

## PRELIMINARY STUDY OF JURIDICAL ASPECTS OF RENEWABLE ENERGY DRAFT LAW IN INDONESIA: AN ACADEMIC PERSPECTIVES

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### Abstract

*Energy is an absolute necessity used in the survival of daily human life. The need for electrical energy in Indonesia continues to increase with economic growth and population increase. Indonesia's electricity demand is projected to increase more than seven times to 1,611 TWh in 2050. Through Commission VII of the House of Representatives of the Republic of Indonesia (DPR RI), the Indonesian government is drafting a Renewable Energy (RE) Bill. This rule provided a more detailed and in-depth explanation of the rules in terms of developing New and Renewable Energy (NRE) in Indonesia. This study critically reviews the formal juridical or regulatory aspects of Indonesia's Renewable Energy law (called RUU-EBT). This writing methodology is based on a literature review and data collected from relevant regulations and proposes the conclusion from relevant and expected regulations.*

**Keywords:** *Constitution; Law; Policy; RUU EBT; the House of Representatives.*

### Abstrak

Energi merupakan kebutuhan mutlak yang digunakan dalam kelangsungan hidup manusia sehari-hari. Kebutuhan energi listrik di Indonesia terus meningkat sejalan dengan pertumbuhan ekonomi dan pertambahan jumlah penduduk. Kebutuhan listrik Indonesia diproyeksikan meningkat lebih dari 7 kali lipat menjadi 1.611 TWh pada tahun 2050. Pemerintah Indonesia melalui Komisi VII Dewan Perwakilan Rakyat Republik Indonesia (DPR RI) saat ini sedang menyusun RUU Energi Baru dan Terbarukan (EBT). Aturan ini dibuat untuk memberikan penjelasan yang lebih detail dan mendalam tentang aturan dalam hal pengembangan EBT di Indonesia. Kajian ini memberikan tinjauan kritis terhadap aspek yuridis formal atau regulasi dari undang-undang Energi Baru dan Terbarukan (disebut RUU-EBT) di Indonesia. Metodologi penulisan ini didasarkan pada tinjauan pustaka (*review paper*) yang berkaitan dengan tujuan studi ini, serta data yang dikumpulkan dari peraturan

hukum yang relevan dan mengusulkan kesimpulan dari peraturan hukum yang relevan dan diharapkan.

**Kata-kata Kunci:** *Konstitusi; Hukum; Kebijakan; RUU EBT; DPR RI.*

## Introduction

Energy is an absolute necessity used in the survival of daily human life.<sup>1</sup> One of the energies that are widely used is fuel and electricity. Fuel comes from non-renewable energy sources and will run out in time if renewable energy alternatives are not sought. In addition, the need for electrical energy in Indonesia continues to increase with economic growth and population increase. Indonesia's electricity demand is projected to increase more than seven times to 1,611 TWh by 2050.<sup>2</sup> Besides, other energy sources such as oil-fueled and coal are the highest energy used nationally, as these energies are not renewable or sustainable.<sup>3</sup>

Meanwhile, electricity production grows by an average of 6% per year. The increase in electricity demand makes electricity demand per capita reach 4,902. kWh in 2050, an increase of almost six times compared to 2016 (846 kWh/capita).<sup>4</sup> Therefore, Indonesia is an ASEAN country that is included in the waste in electricity use category compared to other ASEAN countries. The important thing is that this electricity is sourced from power plants that utilize non-renewable and renewable energy. As much as 60% of the electricity supply in Indonesia still comes from oil-fueled energy sources.<sup>5</sup> This condition makes the government make various efforts to meet this efficient energy's needs and anticipate the need for energy used in the future nationally. These efforts include increasing the number of existing power plants, both in the form of conventional energy such as PLTU (steam power plant) and PLTA (hydro electric power plant), as well as from new and renewable energy sources (RE).<sup>6</sup>

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<sup>1</sup> Al Hakim et al., "Perancangan Media Interaktif Energi Baru Terbarukan Berbasis Android," in *Seminar Nasional Hasil Riset Dan Pengabdian Ke-III* (2021), 144–150.

<sup>2</sup> Al Hakim et al., "Analisis Kenaikan Tagihan Listrik Selama Pandemi Covid-19 Berdasarkan Perilaku Konsumtif Energi Listrik di Indonesia," *Jurnal CAFETARLA* 2, no. 1 (2021): 25–35.

<sup>3</sup> Saiful Manan, "Energi Matahari, Sumber Energi Alternatif yang Efisien, Handal dan Ramah Lingkungan di Indonesia," *Gema Teknologi*, 2009, 31–35.

<sup>4</sup> Kementerian ESDM, "Handbook Of Energy & Economic Statistics Of Indonesia 2018 Final Edition," *Ministry of Energy and Mineral Resources* (Jakarta, 2018); Yanuar Zulardiansyah Arief et al., "Tinjauan Aspek Yuridis Dan Tekno-Ekonomi Rencana Pembangunan Pembangkit Listrik Tenaga Nuklir (PLTN) Di Indonesia," in *Seminar Nasional Energi, Telekomunikasi dan Otomasi (SNETO 2019)*, (2019), 24–33.

<sup>5</sup> Al Hakim et al., "Analisis Kenaikan Tagihan Listrik Selama Pandemi Covid-19 Berdasarkan Perilaku Konsumtif Energi Listrik di Indonesia," *Jurnal CAFETARLA* 2, no. 1 (2021): 25–35.

<sup>6</sup> Arief et al., "Tinjauan Aspek Yuridis dan Tekno-Ekonomi Rencana Pembangunan Pembangkit Listrik Tenaga Nuklir (PLTN) Di Indonesia."