

ACTION PLAN OF THE GOVERNOR OF DKI JAKARTA IN FACING CLIMATE CHANGE AND ITS IMPACT

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Abstract

This journal aims to examine more deeply the Jakarta Governor's action plan in dealing with climate change and its impact on life. In addition, this journal will also examine the international legal framework that deals with climate change and identify the role of international human rights in climate change issues. This journal begins by identifying the basis of international law, the development of international law, and looking at the character and nature of the framework. This study seeks to identify the role of international human rights law in closing the gaps left by the climate change framework. This research was conducted by examining secondary data from relevant books, journals, and published documents. There are several findings from this study. First, the current international climate change framework is insufficient to address the problem of climate change and its adverse effects. Second, there are many challenges that the Government of Jakarta must face in implementing an action plan to deal with climate change in order to make Jakarta a city capable of dealing with the impacts of climate change.

Keywords: Climate change, The role of the Governor of Jakarta, Human Rights

1. Introduction

1.1 Background

Climate change is seen as a consequence of past pollution and current emissions. Human activities are identified as the cause of climate change and have significant consequences. Some of the adverse impacts of climate change, such as rising sea levels, floods, droughts and other types of natural disasters, were identified in a 2014 report by the Intergovernmental Panel on Climate Change (IPCC) (IPCC 2014). Meanwhile, the IPCC 2021 report has been considered “code red for humanity” because of the continued occurrence of extreme climate disasters in all regions of the world (IPCC 2021).

Natural phenomena in the form of climate change are very impactful and detrimental both directly and indirectly to human life and the environment. Climate change is closely linked to various extreme weather events and directly affects civil and political rights, as well as economic, social and cultural rights (Lanyi 2012). In terms of human rights and politics, the increasing frequency of floods, droughts, heat waves and storms significantly impacts the right to life and other related human rights (Willcox 2012). According to the 2014 IPCC Report, deaths and diseases related to climate change will become more widespread among disadvantaged groups over the next decade (IPCC 2014). In addition, economic, social and cultural rights such as the right to food, water, health and housing are all threatened by climate disasters.

The High Commissioner for Human Rights, Mary Robinson, said that “climate change is the greatest human rights challenge of the twenty-first century” (Human Rights Council 2015). The statement represents the idea that climate change has contributed to a detrimental effect on human rights and fundamental freedoms globally. In addition, it calls on the international community to be seriously involved in efforts to address climate change by incorporating international human rights into the context of international and national climate change policies. The idea requires States to ensure adequate protection of human rights in implementing climate-related actions and monitoring such activities, consistent with relevant international conventions,

On the other hand, actions taken by States and international organizations appear to be insufficient and inadequate to avoid the adverse effects of climate change on the enjoyment of human rights (Leijten 2019). This inadequate action is due to mitigation and adaptation in many countries not being successful or not ambitious enough and causing the public to take the matter to court (Newman & Head 2015, Setzer & Higham 2021). Meanwhile, the actions taken by States and international organizations appear to be insufficient and inadequate to avoid the adverse effects of climate change on the enjoyment of human rights (Leijten 2019).

Since the Rio Conference, environmental human rights jurisprudence has evolved dramatically. An initial attempt to make a UN statement on human rights and the environment failed in 1994. In 2009, the Office of the High Commissioner for Human Rights returned to the matter. It is better to build a component of human rights legislation that is already represented in national jurisprudence and law (Boyle 2020). All countries must protect themselves from human rights violations committed by companies, especially those related to climate change. Countries should establish and implement a prudent mix of laws, regulations and policies that encourage or require industry to reduce emissions.

Meanwhile, Jakarta as the largest city in Indonesia seems to be starting to improve. The city has begun to shift its approach to development, particularly in the transportation sector, from one based on private transportation to public transportation. This is done through various implementations, such as the integration of existing transportation modes in Jakarta, from Trans Jakarta, MRT, LRT, Commuter Line, to public transportation. This integration is expected to encourage the people of Jakarta to switch from private vehicles to public transportation.

In addition, there are also other efforts made by the Jakarta Government in the framework of tackling the impacts of climate change, such as providing pedestrian facilities in the form of comfortable and wide sidewalks, to building bicycle lanes on a number of protocol roads in Jakarta. Therefore, this journal aims to examine: (1) the current international legal framework dealing with climate change and (2) identify the framework of the Governor of DKI Jakarta in dealing with climate change issues.

2. Literature Review

2.1 International Legal Theory

International law arises because states have different situations and needs, as well as different capacities and powers. This ensures that each country needs the resources and needs of the other country. It is important to maintain and organize international cooperation so that it can function smoothly, increase its benefits, and foster friendship and mutual understanding between nations (Zulkifli 2012). From the outset, the focus of international theory has been on the study of the causes and conditions that create policy. Policies can also be made as a result of adapting the behavior of actors in response to or anticipating choices made by other actors.

International law is a form of relationship between one country and another that is designed to meet the needs of society and the interests of the nations of the world. International policies, including political, social, defense and security, cultural, and economic policies, are related to the foreign policies of each country.

Political International relations are also relations between states for the national interest. International politics consists of the rules, principles, norms, and decision-making processes that govern the operations of international governments. Moreover, countries that carry out international cooperation have a common goal or interest, because it is impossible not to have a common interest in cooperation (Injaya 2013). The policy is given if the benefits obtained are likely to exceed the sum insured. Therefore, the success of a collaboration can be measured by comparing the magnitude of the benefits with the gains achieved. The problem of cooperation lies in the achievement of goals. (Arumsari 2014).

International plans can be implemented in multilateral, regional and bilateral relations. Multilateral relations are cooperative relations between nations. Regional relations are cooperative relations between countries within a particular region, for example ASEAN and AFTA. Bilateral relations are a concept in international relations, are more complex and have more diverse meanings and contain more meaning for the dynamic aspects of international relations itself. The concept of bilateral relations is used to strengthen cooperation between two countries, their influence to achieve their national goals in the fields of economy, politics, culture and security.

Based on the understanding and characteristics of international law in the context of climate change above, the policies carried out by the DKI Jakarta Government are

international policies contained in the form of cooperation, because this cooperation is only carried out by the Government to achieve and expand Indonesia's national goals.

2.2 Climate Change

The average annual temperature in Indonesia as a whole increased by about 0.3°C during the 20th century (Hulme and Sheard 1999). In the case of Jakarta, there was an increase of around 1.07°C over 100 years in January and 1.40°C in July (BMKG, or the Meteorology, Climatology, and Geophysics Agency). Similar work shows that there is no clear trend (increase or decrease) of rainfall in Jakarta during the period 1950 to 1997. During the same period, the average annual rainfall fell by about 2 to 3 percent across the country, especially in the rainy season from December to February (Cruz et al 2007). Several climate models project a temperature increase of about 0.1°C to 0.3°C per decade during the 21st century (Hulme and Sheard 1999).

The same projections suggest that annual rainfall will increase over most of Indonesia in the future, although there may be a decline in Java, where Jakarta is located. However, most studies in Southeast Asia indicate that extreme rainfall events will increase in severity and frequency in the 21st century (Cruz et al 2007). As already mentioned, the most severe flooding events in Jakarta occurred as a result of heavy rainfall during the January to February period and this increase in intensity is expected to increase the severity and/or frequency of river flooding.

Climate change will also affect Jakarta through sea level rise. In most coastal areas of Asia, sea level rise is currently occurring at a rate of about 1 to 3 mm per year (IPCC, 2007a). Observations based on altimetry satellite detection for Southeast Asia also show an average sea level rise in Jakarta Bay of about 2 to 4 mm per year during the period 1992 to 2005 (Priyatna and Darmawan 2005). Detailed projections of the impact of climate change on sea level rise in Jakarta Bay during the 21st century are not available. However, the observed changes over the past few decades are within the range of global sea level rise reported by the Intergovernmental Panel on Climate Change (IPCC). Globally, The IPCC (2007b) projects that the minimum and maximum possible global mean sea level rise through 2100 will be between 18 and 59cm. Recent research has shown that Southeast Asia will face increased tropical cyclone intensity in the future, and storm activity will increase in the Indonesian region (APN, 2008), which may lead to increased storm surge heights (Cruz et al 2007).

3. Research methods

This type of research is normative legal research. In legal research, this is done by researching secondary data through library research (Soekanto & Mamudji 2016). In this study, the author uses several approaches: the legal approach by reviewing regulations related to climate change and human rights and the conceptual approach used by studying and understanding the concepts of international law and climate change litigation. As such, international and regional frameworks on climate change and human rights legal instruments as well as relevant books and journals will be analyzed to understand current developments.

This journal will also discuss some important cases, in particular the communications submitted to the Committee on human rights treaties and climate change

litigation. So therefore, to understand whether human rights law has been included or not in these cases.

4. Research and Discussion

4.1 International Law on Climate Change Control

Development is every country's effort to create a sovereign, strong and prosperous nation. The 1945 Constitution of the Republic of Indonesia stipulates that the state is obliged to provide a decent life for its country, a place to live, a good and healthy environment, and the right to health and education services. This is in accordance with Indonesia's active role as mandated by the constitution in the climate change agenda.

The international discussion also emphasized that efforts to combat climate change take into account national contexts (including national contexts and capacities) and national sovereignty. The state has an obligation to determine the direction and ensure that development for the benefit of the people takes into account the protection of the ecological and social dimensions. Indonesia's efforts and contributions to reduce greenhouse gas emissions are voluntary, accountable and consistent with national capabilities (according to the principle of Common but Differentiated Responsibility – Respected Capabilities/CBDR-RC).

As one of the countries that ratified the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, Indonesia has been actively involved at the international level. The Government of Indonesia has ratified the Climate Convention through Law no. 6 of 1994 concerning Ratification of the United Nations Framework Convention on Climate Change and the right to be included as a non-Annex I country. Utilize various means of support provided by the UNFCCC or the UN framework to achieve the objectives of the Convention (Peel 2008).

Indonesia also demonstrated its importance at the global level by hosting the COP-13 in Bali in 2007. This resulted in the creation of the Bali Action Plan. The plan emphasizes the important role of Indonesia's forests and the implementation of the REDD+ program. Study preparation by IFCA (Indonesian Forest and Climate Alliance). Among other things, the Bali Action Plan provides a policy approach and proactive steps for REDD+ in developing countries that enable and reduce deforestation solutions in developing countries so that countries can continue to develop.

Indonesia's contribution was again demonstrated by the ratification of the Paris Agreement in New York. On 22 April 2016, Indonesia signed the Paris Agreement in New York. As a ratifying country, Indonesia seeks to reduce greenhouse gas emissions and actively combat climate change. The Paris Climate Agreement also identifies forests as key to reducing greenhouse gas emissions. This is due to the ability of forests to absorb greenhouse gases. This position is derived from the provisions of Article 5 of the Paris Agreement. The Paris Agreement provides parties to implement and support an agreement-based framework for actions to reduce emissions from deforestation and forest degradation, and to protect and manage forests based on sustainability principles. We encourage you to do so.

The Indonesian government also enacted Law No. 16 of 2016 which ratified the Paris Agreement. With nine priorities for national development actions as outlined in the Nawa Cita, the Government of Indonesia has established climate change adaptation and mitigation as an integrated cross-sectoral priority for low carbon and climate change, which is a national commitment to a strong development direction. national development

agenda. The commitments contained in the Nawa Cita became the basis for the preparation of Indonesia's first Nationally Determined Contribution (NDC), which was submitted to the United Nations Framework Convention on Climate Change (UNFCCC) in November 2016. Indonesia's first NDC outlines Indonesia's transition to low emissions and resilience future climate.

NDC plans to reduce emissions by 29% to 41% by 2030, with international support, and will be used as a reference for implementing climate change initiatives), agriculture (0.32%), industry (0.10%) and waste (0,38%). Regarding adaptation, Indonesia's efforts include increasing economic resilience, social security and livelihoods, ecosystem and landscape resilience in conserving food, water, and energy resources (Montini 2015).

Presidential Regulation Number 16 of 2015 combines the Ministry of Environment, Ministry of Forestry, National Council on Climate Change and the REDD+ Management Agency into the Ministry of Environment and Forestry which was stipulated by Decree No. 18. The Ministry of Environment and Forestry through the Director General of Climate Control is tasked with leading the development and implementation climate control policies to implement Indonesia's commitment to reducing emissions at the national and international levels. Controlling climate change in Indonesia requires an iterative and synergistic domestic and international process. Implementation of agreements at the international level requires translation into national development contexts, including the ratification of the Paris Agreement and the NDC through mitigation and adaptation measures. Translated into a national context, it aims to support sustainable development and uphold the principles of low emissions and climate resilience. The effectiveness of climate change mitigation is also highly dependent on policies and their implementation at all levels (international, regional, national and local) (Tacconi 2019).

As the national center for climate change action in Indonesia, the Ministry of Environment and Forestry through the Directorate General of Climate Change Action has created a knowledge forum for the wider Indonesian community. This container is packaged in the form of a knowledge center containing knowledge about the causes, impacts and potential of climate change in Indonesia.

It can be argued that current international law on climate change is not sufficient to address climate change issues. Following this negative feature, some countries consider tackling this problem inadequate or even ignoring the issue of climate change. Therefore, the fact that climate change affects human rights and the Paris Agreement as the first legally binding multilateral climate change instrument involving human rights issues in its preamble has become a starting point for examining the role of international human rights law to close the gap in the framework. currently in climate change.

4.2 Jakarta Governor's Action Plan on Climate Change

Jakarta is one of the most densely populated cities in the world, and faces several climate problems. Despite the fact that Jakarta has the most budgetary capacity to channel cash for climate activities, climate-related spending remains low compared to other expenditure categories. In recruiting private sector investors, Jakarta has not fully utilized its large fiscal capacity, both from its own budget and from central government assistance. In addition, public-private partnership schemes should continue to be expanded by improving project identification and readiness processes (Mafira et al 2021). To be able

to maximize the program in the Climate Action Plan which is based on a human rights perspective.

Meanwhile, the DKI Jakarta Government signed a partnership agreement with C40 in 2019 to establish a climate action plan that contributes to the Indonesian National Decade (NDC) and is consistent with the Paris Agreement. The main product of this initiative is the creation of the Jakarta Ikhtiar, a document that demonstrates a low emission development policy that is guaranteed by various stakeholders in Jakarta. This study began in the early 2000s, and construction of the MRT began in 2013. The results show the potential for significant GHG emission reductions from the industrial, commercial, and transportation sectors. MRT and LRT both introduce new ways for people to get from one location to another.

For to overcome this problem, the DKI Jakarta Provincial Government has issued a series of strategic guidelines. In particular, it concerns addressing climate hazards, controlling coastal flooding and slowing land subsidence. In the context of controlling climate change, the DKI government has issued many related policies/regulations, such as regional greenhouse gas reduction action plans, green buildings, tree protection and management, climate disaster mitigation and adaptation work teams, and others (Montini 2015).

The DKI Jakarta government also encourages joint action with stakeholders from the central and local governments and academic organizations to address the climate crisis through the formation of a Climate Change Mitigation and Adaptation Team. Meanwhile, the DKI Jakarta Provincial Government has provided water purification subsidies through Governor's Decree (PERGUB) Number 57 of 2021 to facilitate the expansion of water purification services for Jakarta residents.

Given the current structure of international law on climate change, international human rights law will play a role in bridging the gap. Climate change has a negative impact on human rights and efforts to address the human rights dimension in the Jakarta Governor agreement will further provide an 'ground' for international human rights law to play an important role in climate change issues (Boyle 2018).

International human rights are closely related to other international legal regimes and there is always a human rights dimension in all human activities, because human rights are inalienable, indivisible and interdependent (Silvadkk 2019). In addition, the growing number of instruments and human rights bodies dealing with climate change demonstrates how international human rights law contributes to and strengthens efforts to tackle climate change and further ensure the enjoyment of human rights and fundamental freedoms (Tacconi 2019).

International human rights law plays several roles of the Governor of DKI Jakarta for Climate Change in increasing Jakarta's potential as a program in the Climate Action Plan which is based on a human rights perspective, as follows:

1. Steering Committee Meeting C40 Cities Leadership Group

At the event, the Governor of DKI Jakarta said the capital city had successfully completed the main climate protection plan as stated in the Governor's Decree no. 90 of 2021 concerning Climate Resistant Low Carbon Regional Development Plans. On the occasion, Agns also thanked Los Angeles Mayor Eric Garcetti for his assistance in developing a climate action plan in Jakarta.

2. High-Level Hybrid Conference

The governor of DKI Jakarta joins global city leaders at the Climate Action Forum Hybrid Summit to discuss actions to tackle climate change and accelerate the reduction of 'half carbon' carbon emissions by 2030 and joins scientists.

3. Climate Heroes International Forum

On The International Climate Heroes Forum held online by the US Embassy in Jakarta and the Indonesian Foreign Policy Community (FPCI), the Governor of DKI Jakarta issued a statement about the phenomenon of mass urbanization. Over the next nine years, at least 60.4% of the world's population is projected to live in cities. By 2050, it is estimated that 68% of the population will move to cities. Therefore, cities play an important role in human civilization. The Governor of DKI Jakarta also touched on the issue of climate change and the Covid-19 pandemic which is a big challenge for cities in the world. According to the Governor of DKI Jakarta, the international community should pay more attention to this city. On the other hand, municipal governments are important allies in pursuing a greener, more resilient and more sustainable future.

4. C40 Cities Steering Committee

The Governor of DKI Jakarta appeared at the International Forum C40 City Steering Committee. At the annual meeting with C40 Cities, the Governor of DKI Jakarta, published in English, reported on the concrete progress that Jakarta has made in tackling climate change. Cities around the world are now taking bold steps to address the impacts of climate change, including Jakarta's key sectors including transportation.

5. Dialogue with the Secretary General of the United Nations

The Governor of DKI Jakarta participated in a virtual dialogue with United Nations (UN) Secretary General António Guterres and C40 leaders. In a nearly two-minute presentation to the UN Secretary-General and leaders of the world's major cities, he said the UN plays an important role in helping cities around the world.

- a. The UN can encourage countries to recognize the success of climate change at the city level. This, should be counted as part of the Nationally Determined Contribution (NDC) to climate action.
- b. The UN has the capacity to promote vertical and horizontal integration at the action and policy level. Finally, to reach COP 26, the UN encourages countries to develop comprehensive financing architectures and structures to translate the gains achieved by national governments in global forums into implementation at the local level.
- c. After hearing the proposal, the Secretary GeneralThe UN's António Guterres readily agreed. “fully supports the proposal and is fully prepared to engage in global lobbying with governments to do their best with UN agencies and various national teams.

6. Zero Carbon City International Forum

International ForumZero Carbon City is organized online by the Institute for Global Environmental Strategies (IGES). The Governor of DKI Jakarta was present as a representative from Jakarta and explained the capital's efforts to reduce greenhouse gas emissions. By 2030, Jakarta's greenhouse gas emissions will be reduced by 50%. Zero emission targets are needed by 2050. Also develop community resilience that can adapt to climate and environmental changes. Currently, the DKI Jakarta Provincial Government is making a breakthrough or

various serious efforts for it. This includes working with various stakeholders to form a Climate Task Force in 2020.

7. Forum C40

The Governor of DKI Jakarta gave a speech at the Tokyo government's C40 forum on February 17, 2021. Although it was virtual, the event entitled "Overcoming the Covid-19 Crisis and Accelerating Climate Action for the Future" was held everywhere, including in the world, including Indonesia. At this international forum, the Governor of DKI Jakarta stated that Jakarta was no longer the most populous city in the world. The proof is Jakarta's ability to get out of the list of the 10 most populous cities. These results were documented during this Covid-19 pandemic.

Based on the findings above, it seems that the DKI Jakarta Government pays more attention to the impact of climate change in Indonesia to achieve an optimal and sustainable quality of life. The government's promise to address this matter shows its seriousness to focus on human development over the next 5 years.

5. Conclusion and Recommendations

The DKI Jakarta government aims to make Jakarta a climate change-resistant city in various ways, such as reducing greenhouse gas (GHG) emissions by 30% by 2030 to reducing direct greenhouse gas emissions by 50%. Jakarta is committed to increasing the capacity of the community to adapt to the dangers of climate change by reducing the number of areas or areas classified as vulnerable or highly vulnerable to the hazards of climate change. In this regard, as a reference only, the RPRKD is also in line with the Paris Agreement, the global agenda to tackle climate change.

Handling climate change in international law is played to be in line with the human rights approach. This is what the DKI Jakarta Government is trying to do. However, as in the analysis above, the current international climate change framework is not sufficient to address the problem of climate change and its adverse effects. Not to mention the existence of several countries and entities in the world who still do not care and even deny the various dangers posed by climate change. This is certainly a tough challenge for the Governor and the Government of DKI Jakarta in implementing and implementing an action plan to address climate change.

However, the many challenges do not seem to be an obstacle for the DKI Jakarta Government to keep moving forward to create a Jakarta City that is able to withstand the adverse effects of climate change. Various policies to reduce gas emissions continue to be launched. Convenient public transportation, wide and safe pedestrian paths, as well as bicycle lanes built along the protocol road are proof of the DKI Jakarta Government's commitment in this regard. All of this is done with one hope, namely that people will begin to switch from private transportation to mass transportation, a culture of walking, and cycling, so that the adverse effects of climate change can be suppressed.

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