



Contribution ID: 86

Type: POSTER

Reconstruction of Legal Politics on Radioactive Waste Management in the Framework of Strengthening Sustainable Development

Indonesia is committed to achieving the Sustainable Development Goals (SDGs) targets and this has been manifested in various legal politics, including in the establishment of legislations and regulations. Since the SDGs have complex goals that do not only focus on economic growth, but also ensure environmental preservation, social welfare, and peace. In addition, as one of the countries considered pioneers in the implementation of the SDGs, Indonesia has become a reference for countries at the Asia-Pacific region as well as at the international level. On the other hand, the problem of radioactive waste management in Indonesia still has problems in achieving optimum solutions. The strengthening of legislations and regulations related to radioactive waste and spent fuel has been implemented, but on the other side, it is still necessary to decide legal politics for radioactive waste management. However, at the same time there is legal politics in the establishment of national policies as outlined in the omnibus law (Law No. 11 of 2020 on Job Creation). The purpose of establishing an omnibus law is to overcome all forms of regulatory constraints currently being experienced by Indonesia so that regulations shall be simplified, amended, or revoked in number. This is important, considering that regulations that have multiple interpretations can have an impact on Indonesia's weak competitiveness in the global arena. There are special provisions in the Job Creation Law changing legal politics in the management of radioactive waste in Indonesia, namely the issues of authority and institutions. Previously, Law No. 10 of 1997 gave BATAN (Indonesian National Nuclear Energy Agency, the promoting agency of nuclear energy) centralized responsibility for managing radioactive waste. By Law No. 11 of 2020 on Job Creation, BATAN had no authority for high and longterm radioactive waste repository. However, on the other side, there is no document that normatively and specifically develops a national policy in setting up a strategy for radioactive waste and spent fuel. The approach used is normative juridical research or normative legal research which is research aimed at finding and formulating legal arguments through an analysis of the subject matter. The main problem of this can be found in the conclusion that there should be regulatory tools and the compliance with the international standards that have become best practices and common practices related to the principles of good regulation. In addition, there is unclear boundaries of institutional authority, including coordination mechanisms. This solution requires reforming elements related to policy formulation as well as legislations and regulations so that the establishment processes will be able to produce higher quality and more proportional legislations and regulations. It is necessary to carry out various establishment of policies for the short, medium, and long term, especially in structuring strategies for the management of radioactive waste and spent fuel.

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Track Classification: Track 2 - Managing the interrelationships in policy, strategy, legislation, and regulation