

Tinjauan yuridis atas investasi swasta di proyek reducing emissions from deforestation and forest degradation plus Indonesia = Legal analysis of private investment in reducing emissions from deforestation and forest degradation plus project Indonesia / Aldilla Stephanie Suwana

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Abstrak

ABSTRAK

Tesis ini membahas mengenai skema dan landasan hukum investasi swasta di proyek Reducing Emissions from Deforestation and Forest Degradation Plus Indonesia termasuk hambatan dan peluang yang dihadapi sektor swasta untuk terlibat dalam proyek REDD+ di Indonesia. Metode penelitian ini adalah metode penelitian yang bersifat yuridis normatif. Berdasarkan hasil penelitian, disimpulkan bahwa skema dan landasan hukum investasi swasta dalam proyek REDD+ di Indonesia adalah dengan memohon Izin Usaha Pemanfaatan Penyerapan dan/atau Penyimpanan Karbon (IUP RAP/PAN Karbon) ataupun Izin Penyelenggaraan Karbon dengan ataupun tanpa memperoleh terlebih dahulu Izin Usaha Pemanfaatan Hasil Hutan Kayu Restorasi Ekosistem (IUPHHK-RE). Hambatan yang dihadapi sektor swasta adalah ketidakjelasan terhadap hak atas karbon, ketidakberlakuan ataupun absennya ketentuan terkait pajak karbon dan perdagangan karbon, serta belum adanya insentif bagi sektor swasta yang berinvestasi di Proyek REDD+. Sedangkan, peluang bagi sektor swasta adalah restorasi ekosistem tidak terkena dampak moratorium penundaan izin baru dan merupakan salah satu sasaran strategis Kementerian Kehutanan untuk mencapai prioritas pembangunan serta sistem perizinan berbasis online.

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ABSTRACT

This thesis explains about scheme and legal basis for private investment in Reducing Emissions from Deforestation and Forest Degradation Plus Project Indonesia. It further elaborates the obstacles and opportunities faced by private sector investing in the REDD+ project. In arranging this thesis, the writer uses typology of normative legal research. Based on the research, it is concluded that Carbon Storage License/Carbon Sequestration License (IUP RAP/PAN Karbon) or Forest Carbon License (Izin Penyelenggaraan Karbon) with or without applying initial Restoration Ecosystem License (IUPHHK-RE) are the scheme and legal basis for REDD+ project. Obstacles faced by private sector are uncertainty of carbon rights, absence of laws and regulations in relation to carbon tax and carbon trading scheme, and lack of incentive. Whilst, the opportunities are restoration ecosystems that are not affected by licenses moratorium and that one of the Ministry of Forestry's strategic goal to achieve development priorities as well as online based licensing system.