org/10.37729/amnesti.v3i2.1282>.

¹⁰Alhakim, Abdurrahman, and Yoga Pranaswara Lubis. “Analisis Mengenai Dampak Lingkungan (Amdal) Oleh Perusahaan Di Kota Batam Menurut Undang-Undang Nomor 32 Tahun 2009.” *Conference on Management, Business, Innovation, Education and Social Science* 1, no. 1 (2021): 341–51.

¹¹Subekti, Rahayu, and Amalina Ghaisani Putri. “Partisipasi Masyarakat Dalam Penyusunan Amdal Di Kabupaten Sukoharjo.” *Jurnal Pendidikan Kewarganegaraan Undiksha* 10, no. 1 (2022): 345–52.

¹²Dwi Ervina Indriati, S Saryana, and Nunung Nugroho, “Philosophy Of Law And The Development Of Law As A Normative Legal Science,” *International Journal of Educational Research & Social Sciences* 3, no. 1 (2022): 425–32, <https://doi.org/10.51601/ijersc.v3i1.293>.

¹³Tunggul Ansari Setia Negara, “Normative Legal Research in Indonesia: Its Originis and Approaches,” *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9, <https://doi.org/10.22219/aclj.v4i1.24855>.

¹⁴Veronica Gauchi Risso, “Research Methods Used in Library and Information Science during the 1970-2010,” *New Library World* 117, no. 1–2 (2016): 74–93, <https://doi.org/10.1108/NLW-08-2015-0055>.

and Management; and 2) Law Number 6 of 2023 concerning Job Creation. This study employs a vertical and horizontal synchronization approach between Law Number 6 of 2003 and Law Number 32 of 2009. The secondary legal sources in this study are the results of research, papers in seminars, and articles related to community participation in the EIA process based on Law Number 6 of 2023 concerning Job Creation. Data analysis used a qualitative descriptive approach with a deductive logic approach. Deductive thinking is a thinking process based on statements that are general to things that are specific by using certain logic.^{15,16}

C. DISCUSSION

Community participation in the EIA process has been regulated in articles 25 and 26 of Law Number 32 of 2009 concerning Environmental Protection and Management, which were later amended after the enactment of Law Number 6 of 2023 concerning Job Creation. Changes in community participation in the EIA process include changes in the classification of people who can be involved in the EIA process, the principle of providing information in the EIA process, and the right of the community to file a lawsuit against the EIA document by the community if it is deemed not in accordance with environmental aspects and community needs.

1. Amendment to Article 25 Law Number 32 of 2009 concerning Environmental Protection and Management

The establishment of Law Number 6 of 2023 concerning Job Creation through a Government Regulation in Lieu of Law (PERPU) is considered by the Government because of the precarious conditions regarding economic pressures and the provision of jobs. Unfortunately, Law Number 6 of 2023 concerning Job Creation has reduced community participation in the EIA process. Article 25 Law Number 32 of 2009 concerning Environmental Protection and Management has been amended through Law Number 6 of 2023 concerning Job Creation where the community that can be involved in the EIA process is only the community that is directly involved. The community from environmental monitoring groups, non-governmental organizations (NGOs), and academics are not allowed to be involved in the EIA process. Law Number 32 of 2009 concerning Environmental Protection and Management Article 25 which reads:

“The EIA document contains (Article 25, Law Number 32 of 2009 concerning Environmental Protection and Management)”:

- a. *Assessment of the impact of business and/or activity plans;*
- b. *Evaluation of activities around the location of the planned business and/or activity;*
- c. *Suggestions, inputs and community responses to business and/or activity plans;*
- d. *Estimates of the magnitude of the impact and the significant nature of the impact that will occur if the planned business and/or activity is implemented;*
- e. *Holistic evaluation of the impacts that occur to determine environmental feasibility or infeasibility; and*
- f. *Environmental management and monitoring plan”*

Through Article 22 Law Number 6 of 2023 concerning Job Creation, Article 25 Law Number 32 of 2009 concerning Environmental Protection and Management is amended as follows:

“EIA document contains:

- a. *Assessment of the impact of business and/or activity plans;*

¹⁵Ormerod, R. J. “Rational Inference: Deductive, Inductive and Probabilistic Thinking.” *Journal of the Operational Research Society* 61, no. 8 (2010): 1207–23. <https://doi.org/10.1057/jors.2009.96>.

¹⁶Oaksford2003, Mike. “Imaging Deductive Reasoning and the New Paradigm.” *Frontiers in Human Neuroscience* 9, no. FEB (2015): 1–14. <https://doi.org/10.3389/fnhum.2015.00101>.

- b. Evaluation of activities around the location of the planned business and/or activity;
- c. **Suggestions, inputs and responses from the people directly affected by the relevant impact on the business and/or activity plan (amended);**
- d. Estimates of the magnitude of the impact and the significant nature of the impact that will occur if the planned business and/or activity is implemented;
- e. Holistic evaluation of the impacts that occur to determine environmental feasibility or infeasibility; And
- f. Environmental management and monitoring plan”.

There was a significant change to Law Number 32 of 2009 concerning Environmental Protection and Management (Article 25) after the ratification of Law Number 6 of 2023 concerning Job Creation where in paragraph 3 of the EIA document contains “*Suggestions for input and community responses to business and/or activity plans*” to “*Suggestions for input as well as the responses of the people directly affected by the relevance of the planned business and/or activity*”. This change means that only suggestions and comments from the people who are directly affected by the activities involved in the EIA process, while other communities such as academics, environmentalists, NGOs, and other interested parties, have no right to be involved in the EIA process. In fact, as we know that in environmental development, there is often an indirect impact from this development.¹⁷ Basically nature is a unit that is connected to each other and cannot be separated in the process of managing and protecting the environment, so development at one location can have a negative impact on other locations.¹⁸ Or in other words, logging that occurs in the upstream area can cause flooding in the downstream area, so the approach used must be holistic and integrated.^{19,20,21} In development, especially the environment, we cannot use a narrow partial and regional approach, but you must use a broad and multi-stakeholder approach.

2. Amendment to Article 26 Law Number 32 of 2009 concerning Environmental Protection and Management

The reduction in community involvement in the EIA preparation process was also reflected after the passing of Law Number 6 of 2023 concerning Job Creation, specifically Article 26 of Law Number 32 of 2009 concerning Environmental Protection and Management. Article 26 of Law Number 32 of 2009 concerning Environmental Protection and Management has changed significantly with regard to community involvement and rights in the EIA process. Article 26 of Law Number 32 of 2009 concerning Environmental Protection and Management reads:

- “1) EIA documents as referred to in Article 22 are prepared by the initiator by involving the community,
- 2) Community involvement must be carried out based on the principle of providing transparent and complete information and notification before the activity is carried out.

¹⁷Svante Andersson et al., “Sustainable Development—Direct and Indirect Effects between Economic, Social, and Environmental Dimensions in Business Practices,” *Corporate Social Responsibility and Environmental Management* 29, no. 5 (2022): 1158–72, <https://doi.org/10.1002/csr.2261>. social and environmental dimensions of triple bottom line (TBL

¹⁸E.W. Chu and J.R. Karr, “Environmental Impact: Concept, Consequences, Measurement,” *Reference Module in Life Sciences*, no. January (2017).

¹⁹Azmeri, and Amir H Isa. “An Analysis of Physical Vulnerability to Flash Floods in the Small Mountainous Watershed of Aceh Besar Regency, Aceh Province, Indonesia.” *Jamba: Journal of Disaster Risk Studies* 10, no. 1 (2018): 1–6. <https://doi.org/10.4102/jamba.v10i1.550>.

²⁰Pambudi, Setyo Andi. “Watershed Management in Indonesia: A Regulation, Institution, and Policy Review.” *Jurnal Perencanaan Pembangunan: The Indonesian Journal of Development Planning* 3, no. 2 (2019): 185–202. <https://doi.org/10.36574/jpp.v3i2.74>.

²¹Škerjanec, Mateja, Franci Steinman, and Gašper Rak. “Integrated Flood Management Based on Hazard Analysis Critical Control Point Approach.” *Journal of Flood Risk Management* 15, no. 1 (2022): 1–13. <https://doi.org/10.1111/jfr3.12769>

- 3) *The community as referred to in paragraph (1) includes: a) those affected; b). environmental observers; and/or c) who are affected by all forms of decisions in the EIA process.*
- 4) *The community as referred to in paragraph (1) can submit objections to the EIA document.*

Through Law Number 6 of 2023 concerning Job Creation, the reading of article 26 of Law Number 32 of 2009 concerning Environmental Protection and Management changes to:

- “1) The EIA document as referred to in Article 22 is prepared by the initiator by involving the community.*
- 2) *Community involvement must be carried out based on the principle of providing transparent and complete information and notified before the activity is carried out (~~deleted~~)*
 - 3) *Preparation of EIA documents is carried out by involving the community directly affected by the planned business and/or activity. (**environmental observers; and/or those who are affected by all forms of decisions in the EIA process are deleted**);*
 - 4) *The community as referred to in paragraph (1) can submit an objection to the removal of the EIA document (~~deleted~~); and*
 - 5) *Further provisions regarding the process of involving the community as referred to in paragraph (2) are regulated in a Government Regulation.”*

Law Number 6 of 2023 concerning Job Creation has reduced community involvement in the EIA process according to Law Number 32 of 2009 concerning Environmental Protection and Management. *First*, Law Number 6 of 2023 concerning Job Creation removes the initiator’s obligation to involve the community by providing transparent and complete information and notification of information before the activity takes place (Article 26 paragraph 2 Law Number 32 of 2009 concerning Environmental Protection and Management). Law Number 6 of 2023 concerning Job Creation does not require the initiator to involve the community in the process of preparing the EIA and providing transparent and complete information. The initiator has no obligation to provide detailed information about development and its impact on the environment and society. So that community involvement is only as minimal as possible according to the wishes of the initiator.

Second, there has been a change in the community involved in the EIA process. In Law Number 32 of 2009 concerning Environmental Protection and Management what is meant by the community in the EIA is *“the community: a) affected; b). environmental observers; and/or c) those who are affected by all forms of decisions in the EIA process”* are then changed to only *“people who are directly affected by the planned business and/or activity”*. Law Number 6 of 2023 concerning Job Creation has restricted academics, NGOs, environmentalists from being involved and providing input in the development process and its relation to sustainable development. This limits the active participation of society at large in the development process. In fact, the concept of development cannot be separated partially, often development in certain areas will have an impact on other areas. So that the concept of development must use holistic principles not partial, both from the aspect of the area and the people involved.

Third, Article 26 paragraph 4 of Law Number 32 of 2009 concerning Environmental Protection and Management regarding the mechanism for objections to the EIA. *“The community as referred to in paragraph (1) can submit objections to the EIA document”* has been deleted in Law Number 6 of 2023 concerning Job Creation. Law Number 32 of 2009 concerning Environmental Protection and Management provides space for people who object to the EIA document to submit objections or legal remedies, whereas Law Number 6 of 2023

concerning Job Creation does not stipulate an objection mechanism to the EIA. Communities do not have the right to raise objections to the EIA documents that were prepared without properly involving the community and ignoring sustainable development.

Generally, Law Number 6 of 2023 concerning Job Creation, which changes the provisions of Law Number 32 of 2009 concerning Environmental Protection and Management, especially regarding community involvement in the preparation of an EIA and environmental permits, is considered as undermining the community's rights in the process of preparing an EIA and weakening the law which threatens environmental sustainability. Moreover, the activity of compiling an environmental impact analysis is only for high-risk projects. Whereas in Law Number 6 of 2023 concerning Job Creation, the rules for determining a low or high risk project are unclear. This is different from Law Number 32 of 2009, which has defined the term "specific high-risk businesses and/or activities" refers to businesses and/or activities that, in the event of accidents and/or emergencies, can cause significant and widespread impacts on human health and the environment, such as petrochemicals, oil and natural gas refineries, and nuclear power plants. Pruning community rights raises concerns among many parties that Law Number 6 of 2023 concerning Job Creation has the potential to easily issue a "fake" EIA because the process of issuing this EIA is without community control from pre-activity to post-activity.

3. Community Participation and Sustainable Development

Community participation and environmental sustainability are two things that cannot be separated. In many studies it has been proven that the community is able to protect nature and environmental sustainability.^{22,23} Therefore, community involvement in development and environmental sustainability is something that must be synergized. The community is the party most interested in environmental sustainability because environmental damage will have an impact on the loss of resources which are the source of people's lives. In the case of natural resource management, local communities are committed to protecting nature because it is a source of environmental services, economy and source of livelihood. Therefore, community involvement in sustainable development goes hand in hand.

Research conducted by in the Dayak Kenyah people in Metulang Village, North Kalimantan Province, proves that the community has a role in protecting and preserving the forest.²⁴ The indigenous people of Metulang Village have classified their land based on land use, location and types of natural resources that are important to the community, and have divided the area into residential areas, agricultural land, forest areas and historic/cultural sites. Research by in the people of Gunam Village, Parindu District, Sanggau Regency proves that there is local wisdom in preserving forests through prohibitions on cutting trees in forests, prohibitions on clearing forests for farming, prohibitions on burning goods such as shrimp paste and fish in forests and prohibitions on taking and killing animals in the forest.²⁵ The local wisdom of the community has been proven to maintain forest sustainability.

Society and environmental sustainability cannot be separated. Both have interdependence so that environmental management cannot stand alone. Communities (humans) are part of

²²Mia, Md. Tuhin, Monirul Islam, Jubaida Sakin, and Jehan Al Hamadi. "The Role Of Community Participation And Community-Based Planning In Sustainable Community Development." *Asean People Journal* 5, no. 1 (2022): 31–41.

²³Marzo, Roy Rillera, Hana W Jun Chen, Haryati Anuar, Mohamad Khairuddin, Abdul Wahab, Mohd Hairulnizam Ibrahim, Indang Ariati, Azral Ismawy Ahmad, Joseph Kawuki, and Mohammed Aljuaid. "Effect of Community Participation on Sustainable Development : An Assessment of Sustainability Domains in Malaysia." *Frontiers in Environmental Science* 11 (2023): 1–16. <https://doi.org/10.3389/fenvs.2023.1268036>.

²⁴Subiakto, Wildan Deki, and Ismail Bakrie. "Peranan Hukum Adat Dalam Menjaga Dan Melestarikan Hutan Di Desa Metulang Kecamatan Kayan Selatan Kabupaten Malinau Propinsi Kalimantan Utara." *Jurnal AGRIFOR* 14, no. 2 (2015): 293–314.

²⁵Prameswari, Sely Indri, AM Iskandar, and Slamet Rifaniani. "Kearifan Lokal Masyarakat Adat Dayak Hibun Dalam Melestarikan Hutan Teringkang Di Dusun Beruak Desa Gunam Kecamatan Parindu Kabupaten Sanggau." *Jurnal Hutan Lestari* 7, no. 4 (2020): 1668–81. <https://doi.org/10.26418/jhl.v7i4.38499>.

the environment who have rights and obligations in environmental management, so that the existence of the community will be effective if its role in controlling environmental management can be optimized.²⁶ Therefore, environmental management, in this case EIA, requires solid collaboration between the community and government in environmental management.²⁷

The enactment of Law Number 6 of 2023 concerning Job Creation has clearly had a significant impact on community participation and involvement in the EIA process. Previously, the community had the right to be involved in the process of preparing the EIA document from start to finish and their rights were protected by law. And if the community is not involved in the EIA process, the community can submit objections through the State Administrative Court.²⁸ However Law Number 6 of 2023 concerning Job Creation has changed the spirit of sustainable development. Community involvement in development is the key to realizing sustainable development. Community involvement in the development process aims to ensure sustainability, people of the target community have to be meaningfully involved at all the stages of development interventions i.e. decision making, planning, implementation and monitoring.²⁹ Thus, reducing community involvement in the EIA process is a real effort to reduce sustainable and environmentally friendly development in Indonesia.

D. CONCLUSION

Law Number 6 of 2023 concerning Job Creation has reduced the rights and obligations of the community in the EIA process which has been regulated in Law Number 32 of 2009 concerning Environmental Protection and Management. After the enactment of Law Number 6 of 2023 concerning Job Creation, the initiator's obligation to provide transparent and complete information and to be notified prior to EIA activities has been abolished so that the initiator is not required to provide complete and detailed information when development activities are to be carried out. Law Number 6 of 2023 concerning Job Creation has eliminated the principle of Free, Prior and Informed Consent in the EIA process. Law Number 6 of 2023 concerning Job Creation has also limited the number of people who can be involved in the EIA process. Only directly affected communities can be involved in the EIA process. Furthermore, the community's right to object to the EIA document has been removed so that the community must accept the EIA document even though it is detrimental to society and does not support sustainable development.

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²⁶Lalu Sabardi, "Peran Dan Hak Masyarakat Dalam Perlindungan Dan Pengelolaan Lingkungan Hidup Menurut Undang Undang No 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup," *Yustisia* 3, no. 1 (2014): 67–79, <https://doi.org/10.56301/csj.v4i2.479>.

²⁷A Kahpi, "Peran Serta Masyarakat Dalam Pengelolaan Lingkungan Hidup," *Jurisprudentie* 2, no. 2 (2015): 41–52.

²⁸YIR Ciptaningrum, Warah Atikah, and Nurul Laili Fadhillah, "Mengenai Dampak Lingkungan Hidup," *E-Journal Lentera Hukum* 4, no. 1 (2017): 61–78.

²⁹Sajjad Hussain and Saira Miraj, "Community Participation and Sustainability of Developmental Programmes in Pakistan," *Peshawar University Teachers' Association Journal (PUTAJ)-Humanities and Social Sciences* 25, no. 2 (2018): 134–44, <http://putaj.puta.pk/index.php/hss/article/view/618>.

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