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### The Urgency of Strengthening Environmental Impact Assessments (EIA) in Environmental Law to Control the Impact of Environmental Damage

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**Abstract:** The increasingly massive environmental damage is the result of development patterns oriented toward the exploitation of natural resources without regard for environmental carrying capacity and sustainability. This condition has led to ecosystem degradation, declining environmental quality, and an increased risk of ecological disasters that have a broad impact on human life. Within the context of Indonesian environmental law, Environmental Impact Analysis (AMDAL) is normatively positioned as a preventive instrument to control environmental impacts before a business or activity is implemented. However, in practice, AMDAL is often reduced to merely an administrative licensing requirement, thus weakening its effectiveness as a tool for preventing environmental damage. This study aims to analyze the regulation of AMDAL within the framework of Indonesian environmental law and examine the urgency of strengthening it as an instrument for controlling the impacts of environmental damage. The research method used is normative juridical with a statutory regulatory approach and literature review. The results show that regulatory changes, the weak quality of AMDAL documents, limited public participation, and poor oversight and law enforcement have reduced the binding power and preventive function of AMDAL. Therefore, strengthening AMDAL normatively and substantively is an urgent need to realize sustainable and equitable environmental protection.

**Keywords:** Environmental Impact Analysis, Environmental Law, Natural Damage.

### Introduction

Everything that influences human and animal development is considered the environment. According to the Big Indonesian Dictionary (KBBI), the environment is everything that surrounds and impacts living things (organisms) (Poerwadarminta, 2005). Anything in a location or space where humans or other living things can impact its existence is considered an environmental component. This includes human behavior and how it affects the life and well-being of other living things. On the other hand, a sustainable environment refers to an ecosystem that persists indefinitely and remains unchanged. The goal of conservation is to maintain something intact and protect it from change (Siahaan, 2004).

Because humans cannot survive alone without the help of their surroundings, the environment is a vital component of human existence. Humans are highly dependent on their surroundings for basic needs such as food and drink. To ensure that humans, animals, and plants have the opportunity to survive, the environment also offers a variety of natural resources. The richness of the natural environment enables humans to innovate and improve their standard of living. The environment should be viewed as an essential part of the ecosystem that must be respected, valued, and preserved because it is crucial to the integrity of human life. Integrity in environmental management is a human obligation to act morally and responsibly towards the environment (Mangka et al., 2022).

The environment and nature are vital resources for the survival of life on Earth. Maintaining natural resources, biodiversity, and ecosystem balance are crucial for human survival. However, ecosystems have suffered greatly from global issues including overuse of resources, pollution, and climate change. Therefore, protecting and preserving nature for present and future generations is a primary duty and obligation of the state.

Everyone has the right to a healthy environment, as stated in Article 28H Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. This highlights the state's

responsibility to ensure the realization of this right by enforcing environmental laws and managing natural resources sustainably. The state must create laws, regulations, and initiatives focused on environmental protection because the state is the entity with the greatest power and accountability (Norliana et al., 2025).

Nature possesses immense diversity, including the environment, wood utilization, and its properties. Animal exploitation and natural resource exploitation are two categories that typically distinguish human exploitation. The excessive use of natural resources, especially forests, for substantial profits without considering the potential negative impacts, is known as "forest resource exploitation," and this can be extremely damaging to the environment and even the climate.

Since the colonial era, Indonesia has been involved in forestry development initiatives. The Dutch East India Company (VOC), which operated in Indonesia from the late 16th to the early 19th centuries, began deforestation in the country at that time. To collect firewood for its various businesses and timber for shipbuilding and construction, the VOC cut down forests (Rinjani et al., 2024).

The exploitation of natural resources is often prioritized in national development, which focuses on economic growth without adequate environmental protection. Water and air pollution, ecological damage, and the decline in environmental carrying capacity are just a few examples of how industrial operations, mining, infrastructure, and land conversion have contributed to environmental degradation. This case illustrates how development not based on sustainable principles can result in long-term, systemic environmental damage.

In the context of environmental law, an Environmental Impact Analysis (AMDAL) is a preventative tool used in Indonesian environmental law that evaluates and controls the major environmental impacts of a business or activity before its implementation. Typically, an AMDAL is intended to serve as a control mechanism to halt development that seriously damages the environment. However, a number of problems persist in the implementation of AMDAL in practice, including poor study quality, low community involvement, and a tendency for AMDAL to be viewed as an administrative requirement rather than a significant environmental protection tool. The dynamics of regulatory changes that could erode the role of environmental monitoring and control further complicate this issue.

Therefore, the urgency of strengthening the AMDAL (Environmental Impact Assessment) is increasingly important to ensure the effectiveness of environmental law as an instrument for controlling the impacts of environmental damage. Strengthening the AMDAL is necessary not only from a regulatory perspective, but also from an institutional perspective, law enforcement perspective, and the integration of precautionary principles and sustainable development into every stage of its preparation and implementation. Without such strengthening, the AMDAL risks losing its strategic role in preventing broader environmental damage.

This study aims to analyze the provisions of Environmental Impact Analysis (AMDAL) within Indonesia's environmental legal framework as an instrument for controlling environmental impacts related to environmental damage. Furthermore, this study aims to assess the urgency of strengthening AMDAL within environmental law to increase its effectiveness as a preventive instrument in preventing and controlling the impacts of environmental damage caused by development activities. Furthermore, this study aims to formulate a normative direction for strengthening AMDAL so that it can function optimally in supporting environmental restoration efforts while strengthening the role of environmental law in realizing sustainable environmental protection.

## Methods

To analyze the legal issues under investigation, this study uses a normative juridical research methodology that focuses on examining relevant positive legal norms. By

examining various relevant legal provisions found in both laws and court decisions, this method is both qualitative and normative.

Legislation, jurisprudence, and practices governing or relating to environmental law are the primary legal sources used in this research. Draft laws, research findings, and academic publications, including books, journals, and legal articles that offer clarification, interpretation, and analysis of primary legal sources, are examples of secondary legal sources. The data collection method used is desk research, which includes gathering information from academic publications, legal papers, literature searches, and other relevant written sources to obtain a comprehensive picture of the issues being studied.

## Results and Discussion

### Understanding Environmental Damage and Its Impact on the Environment

Environmental degradation is a phenomenon that is increasingly prominent as human activities increase the exploitation of natural resources. In an environmental context, environmental degradation is understood not only as visible physical changes, such as forest destruction, river pollution, or reduced productive land area, but also encompasses more complex and long-term changes in ecological systems. This degradation has direct implications for the decline in environmental quality and the weakening of nature's carrying capacity to support human life and other living things (Nurhayani et al., 2024).

Conceptually, environmental degradation can be defined as a condition where the environment experiences a decline in function and quality due to pressures that exceed nature's capacity to recover naturally. This pressure can originate from natural factors, such as geological disasters or climate change, but in the reality of modern development, anthropogenic factors are the primary cause of environmental degradation. Exploitative, uncontrolled human activities that ignore the principles of sustainability have made the environment a victim of a development orientation focused solely on economic growth (Arba et al., 2023).

From an environmental law perspective, environmental damage has a more normative and measurable meaning. Environmental damage is understood as an act that results in changes in the physical, chemical, and/or biological properties of the environment, thereby exceeding the environmental damage standards established by laws and regulations. This concept of environmental damage standards demonstrates that the state, through legal instruments, has established certain limits that must not be exceeded in environmental utilization. If these limits are violated, the act can be classified as a violation of the law, giving rise to legal liability for the perpetrator.

Environmental degradation is closely linked to the development paradigm prevailing in various countries, including Indonesia. Development is often understood as an effort to improve welfare through the optimal use of natural resources.

However, this approach often neglects environmental aspects, resulting in cumulative negative impacts. Land conversion from forest areas to industrial or residential areas, the exploitation of mineral resources without proper planning, and the use of environmentally unfriendly technologies are concrete examples of how development activities contribute to environmental degradation (Muthmainnah et al., 2020).

Furthermore, increasing greenhouse gas emissions are an important indicator of global environmental degradation. Greenhouse gas emissions resulting from industrial activities, transportation, fossil fuel combustion, and deforestation have led to increased concentrations of these gases in the atmosphere. This condition amplifies the greenhouse effect, ultimately triggering global warming and climate change. This climate change has a direct impact on environmental stability, characterized by an increase in the Earth's average temperature, changes in seasonal patterns, and an increase in the intensity and frequency of extreme

weather events.

The impact of environmental damage on the environment is not only ecological, but also extends to various aspects of human life. From an ecological perspective, environmental damage disrupts ecosystem balance and reduces biodiversity. The loss of natural habitats due to deforestation and environmental pollution has pushed many flora and fauna species to the brink of extinction. This situation disrupts the food chain and the overall balance of nature, which ultimately hurts human life (Garini et al., 2024).

From an environmental health perspective, environmental degradation contributes to a decline in human quality of life. Air pollution from industrial and motor vehicle emissions increases the risk of respiratory diseases, water pollution threatens the availability of clean water and triggers various diseases, while soil pollution impacts the quality of agricultural produce. This situation demonstrates that environmental degradation is not only an environmental issue, but also a public health and social welfare issue.

Furthermore, environmental degradation also has significant social and economic implications. Environmental disasters such as floods, landslides, droughts, and forest fires are often the result of damaged ecological systems. These disasters cause significant economic losses, disrupt social activities, and exacerbate social inequality. Communities that depend directly on natural resources, such as farmers and fishermen, are the most vulnerable groups to the impacts of environmental degradation.

In the context of sustainability, environmental degradation poses a serious threat to future generations. Uncontrolled exploitation of natural resources leads to the depletion of resource reserves and the decline in the quality of the environment passed on to future generations. This contradicts the principle of intergenerational justice, which emphasizes that each generation has a responsibility to maintain the environment so that it remains habitable for future generations.

## **The Position of AMDAL as a Preventive Instrument in Environmental Law**

As a preventive instrument, AMDAL works through a multi-step mechanism designed to identify, predict, and control potential environmental impacts before a business or activity is implemented. Conceptually, this mechanism reflects an anticipatory environmental governance approach, namely, environmental management based on risk anticipation, rather than reaction to damage that has already occurred (Craik, 2010).

The initial stage of the AMDAL preventive mechanism begins with the screening process and scoping. This stage determines whether a planned activity requires an AMDAL and what environmental issues must be studied in depth. Scoping has a crucial preventive function because it determines the study's focus on significant impacts, including cumulative and long-term impacts (Wood, 2014). If this stage is conducted narrowly or biasedly, potential environmental damage will not be adequately detected from the outset. Next, the AMDAL works through the identification and prediction of environmental impacts, which are outlined in the Environmental Impact Assessment (EIA), Environmental Management Plan (RKL), and Environmental Management Plan (RPL). At this stage, a scientific approach is used to predict the ecological consequences of an activity, including physical, biotic, and social components (Glasson & Therivel, 2019). Theoretically, these impact forecasts allow the government to intervene in planned activities, for example, by changing the project design, establishing operational limits, or even rejecting the business plan if the environmental risks are deemed unacceptable.

However, a crucial assumption that needs to be tested is that impact forecasts are always responded to normatively by decision-makers. In practice, numerous studies have shown that AMDAL recommendations are often not a determining factor in granting environmental approvals, reducing its preventive function to a procedural formality. Therefore, the AMDAL mechanism will only be effective preventively if its study results have

a real binding force on administrative decisions. Furthermore, the AMDAL's preventive function is also implemented through the formulation of an Environmental Management Plan (RKL) and an Environmental Monitoring Plan (RPL). These two instruments are intended to ensure that potential negative impacts identified can be controlled from the outset of activity implementation. However, conceptually, the RKL-RPL reflects a risk management approach rather than a risk avoidance approach. This means that damage is not completely prevented, but rather managed to remain within acceptable limits.

In Indonesia's environmental legal system, the Environmental Impact Analysis (EIA) is normatively constructed as a preventive instrument against environmental pollution and damage. Article 22, paragraph (1) of Law Number 32 of 2009 concerning Environmental Protection and Management (UUPPLH) explicitly states that every business and/or activity that has a significant impact on the environment is required to have an EIA as a prerequisite for environmental feasibility. This formulation places the EIA in the *ex ante* phase, before the activity is undertaken, thus theoretically serving to prevent environmental damage.

However, claims that AMDAL is preventative are often taken for granted. However, conceptually, a legal instrument can only be considered preventative if it can influence or limit development decisions, not simply precede their implementation. In other words, the preventive aspect of AMDAL lies not solely in its procedures, but rather in the binding force of AMDAL's substance to licensing decisions. Modern environmental law emphasizes prevention through administrative instruments, but its effectiveness depends heavily on whether these instruments are actually used as a substantive basis for decision-making (Rahmadi, 2019).

Ideally, an AMDAL serves as a scientific instrument that is translated into administrative legal decisions. Within this framework, an AMDAL should serve as the basis for the state to determine whether a business plan and/or activity is environmentally feasible, requires modification, or is not feasible to implement at all. However, in practice, there is a tendency to reduce the function of the AMDAL to merely an administrative document supplementing permits. Several academic studies show that the AMDAL is often positioned not as a selection tool, but rather as a means of legitimizing development projects that have been previously agreed upon politically and economically. This situation weakens AMDAL's preventive claims, as core decisions are no longer determined by the results of environmental studies, but rather by non-environmental interests. From a critical environmental law perspective, this situation indicates a distortion in AMDAL's function (from a controlling instrument to a justifying instrument). If the AMDAL lacks the power to halt or significantly modify high-risk planned activities, its position as a preventive instrument is seriously questionable.

AMDAL is also often associated with the application of the precautionary principle, which requires the state to act to prevent environmental damage even when there is no full scientific certainty. This principle is internationally recognized and has been adopted in Indonesian environmental law (Sands & Peel, 2018). However, in Indonesian AMDAL practice, the precautionary principle is often reduced to an impact mitigation approach, rather than a risk avoidance approach. Many AMDAL documents emphasize how impacts are managed after an activity is underway, rather than the fundamental question of the ecological feasibility of the activity itself. Criticism has arisen that AMDAL in Indonesia tends to be reactive and managerial, rather than preventive in a substantial sense. This situation indicates that the precautionary approach in AMDAL remains structurally weak, as it is not aimed at preventing decisions that have the potential to damage the environment from the outset, but rather at controlling consequences that are already considered inevitable.

Theoretically, the planning stage is the most strategic phase for environmental control. At this stage, the state has the greatest discretion to direct development in line with the principles of sustainable development. Therefore, the Environmental Impact Assessment

(EIA) should be the state's primary instrument for implementing its preventive control function. However, if the AMDAL is not used as a basis for binding decision-making, environmental control will shift to post-damage law enforcement, which has been empirically proven to be more difficult, expensive, and often ineffective (Silalahi, 2001). Thus, the weakening of AMDAL's position as a preventive instrument is not merely an administrative issue but also has a direct impact on the state's failure to protect the environment.

Therefore, normatively, the AMDAL does have a position as a preventive instrument under Indonesian environmental law. However, substantively and empirically, this position has not been fully realized. It can also be concluded that the AMDAL is designed to have a preventive working mechanism through early identification, impact prediction, and control before activities begin. However, these mechanisms are often undermined in practice because they are not fully integrated into substantive decision-making. This condition often causes the AMDAL to fail to effectively prevent environmental damage, even though procedural requirements have been implemented.

### **Weaknesses in AMDAL Regulation and Implementation in Controlling the Impact of Environmental Damage**

The dynamics of environmental law in Indonesia have undergone a fundamental shift in the last five years, particularly following the enactment of Law Number 11 of 2020 concerning Job Creation, which was subsequently amended by Law Number 6 of 2023. This change significantly transformed the Environmental Impact Analysis (AMDAL) from its original function as a "control" instrument to an administrative "approval" instrument integrated into risk-based business licensing. This regulatory transformation, while intended to simplify bureaucracy and facilitate investment, harbors a number of substantial weaknesses that have the potential to weaken the preventive function of environmental protection. These weaknesses are not only located at the normative or textual level of the law but also extend to its implementation on the ground, which is often out of sync with the ideals of sustainable development (Azis, 2024).

One of the most fundamental weaknesses in the regulation lies in the change in the nomenclature and legal status of "Environmental Permit," which has been removed and replaced with "Environmental Approval." Under Law Number 32 of 2009 concerning Environmental Protection and Management (UUPPLH), before its revision, the Environmental Permit stood alone as a *conditio sine qua non*, or absolute requirement. If this permit were revoked, the business license would automatically be revoked. However, following the enactment of the Job Creation Law, AMDAL's role was reduced to merely a basis for a feasibility test to obtain an Environmental Approval, which then became a prerequisite for issuing a Business License.

This change created ambiguity in law enforcement, as the AMDAL was no longer a strong, independent "license" but was instead integrated into the master licensing system. This biased oversight of specific environmental aspects made it dependent on the general business licensing oversight mechanism. This is feared to dilute the focus on ecological protection, as environmental feasibility assessments are now viewed more as meeting bureaucratic administrative standards than as in-depth scientific studies for ecological disaster mitigation (Yanti & Dalimunthe, 2023).

Besides the issue of legal status, a crucial weakness of the regulation is the limited space for public participation in the AMDAL document preparation process. In the previous regulation, community involvement included those affected, environmental observers, and those affected by all AMDAL decisions, which opened up space for NGOs and academics to exert social control. However, the new regulation narrows the definition of community

involvement to only "directly affected communities." Eliminating the right to participate for environmental observers and environmental organizations in the public consultation process represents a setback for environmental democracy, as directly affected communities in remote areas often have limited technical knowledge and bargaining power to critique complex AMDAL documents. Without assistance from NGOs or independent environmental experts, community participation becomes a mere formality, and their aspirations are easily dismissed by project proponents. As a result, the resulting AMDAL document is potentially substantively flawed because it does not capture the actual ecological concerns that exist on the ground, but rather merely accommodates investment interests (Fitria, 2023).

Another regulatory weakness relates to the elimination of the AMDAL Assessment Commission (KPA) at the regional and central levels, which has been replaced by the Environmental Feasibility Test Team (TUKLH) established by the Central Government's Environmental Feasibility Testing Agency (LUKLH). This centralization has created new problems in the form of bottlenecks or backlogs in document assessment due to the limited number of certified experts appointed by the central government compared to the massive number of projects across Indonesia. Furthermore, the removal of specific regional representatives from the assessment commission risks overlooking local wisdom and specific ecosystem characteristics that the central assessment team may not understand. This new mechanism is also considered to reduce transparency and public accountability because the assessment process becomes a closed domain for government institutions without an adequate public objection mechanism, as previously stipulated in Article 26 paragraph (4) of Law No. 32 of 2009, which has now been abolished (Delvina & Frinaldri, 2024).

Moving from the regulatory to the implementation side, the weaknesses of the AMDAL are increasingly apparent in the quality of the document itself. In the field, AMDAL is often viewed as an administrative commodity or "trade item" that proponents must purchase simply to smooth permitting, rather than as a scientific guide for impact management. The phenomenon of "copy-pasting" AMDAL documents remains widespread, where consultants simply copy environmental baseline data from other areas without conducting valid primary surveys. As a result, the prepared Environmental Management Plans (RKL) and Environmental Monitoring Plans (RPL) become non-operational and irrelevant to real-world conditions. Many AMDAL documents are prepared unprofessionally, inaccurately, and superficially, failing to predict long-term downstream impacts, such as damage to groundwater aquifers or loss of specific biodiversity. This lack of adherence to principles is exacerbated by the fact that proponents tend to choose consultants who "can get things done quickly" rather than those with high scientific integrity, creating transactional relationships that are detrimental to the environment (Adawiyah et al., 2025).

Furthermore, the implementation of monitoring of the Environmental Impact Assessment (RKL-RPL) is the weakest point in the environmental impact management cycle in Indonesia. Although the AMDAL document promises ideal environmental management, the reality is that proponent compliance with its implementation is very low. Regional Environmental Agency (DLH) often faces classic obstacles such as limited operational budgets and a shortage of Environmental Supervisory Officers (PPLH). In many cases, monitoring is carried out passively, accepting semi-annual reports from companies without conducting field verification (spot checks) to verify the accuracy of the data. This has led to the manipulation of environmental monitoring data becoming a common practice, with companies reporting "good" conditions even though the actual results indicate water or air pollution exceeding quality standards. This weak oversight is exacerbated by the loss of regional authority in several sectors, which has been transferred to the central government, leaving local governments uncertain and lacking the "teeth" to prosecute violators within their own jurisdictions (Sarah et al., 2021).

Weak implementation is also reflected in the administrative law enforcement aspect, which lacks a deterrent effect. Administrative sanctions stipulated in regulations often result in written warnings or government coercion that are not immediately enforced. The concept of ultimum remedium (criminal action as a last resort) promoted in the Job Creation Law is often misinterpreted as lenient, whereby perpetrators of environmental damage can simply pay an administrative fine without fear of imprisonment, as long as they "commit" to repairing the damage a commitment whose implementation is difficult to measure. Internal obstacles such as corruption, collusion, and overlapping authority between agencies also hamper the effectiveness of law enforcement. For example, when transboundary pollution occurs or involves large corporations that contribute to regional revenue, law enforcement officials are often hesitant or slow to act due to political and economic pressures. The absence of accredited environmental laboratories in many regions also makes it difficult to provide scientific evidence in environmental dispute cases, resulting in many violations escaping legal action due to a lack of valid evidence (Erviyanti Rosmaida, 2024).

Overall, the integration of environmental permits into environmental approvals, as envisioned by the Omnibus Law, has shifted the environmental protection paradigm from strict liability and the precautionary principle to a risk-based approach riddled with loopholes. The Risk-Based Approach (RBA) system, which categorizes businesses into low, medium, and high risk, allows many business activities to escape AMDAL requirements, requiring only UKL-UPL standards or even just a Business Identification Number (NIB). However, the accumulated impacts of unsupervised small-scale activities can cause massive ecosystem damage. This simplification, without being balanced by a robust and integrated oversight system, renders AMDALs little more than paperwork, lacking the spirit of control. Thus, the gap between das sollen (what should be regulated for the sake of environmental sustainability) and das sein (what is happening on the ground) is widening, placing Indonesia's natural ecosystems increasingly vulnerable to irresponsible exploitation (Siregar et al., 2024).

### **Directions for Strengthening AMDAL as a Responsive Environmental Legal Instrument**

Strengthening Environmental Impact Analysis (AMDAL) as a responsive environmental legal instrument is a central issue in the development of environmental law in Indonesia. The increasing complexity of environmental issues, such as ecosystem damage, trans-regional pollution, natural resource conflicts, and the impacts of climate change, demands a legal instrument that is not only reactive but also preventive and adaptive. In this context, AMDAL should be positioned as a legal instrument that anticipates and prevents potential negative environmental impacts from the development planning stage, rather than simply serving as an administrative requirement in the permitting process.

Theoretically, an AMDAL embodies the preventive and precautionary principles in environmental law. Both principles emphasize prevention as the primary strategy in protecting the environment from the risks of irreversible pollution and damage. However, the practice of AMDAL implementation in Indonesia still demonstrates a gap between normative objectives and implementation on the ground. AMDAL is often treated as a formality document focused on fulfilling administrative procedures, without a strong commitment to the quality of the environmental impact assessment. This situation has implications for the weakening of AMDAL's function as a legal instrument responsive to the dynamics of environmental issues.

The normative direction of strengthening AMDAL needs to begin with developing the substance of AMDAL studies to better address issues of climate change and limited environmental carrying capacity. Climate change has become a significant variable influencing ecosystem stability, natural resource availability, and the level of community vulnerability to ecological disasters. Therefore, AMDAL studies can no longer focus solely on

direct and local environmental impacts, but must also include analysis of long-term impacts, cumulative impacts, and the contribution of an activity to increased greenhouse gas emissions. Without integrating a climate change perspective, AMDALs have the potential to fail to capture systemic and intergenerational ecological risks.

In addition to ecological aspects, strengthening the substance of the AMDAL must also encompass social dimensions and environmental justice. Many cases of environmental damage in Indonesia demonstrate that the greatest impacts are felt by local communities, who have limited access to decision-making processes. A responsive AMDAL should accommodate the interests of affected communities through comprehensive and participatory social analysis. Thus, the AMDAL serves not only as a technocratic instrument but also as a means of protecting the community's right to a good and healthy environment.

On the other hand, strengthening the AMDAL cannot be separated from its position in the environmental licensing system. Normatively, the AMDAL should be the primary basis for the government in determining the environmental feasibility of a business or activity. However, in practice, the AMDAL's position is often diminished due to the dominance of economic interests and accelerated investment. The AMDAL assessment process is often conducted in a limited manner, with minimal public participation, and recommendations that tend to compromise the interests of business proponents. As a result, the AMDAL loses its binding power and becomes an instrument for legitimizing development policies.

This situation was further exacerbated by changes in AMDAL regulations following the enactment of Law Number 11 of 2020 concerning Job Creation and its implementing regulations. Through a deregulation approach and simplified licensing, the Job Creation Law significantly changed the AMDAL mechanism, particularly by narrowing the scope for public participation and centralizing AMDAL assessment authority within the central government. Some academics believe that these changes have the potential to weaken AMDAL's function as an environmental control instrument, as they place economic efficiency above the principle of environmental protection.

Reducing the role of the community in the AMDAL process contradicts the spirit of environmental democracy, which places public participation as a crucial element in environmental decision-making. Without meaningful participation, the AMDAL risks losing social legitimacy and failing to represent the interests of the most impacted communities. Furthermore, centralizing the AMDAL assessment authority has the potential to ignore local characteristics and specific ecological conditions of an area, which are crucial aspects of environmental impact assessment.

From an environmental law perspective, these changes indicate a paradigm shift from environmental protection to investment facilitation. Therefore, the direction of future AMDAL strengthening must be directed at rebalancing the interests of economic development and environmental protection. AMDAL needs to be reaffirmed as a substantive and binding legal instrument, so that its recommendations truly serve as the basis for determining whether an activity can be implemented.

Furthermore, optimizing AMDAL as a preventive control instrument also requires strengthening the implementation and monitoring stages. Numerous cases demonstrate that, despite AMDAL approval, the implementation of the Environmental Management Plan (RKL) and Environmental Monitoring Plan (RPL) is often neglected by business proponents. Weak oversight and law enforcement cause AMDAL to lose its effectiveness as a tool for preventing environmental damage. Therefore, strengthening AMDAL must be accompanied by increased capacity of supervisory institutions and the enforcement of strict sanctions for violations of environmental commitments.

Thus, strengthening the AMDAL as a responsive environmental legal instrument requires a fundamental paradigm shift. AMDAL must be repositioned as a preventive instrument oriented toward environmental protection and ecological justice, rather than

simply an administrative tool within the licensing system. Developing substantive studies that are responsive to climate change, affirming the position of AMDAL in the licensing system following the Job Creation Law, and strengthening oversight and law enforcement are essential prerequisites for achieving sustainable and environmentally just development.

### Conclusion

The aforementioned discussion leads to the conclusion that development patterns that prioritize the exploitation of natural resources without considering sustainability and environmental carrying capacity actually result in environmental degradation. Ecosystem damage, environmental degradation, and the increased likelihood of ecological disasters with widespread impacts on ecological, social, economic, and public health have resulted from exploitative and uncontrolled human activities that disregard the precautionary principle. This situation highlights the importance of the state upholding the constitutionally guaranteed right to a safe and healthy environment.

The above debate leads to the conclusion that development patterns that emphasize the exploitation of natural resources without considering sustainability and environmental carrying capacity actually lead to environmental degradation. Exploitative and uncontrolled human activities that ignore the precautionary principle have led to ecosystem damage, environmental degradation, and an increased risk of ecological disasters, which have broad impacts on ecological, social, economic, and public health aspects. This situation emphasizes the importance of the state protecting the right to a safe and healthy environment, as guaranteed by the constitution.

The elimination of environmental permits, restrictions on public participation, centralization of assessment authorities, and a risk-based licensing approach are some of the regulatory changes that have further weakened the strategic role of the AMDAL since the enactment of the Job Creation Law. Poor quality AMDAL documentation, lax management of the RKL-RPL implementation, and ineffective law enforcement all contribute to these shortcomings. Consequently, AMDAL has not been able to efficiently regulate the impacts of environmental damage.

Therefore, strengthening the AMDAL is an urgent need to restore its role as a preventative, substantive, and responsive environmental legal instrument. This strengthening must be achieved by reaffirming AMDAL's position as a binding basis for decision-making, improving the quality of the study's substance, including cumulative impacts and climate change, expanding meaningful public participation, and strengthening oversight and law enforcement. This way, the AMDAL can function optimally in supporting environmental protection and realizing sustainable and ecologically just development.

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