

Development of Environmental Law in Indonesia and Ethiopia: Philosophy and Normative Aspects

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Abstract

This study employs a normative legal method with a comparative, statutory, and conceptual approach, utilizing literature studies and descriptive-qualitative as well as comparative analysis. The findings reveal that the comparison of environmental law between Indonesia and Ethiopia demonstrates that both countries have a strong legal foundation for environmental protection but adopt different approaches based on their respective social, economic, and geographical contexts. Indonesia embraces the philosophy of sustainable development rooted in Pancasila and the 1945 Constitution, with key regulations such as Law No. 32 of 2009, emphasizing the precautionary principle and the polluter-pays principle. Meanwhile, Ethiopia places greater emphasis on environmental rights and ecological justice, as reflected in the 1995 Ethiopian Constitution and regulations such as the Environmental Impact Assessment Proclamation No. 299/2002. Although both countries have strong normative frameworks, implementation remains challenging, with Indonesia struggling to balance industrial interests with environmental protection, while Ethiopia faces institutional and resource limitations in law enforcement.

I. Introduction

Environmental law is a rapidly growing field of law in many countries, including Indonesia and Ethiopia. Both countries have unique challenges in managing natural resources and the environment. (Zahroh and Najicha 2022) Indonesia, as an archipelago with very high biodiversity, faces problems such as deforestation, water pollution, and overexploitation of natural resources. (Cahyaningsih et al. 2021) Meanwhile, Ethiopia, located in the Horn of Africa region, has environmental challenges related to land degradation, desertification and increasingly extreme climate change. (Bedair et al. 2023) With different geographical and socio-economic backgrounds, the approach to environmental law in the two countries also has its own characteristics. Therefore, a study of the development of environmental law in Indonesia and Ethiopia from the perspective of philosophy and normative aspects is important to understand the extent to which regulations in both countries can answer existing environmental challenges.

The philosophy of environmental law in Indonesia and Ethiopia is influenced by historical factors, culture, and the legal system adopted by each country. Indonesia applies a legal system that is a combination of customary law, Islamic law, and positive law inherited from Dutch colonialism. (Wahyuni 2023) On the other hand, Ethiopia has a legal tradition based on a civil law system with influences from customary and religious law systems. (Wardhani, Noho, and Natalis 2022) These differences impact the way environmental law is developed and implemented in both countries' national policies.

In Indonesia, environmental law has experienced significant development since the enactment of Law No. 23 of 1997 on Environmental Management, which was later updated with Law No. 32 of 2009 on Environmental Protection and Management. This regulation reflects a sustainable development paradigm that balances economic, social and ecological interests. (Nisa and Suharno 2020) In addition, Indonesia also adopts principles of international environmental law, such as the precautionary principle, the polluter pays principle, and the sustainable development principle. The implementation of environmental law in Indonesia is also supported by various other legal instruments, such as regulations regarding Environmental Impact Assessment (AMDAL), environmental licensing, and administrative and criminal sanctions for violators of environmental law. (Indrasari 2023)

Meanwhile, Ethiopia has also taken steps in developing environmental laws in

response to the various ecological challenges it faces. One of the key regulations in Ethiopia's environmental legal system is the Environmental Protection Proclamation which aims to ensure the protection and sustainable management of natural resources.(Mengistie 2021) In addition, Ethiopia is also implementing national policies related to climate change mitigation, water resources management and soil conservation. However, one of the main challenges in the implementation of environmental law in Ethiopia is the limited resources and institutional capacity in enforcing existing regulations.(Bisare Bitire 2023)

The comparison of environmental law in Indonesia and Ethiopia can also be seen from the normative aspect which includes legal substance, institutional structure, and law enforcement mechanism. In Indonesia, environmental law has a fairly broad scope with various regulations governing specific aspects, such as forest management, biodiversity protection, and pollution control. In addition, there are institutions that play a role in monitoring and enforcing environmental laws, such as the Ministry of Environment and Forestry (MoEF), Regional Environmental Agencies, and Environmental Courts.(Saputra, Mahardika, and Kariim 2023) On the other hand, Ethiopia has a fledgling environmental legal system with challenges in inter-agency coordination as well as the effectiveness of enforcement mechanisms that often face constraints in terms of human and financial resource capacity.(Zulu et al. 2022)

Philosophically, the approach to environmental law in the two countries also reflects differences in development paradigms and environmental policies. Indonesia, with the concept of sustainable development increasingly emphasized in national regulations and policies, seeks to balance between economic interests and environmental conservation.(Hananto et al. 2021) However, the challenges in implementing this policy are still considerable, especially in relation to conflicts of interest between extractive industries and environmental conservation. Meanwhile, Ethiopia focuses more on mitigating environmental impacts related to climate change and sustainable management of natural resources in the context of agriculture and forestry.(Nikolaou et al. 2020)

In addition, the development of environmental law in Indonesia and Ethiopia has also been influenced by the involvement of the international community and environmental organizations. Indonesia, as part of the high-biodiversity countries, is involved in various international agreements, such as the Convention on Biological Diversity (CBD), the Kyoto Protocol, and the Paris Agreement on climate

change.(Alvarado-Quesada and Weikard 2017) Ethiopia has also shown commitment to various international agreements related to the environment, especially in climate change mitigation and land conservation. However, challenges in the implementation of these international agreements remain a concern, especially in terms of harmonizing national regulations with international standards.(Gyimah, Saalidong, and Nibonmua 2023)

In the context of law enforcement, both Indonesia and Ethiopia face similar challenges, such as a lack of monitoring capacity, weak sanctions against violators of environmental laws, and conflicts of interest in natural resource management. In Indonesia, environmental cases such as forest fires, industrial pollution, and illegal deforestation are still major problems despite the existence of various regulations governing them.(Gunawan et al. 2024) Similarly, in Ethiopia, environmental problems such as desertification and exploitation of natural resources often occur due to weak law enforcement and lack of public awareness of the importance of environmental protection.(Wassie 2020)

The development of environmental law in Indonesia and Ethiopia shows differences in the philosophical approach and normative aspects applied in each country. Although there are challenges in the implementation of environmental law in both countries, efforts to strengthen regulations, improve institutional capacity, and strengthen law enforcement mechanisms remain an important agenda in realizing sustainable development and more effective environmental protection.(Prasetyo and Alan Musyafaan 2021) Therefore, further studies on the comparison of environmental law in Indonesia and Ethiopia can provide benefits in understanding the dynamics of environmental law in developing countries and provide recommendations for improving the environmental law system in the future.

Based on the background explanation above, the author is interested in conducting research entitled "The Development of Indonesian and Ethiopian Environmental Law: Philosophical and Normative Aspects". The problem formulation in this research is:

- 1) How is the development of environmental law in Indonesia and Ethiopia in terms of the philosophy that underlies the formation and implementation of environmental regulations?
- 2) How do the normative aspects of Indonesian and Ethiopian environmental law compare, and the factors that influence the effectiveness of environmental

regulation implementation?

Research on the development of environmental law in Indonesia and Ethiopia, particularly highlighting the philosophical and normative aspects, is still relatively scarce. However, some previous studies can provide relevant perspectives and serve as a basis for identifying novelty in this research.

One of the relevant studies is "Comparative Analysis of the Green Constitution in the Indonesian and Ecuadorian Constitutions from the Perspective of *Siyasah Dusturiyyah*" by Nineng Sri Rahayu (2022). This study compares the application of the Green Constitution concept in the Indonesian and Ecuadorian constitutions, focusing on the perspective of *siyasah dusturiyyah*. This study found that although there are some similarities in the regulation of environmental protection, there are also significant differences, especially in granting human rights to the environment as a legal subject in Ecuador. This shows that Ecuador has adopted a more progressive approach in its constitution compared to Indonesia. (Rahayu 2022)

In addition, the study "Analysis of the Influence and Implementation of the School of Natural (Rational) Law on the Indonesian Legal System and Environmental Law in Indonesia" by Ilham Daffi Syabana and Idris Idris (2023) highlights the role of natural law theory, particularly the rational school, in the Indonesian legal system and its application to environmental law. The research asserts that natural law has a universal role in the management of water resources to maintain ecological balance. However, the distribution of clean water in Indonesia is affected by land use change, mining, and industry, which creates an imbalance. This study emphasizes the importance of an integrated approach based on natural values to achieve sustainability and ecological balance in the future. (Ilham Daffi Syabana and Idris Idris 2023)

In the context of environmental law enforcement, Ratnasari Fajariya Abidin in her article "Environmental Law Enforcement in the Perspective of Philosophy of Law" (2012) highlights that environmental law enforcement in Indonesia is still far from expectations. This is due to the lack of firmness of the state as a legal regulator in the environmental field and the influence of capitalist interests that often override the interests of society. Abidin emphasized the need for a philosophical approach in environmental law enforcement to achieve justice for all parties, especially communities negatively affected by environmental exploitation. (Abidin 2018)

Evra Willya and her colleagues in the article "Ethics and Principles of Environmental Management in the Perspective of Islamic Law: A Philosophical,

Phenomenological, and Normative Study" (2022) examines the principles and rules in Islam that demand environmental care. This research highlights the importance of environmental ethics in Islam and how these principles can serve as a mechanism to bring about normative change in the management of natural resources.(Willya et al. 2022)

Although the above studies provide valuable insights into environmental law from various perspectives, studies that specifically compare the development of environmental law between Indonesia and Ethiopia are yet to be found. The novelty in this study lies in the comparative analysis between the two countries, focusing on the philosophy and normative aspects of environmental law. This approach is expected to fill a gap in the literature and make a significant contribution in understanding how different countries develop their legal frameworks to deal with increasingly complex environmental challenges. Thus, this research will not only add to the repertoire of knowledge in the field of environmental law, but also offer a new perspective that can serve as a reference for policy makers and legal practitioners in formulating effective strategies for environmental protection in various countries.

2. Research Method

The research method used in this study is normative legal research method.(Marzuki 2021) This method was chosen because this research aims to examine the legal norms that apply in both countries, both in terms of philosophy and the substance of the regulations applied. Normative legal research focuses on literature study by reviewing existing legal materials, and analyzing them based on relevant legal theories and normative approaches. In the context of environmental law, this method is very appropriate because it can provide a comprehensive picture of how laws in Indonesia and Ethiopia develop, are applied, and interpreted.

The research approach used in this study includes several main approaches, namely a comparative approach, a statutory approach, and a conceptual approach.(Muhaimin 2020) The comparative approach is used to see the similarities and differences between the environmental legal systems in Indonesia and Ethiopia, especially in terms of the legal philosophy underlying the formation of rules and normative aspects applied in environmental regulations. The statutory approach is used to examine the rule of law applicable

in both countries by analyzing various regulations relating to environmental protection, both at the level of the constitution, laws, and derivative regulations. Meanwhile, the conceptual approach is used to explore and understand the legal concepts developed in the environmental legal system in Indonesia and Ethiopia, as well as how these concepts are rooted in the legal philosophy of each country.

The sources of legal materials in this research are divided into three main categories, namely primary legal materials, secondary legal materials, and tertiary legal materials. (Ali 2010) Primary legal materials consist of applicable laws and regulations in Indonesia and Ethiopia, such as the constitution, environmental laws, and their implementing regulations. In addition, court decisions relating to environmental cases in both countries are also part of the primary legal materials. Secondary legal materials include books, scientific journals, academic articles, and previous studies that discuss environmental law in both countries. This literature will provide an in-depth analysis of the development of environmental law and its implementation at the national level. Meanwhile, tertiary legal materials include legal dictionaries, legal encyclopedias, and official documents from international organizations related to environmental law, such as reports from the United Nations (UN) or world environmental organizations.

The data collection technique in this research is done through library research. (Sugiyono 2019) Literature study is the main method in normative legal research because the data collected is sourced from legal documents, books, scientific journals, as well as relevant official documents. The data collected includes not only the current legal rules but also the history of environmental law development in Indonesia and Ethiopia. In this way, the research can provide a broader picture of how environmental law in both countries has developed over time, as well as the factors that have influenced it.

The data analysis technique used in this research is qualitative analysis technique with descriptive and comparative methods. (J. Moleong 2017) Qualitative analysis is conducted by interpreting the content of the legal materials collected and linking them to relevant legal theories and concepts. Descriptive analysis is used to explain the content of the laws and regulations as well as the concept of environmental law in both countries, so that readers can understand how environmental laws in Indonesia and Ethiopia are designed and

implemented. Meanwhile, the comparative analysis method is used to compare the philosophy and normative aspects of environmental law in Indonesia and Ethiopia. This comparison aims to identify similarities, differences, as well as the advantages and disadvantages of each legal system. With this analytical technique, the research is expected to provide comprehensive findings regarding the development of environmental law in both countries and provide new insights that can contribute to the development of more effective and equitable environmental policies.

Thus, the normative legal research method used in this study is expected to provide an in-depth analysis of the philosophy and normative aspects of Indonesian and Ethiopian environmental law. A comprehensive research approach, rich sources of legal materials, and systematic data collection and analysis techniques will ensure that this study is not only descriptive, but also provides high academic value in the study of environmental law globally.

3. Results And Discussion

A. The Development of Environmental Law in Indonesia and Ethiopia in View of the Philosophical Aspects Underlying the Formation and Implementation of Environmental Regulations

Environmental law in each country evolves along with the increasing awareness of the importance of nature protection and the need to balance the interests of development and ecosystem sustainability. In its development, environmental law not only reflects responses to environmental problems, but also reflects the philosophy adopted by a country in viewing the relationship between humans and nature.(Ilić-Petković and Ilić-Krstić 2016) Indonesia and Ethiopia, as two countries facing different environmental challenges, have unique legal philosophical underpinnings in the formation and implementation of their environmental regulations.

The philosophy of environmental law reflects the basic principles that underlie policies and regulations made to maintain ecological balance. This philosophy can come from various sources, including state ideology, religious teachings, local traditions, as well as international principles adopted in national policies.(Mathews 2014) Indonesia and Ethiopia, despite being on different continents and having unique geographical characteristics and environmental challenges, share a common interest in ensuring environmental sustainability for present and future generations. Therefore, a study of the philosophy of environmental law that underlies the formation and

implementation of regulations in these two countries is very relevant to understand the approach they take in tackling environmental problems.

Indonesia, as an archipelago rich in biodiversity, has a philosophy of environmental law rooted in Pancasila and the 1945 Constitution. Pancasila as the foundation of the state teaches the balance between humans and nature, where the relationship between the two must be based on the values of divinity, humanity, and social justice.(Maulida, Xavier, and Elliot 2023) This philosophy is reflected in various environmental policies that emphasize the importance of sustainable development and the protection of natural resources for the benefit of the wider community.(Wu and Tham 2023)

Article 28H paragraph (1) of the 1945 Constitution states that every citizen has the right to a good and healthy environment. In addition, Article 33 paragraph (3) of the 1945 Constitution emphasizes that the earth, water and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. This philosophy emphasizes that environmental management is not only the responsibility of individuals, but also the obligation of the state to ensure that natural resources are utilized in an equitable and sustainable manner.(Sasmitha, Budhiawan, and Sukayadi 2014)

One of the main regulations that reflect the philosophy of environmental law in Indonesia is Law No. 32/2009 on Environmental Protection and Management (UU PPLH). This law emphasizes that environmental policy should be based on the precautionary principle and the polluter pays principle, which requires businesses or individuals that damage the environment to be responsible for the damage they cause.(Susanto 2024) In addition to the PPLH Law, other regulations that also reflect the philosophy of Indonesian environmental law are Law No. 41/1999 on Forestry, which aims to regulate the sustainable use of forests, and Law No. 18/2013 on the Prevention and Eradication of Forest Destruction, which emphasizes the government's efforts to protect forest ecosystems from illegal exploitation.(Vanessa Uli Sembiring et al. 2024)

However, in its implementation, environmental law in Indonesia still faces various challenges, especially in balancing economic interests and environmental protection. For example, the expansion of the palm oil industry has led to massive deforestation, despite regulations governing land governance and environmental impact assessments. This shows that the philosophy of environmental law promoted

in regulations has not been fully reflected in practice on the ground, so there is still a need to strengthen law enforcement aspects and public awareness of the importance of environmental sustainability.(Astari, Lovett, and Wasesa 2025)

Ethiopia, as one of the countries in East Africa that has a long history of dealing with environmental challenges such as drought and land degradation, has an environmental law philosophy that is based on the concepts of environmental rights and ecological justice.(Jallela 2021) In the 1995 Ethiopian constitution, environmental protection is made a fundamental right for every citizen, as stated in Article 44(1) which states that "Every citizen has the right to live in a clean and healthy environment."(Ayano 2018) In addition, Article 92 of the Ethiopian Constitution affirms that the government and citizens have a collective responsibility to protect the environment for the benefit of present and future generations. This philosophy reflects the concept of intergenerational equity, which emphasizes that environmental policies must consider their impact on future generations in order to maintain the sustainability of ecosystems.(Peel and Osofsky 2018)

To realize this philosophy, Ethiopia has enacted various environmental regulations, one of which is the Environmental Protection Organs Establishment Proclamation No. 295/2002, which establishes the institutional framework for environmental protection in Ethiopia.(Mekonnin 2019) In addition, Environmental Impact Assessment Proclamation No. 299/2002 requires all development projects to conduct an environmental impact assessment before obtaining a license, so that negative impacts on the environment can be prevented early on.(Abebe 2012) However, a major challenge in the implementation of environmental laws in Ethiopia is the lack of institutional capacity and adequate resources to enforce existing regulations. In addition, customary law still plays an important role in natural resource management, which in some cases can conflict with modern regulations that have been established by the government.(Mekonnen et al. 2021)

While there are some similarities in the philosophies of environmental law in Indonesia and Ethiopia, there are also notable differences in the approaches they use in shaping and implementing environmental regulations.

First, Indonesia emphasizes the concept of sustainable development, where environmental policies must be able to balance economic, social and ecological interests. This philosophy is reflected in various regulations that provide space for investment and exploitation of natural resources, but while still prioritizing the

principles of prudence and sustainability.(Javanmardi, Liu, and Xie 2023) Meanwhile, Ethiopia places more emphasis on environmental justice and people's right to a healthy environment, which is evident in its constitution that explicitly stipulates citizens' right to a clean environment.(Amsalu 2018)

Secondly, in terms of implementation, environmental law in Indonesia faces challenges in tackling the overexploitation of natural resources, especially due to industrial pressures and global capitalism.(Hasibuan and Japri 2024) On the other hand, Ethiopia faces institutional constraints, where law enforcement remains weak due to limited resources and lack of coordination between the central and local governments.(Abubakar et al. 2022) Third, in terms of legal approach, Indonesia adopts a positive legal system based on written regulations, where the state has a central role in regulating and supervising natural resource management.(Prasetyo 2021) In contrast, Ethiopia still relies on customary law in environmental management, which despite its local wisdom value, can in some cases conflict with modern environmental policies promoted by the government.(Ameneshewa et al. 2023)

The development of environmental law in Indonesia and Ethiopia reflects different legal philosophies in viewing the relationship between humans and nature. Indonesia embraces a sustainable development philosophy that emphasizes a balance between economic growth and environmental sustainability, while Ethiopia places more emphasis on citizens' rights to a healthy environment and ecological justice for future generations. Although both countries have advanced environmental regulations, implementation challenges remain a major obstacle. Therefore, greater efforts are needed to strengthen institutions, raise public awareness, and ensure that the philosophy of environmental law is actually realized in effective and sustainable policies.

B. Comparison of Normative Aspects in Indonesian and Ethiopian Environmental Laws and Factors Affecting the Effectiveness of Environmental Regulation Implementation

Environmental law is a fundamental instrument in maintaining ecological sustainability, preventing environmental degradation, and ensuring a balance between the utilization of natural resources and the protection of the right to a healthy environment.(Sipayung et al. 2023) Each country has a different approach to the development of environmental law, both in terms of philosophy and normative aspects that govern its management. In the context of Indonesia and Ethiopia, both

countries have adopted environmental regulations that aim to balance the interests of development and conservation of natural resources.

Nonetheless, the differences in normative aspects as well as the effectiveness of the implementation of environmental regulations in the two countries are important factors in determining the success of the implemented environmental policies. The following is a comparative table of normative aspects in Indonesian and Ethiopian environmental law:

Aspect	Indonesia	Ethiopia
Legal Basis	- 1945 Constitution Article 28H paragraph (1) and Article 33 paragraph (3)	- Constitution of Ethiopia 1995, Article 44(1) and Article 92
Main Law	- Law No. 32 Year 2009 on Environmental Protection and Management (PPLH Law)	- Environmental Impact Assessment (EIA) Proclamation No. 299/2002
Principles of Environmental Law	- Sustainable development - Precautionary Principle - Polluter Pays Principle - Community participation	- Right to a clean and healthy environment - Government and citizen responsibility - Information disclosure
Law Enforcement Agencies	- Ministry of Environment and Forestry (MoEF) - Local Government	- Environmental Protection Authority (EPA)
Supplementary Regulations	- Law No. 41 Year 1999 on Forestry - Law No. 18 Year 2013 on Prevention and Eradication of Forest Destruction	- Environmental Pollution Control Proclamation No. 300/2002
Implementation Challenges	- Weak inter-agency coordination - Extractive industry pressure - Low information transparency	- Limited budget and human resources - Weak supervision of large-scale economic projects
Economic Pressure	- Exploitation of resources for mining and oil palm plantations	- Land conversion for large-scale agricultural projects
Community Participation	- Communities have the right to participate in environmental	- Community participation is recognized in law, but

Aspect	Indonesia	Ethiopia
	policy, but are still limited in access to information	regulations often conflict with customary law

Normative aspects of environmental law include regulations, legal principles, and law enforcement mechanisms applied in a legal system. Indonesia and Ethiopia both have a legal basis that emphasizes the importance of environmental protection, but with different characteristics in the implementation and implementation in the field. In addition, the effectiveness of environmental regulation implementation is strongly influenced by various factors, such as institutional capacity, economic policies, community involvement, and social and political challenges faced by each country.(Hasyim and Aprita 1970)

Indonesia has a fairly comprehensive environmental law system, with a legal basis rooted in the 1945 Constitution (UUD 1945). Article 28H paragraph (1) of the 1945 Constitution states that everyone has the right to a good and healthy environment, which affirms the fundamental right of citizens to a clean and sustainable environment.(Athar Tristan Andana Kanz, Githa Asmadeningrum Rosady, and Savero Pramudika Arya Wibowo 2024) In addition, Article 33 paragraph (3) of the 1945 Constitution states that "The land, water, and natural resources contained therein shall be under the control of the state and shall be utilized for the greatest prosperity of the people."

From this constitutional foundation, various laws have been issued to regulate aspects of environmental protection and management in Indonesia. One of the main regulations is Law No. 32/2009 on Environmental Protection and Management (UU PPLH).(Mukhlis 2016) This law sets out the key principles of environmental law in Indonesia, including:(Pitaloka 2021)

1. Principles of Sustainable Development

This regulation emphasizes that development must take into account environmental, social, and economic aspects in a balanced manner to ensure the survival of future generations.

2. Precautionary Principle

Any activity that has the potential to cause environmental pollution or damage must be prevented before adverse impacts occur..

3. Polluter Pays Principle

Parties that cause environmental pollution or damage must be responsible for restoring and paying compensation for the impacts caused.

4. Principles of Community Participation

Communities have the right to obtain information and participate in decision-making relating to environmental management.

In addition to the Environmental Law, there are various other regulations that govern specific aspects of Indonesian environmental law, such as:

- Law No. 41/1999 on Forestry, which regulates forest utilization and conservation.
- Law No. 18/2013 on the Prevention and Eradication of Forest Destruction, which emphasizes sanctions against illegal deforestation activities.
- Government Regulation No. 22 of 2021 on the Implementation of Environmental Protection and Management, which updates regulations related to Environmental Impact Assessment (AMDAL) and environmental permits.

Normatively, Indonesian environmental law has undergone significant development and has adopted the principles of international environmental law. However, in its implementation, there are still many obstacles, including weak law enforcement and the rampant irresponsible exploitation of natural resources. (Zahroh and Najicha 2022)

Ethiopia also has a fairly strong approach to environmental law, with an emphasis on people's right to a healthy environment. Ethiopia's 1995 Constitution emphasizes the importance of environmental protection as part of human rights, (Amsalu 2018) as stated in Article 44 paragraph (1) which states that "Every citizen has the right to live in a clean and healthy environment."

In addition, Article 92 of the Ethiopian constitution stipulates that:

- The government and citizens are responsible for protecting the environment.
- Economic and social development must consider environmental impacts.
- The public has the right to obtain information related to environmental conditions and policies implemented by the government..

Some of the key regulations governing environmental law in Ethiopia include:

1. Environmental Protection Organs Establishment Proclamation No. 295/2002 - Provides for the establishment of agencies responsible for environmental protection in Ethiopia.
2. Environmental Impact Assessment (EIA) Proclamation No. 299/2002 - Requires

every development project to conduct an environmental impact assessment prior to obtaining a business license.

3. Environmental Pollution Control Proclamation No. 300/2002 - Regulates environmental quality standards and prevention of water, air and soil pollution.

In normative terms, environmental regulation in Ethiopia has a strong focus on the public's right to access environmental information and emphasizes the government's responsibility in sustainable environmental management. However, the implementation of environmental laws in Ethiopia still faces major challenges, especially in terms of institutional capacity and resource constraints in environmental monitoring.(Hadis, Tesfaye, and Hailu 2019)

Although environmental regulations in Indonesia and Ethiopia have been designed to ensure sustainable environmental protection, the effectiveness of implementation is still affected by various factors, including:

- 1) Institutional Capacity

In Indonesia, environmental law enforcement is carried out by the Ministry of Environment and Forestry (KLHK), as well as local governments. However, weak inter-agency coordination as well as a lack of human resources and technology mean that the effectiveness of environmental law enforcement is often not optimal.(Pardede et al. 2023) In Ethiopia, the implementation of environmental laws is similarly constrained. Limited budgets and human resources in Ethiopia's environmental agencies mean that many regulations cannot be properly implemented.(Assele, Aberra, and Diriba 2019)

- 2) Economic Pressure and Industry Interests

Both Indonesia and Ethiopia face economic pressures that lead to overexploitation of natural resources. In Indonesia, the expansion of oil palm plantations and mining often comes at the expense of environmental aspects.(Tabe-Ojong, Alamsyah, and Sibhatu 2023) In Ethiopia, large-scale agricultural projects for export also contribute to deforestation and land degradation.(Baumgartner et al. 2015)

- 3) Community Awareness and Participation

Public awareness of the importance of environmental law is an important factor in the effectiveness of regulation implementation. In Indonesia, although there has been a mechanism for public participation in environmental policy, transparency in access to information is still an obstacle.(Purnama 2003) Meanwhile, in Ethiopia, customary law still plays a role in environmental management, often in conflict

with modern regulations.(Idami et al. 2022)

Normatively, environmental laws in Indonesia and Ethiopia have a strong legal basis and have adopted the principles of international environmental law. However, the effectiveness of environmental regulation implementation in both countries still faces various challenges, especially in terms of institutions, economic pressures, community involvement, and weak law enforcement. To improve the effectiveness of environmental laws, further efforts are needed to strengthen institutional capacity, increase public awareness, and ensure that the regulations that have been established can actually be implemented effectively.

4. Conclusion

The development of environmental law in Indonesia and Ethiopia is based on philosophies that reflect the relationship between humans and nature, with different approaches according to the social, economic and geographical context of each country. Indonesia adopts the philosophy of sustainable development rooted in Pancasila and the 1945 Constitution, where the state plays an active role in the management of natural resources with the principles of precaution and polluter responsibility, as reflected in Law No. 32 of 2009 on Environmental Protection and Management and Article 28H and Article 33 of the 1945 Constitution. Meanwhile, Ethiopia emphasizes the philosophy of environmental rights and ecological justice, as seen in Article 44 and Article 92 of the 1995 Ethiopian Constitution, which guarantee citizens' right to a clean and healthy environment and affirm collective responsibility in ecological protection. Regulations such as the Environmental Impact Assessment Proclamation No. 299/2002 reflect Ethiopia's approach in ensuring environmental sustainability. However, while both countries have strong legal foundations, the implementation of regulations still faces challenges, with Indonesia having to balance industrial pressures with environmental protection, and Ethiopia dealing with institutional and resource limitations in law enforcement.

A comparison of the normative aspects of Indonesian and Ethiopian environmental law shows that both countries have regulations that emphasize environmental protection, but with differences in legal basis, principles, and implementation mechanisms. Indonesia has a more comprehensive environmental law system with various additional laws and regulations

governing specific sectors, such as forestry and pollution control, and emphasizing the principles of sustainable development, precaution, and polluter responsibility. Ethiopia, on the other hand, places more emphasis on people's right to a healthy environment as well as the government's role in ensuring development policies take environmental aspects into account, with key regulations such as Environmental Impact Assessment (EIA) Proclamation No. 299/2002 and Environmental Pollution Control Proclamation No. 300/2002. While environmental regulations in both countries are normatively strong, the effectiveness of implementation is still affected by various factors, including institutional capacity, economic pressures, the level of public participation, and the influence of customary law. Indonesia faces challenges in law enforcement due to weak inter-agency coordination and pressure from extractive industries, while Ethiopia experiences constraints in institutional resources and oversight of large-scale economic projects.

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