



ENVIRONMENT ALIVE, DEVELOPMENT SUSTAINABLE AND POLLUTION

Ramlani Lina Sinaulan,
Santrawan Totone Paparang

Universitas Jayabaya Jakarta

ramlani_ls@jayabaya.ac.id

doktor.santrawan_tpaparang@pascajayabaya.ac.id

Article history:	Abstract:
<p>Received: April 26th 2022 Accepted: May 26th 2022 Published: June 28th 2022</p>	<p>Thought basic from protection environment live is that activity human can bring as a result of bad for health. Broken environment live as a result of action human is threat for health man. philosophy this is different with tradition first protection environment live i.e. conservation and preservation. Conservation meant as <i>the greatest good to greatest number for the longest time</i>, while preservation implemented solely because _ nature need protected. This thing due to because human and environment is one unity which no can separated, so that in live and life human environment and nature surrounding always synergize. Aproach which dominant against environment live as long as this is is setting which contains command and supervision. idea basically is that individual especially they which activities related to with, there whether or not incentive market, will experience failure bear answer over as a result of activities against environment. By hence government need for set as a result of environment in level certain which can accepted and set limit that no may skipped. Share part party, standard environment this is is obligation moral; but for party else, will make it as cost internal, and with so fix failure market.</p>

Keywords: Environment Alive, Development Sustainable, Pollution

INTRODUCTION

Reason moral for rule environment live rooted on tradition preservation. The need for setting environment live no because damage environment which will bring as a result of to life human, but because environment have value intrinsic. This thing easy said, but in in reality no so easy for poured in regulation. The absence of level principle moral which can maintained which declare when environment live can sacrificed for need as much as maybe human, welfare human no have claim more ok than environment. some environmentalist which radical emphasize that human no more height from creature live other and every sideline environment live must prohibited. However, part big they which maintain environment live based on moral no can receive suffering human over name protection environment. Protection environment from angle problem moral give birth to two approach policy which fundamental. Education is line leading from action in where rule which contains command and supervision

addressed to they which not yet educated or which no can educated. There is little doubt that education have as a result of which important - especially in between they which still young — but is also clear recommendation by volunteer over name something which ok rarely achieved.

Angle problem economy for protection environment assume that education is important for guarantee decisions which taken based on approval, but no can considered person will protect environment because thing that's which ok for conducted. View economy receive that person will do for increase his well-being, always with no required and no efficient for environment regarding with market. From perspective economy, cost transaction which height, freedom do, and no presence of rights belongs to as result choice private which make failure enter many cost environment (Erman Rajagukguk , 2003) .

Issue environment live in Indonesia is wrong one issue which most interesting attention



because rope the theme is with issues law, culture, politics, and economy. law environment in Indonesia even more growing fast along with with development era and science knowledge. Started with Declaration Stockholm on year 1972, eye world be open will the importance of management of and protection life. Indonesian alone then have law which by special set about environment live, i.e. Act number 4 Years 1982, who then declared no applies with Act number 23 Years 1997 about Management of environment Life. On year 2009, Act number 23 Years 1997 revoked and replaced with Act number 32 Years 2009 about Protection and Management of environment Life. Act this is no only focus on management of environment live sheer, except also protection environment life.

Protection environment live done between other via enforcement law, which consists of over enforcement law administration, enforcement law civil nor enforcement law criminal. Adult this, enforcement law civil environment start many used, especially in cases fire forest. On year 2013, Government using rights sue as stated in Article 90 Law number 32 Years 2009 and sue PT Kalista Nature in Court country Meulaboh. After that, government file various lawsuit other related to fire forest and land. From lawsuits civil that there one thing which need underlined, i.e. use of responsibility based on deed Against law (PMH) as formulated in Article 1365 Book Act law Civil (KUH Civil Code) and responsibility absolute based on Act number 32 Years 2009 that adopted from concept *strict liability* in system *common law*. Deed against law give birth to responsibility civil which by traditional in system law Indonesian as formulated in Article 1365 KUH Civil requires presence of error on self defendant, presence of action against law, presence of loss and presence of causality. Basic responsibility this is can used in cases which already clear there error and action against law which done defendant.

DISCUSSION

Development Sustainable with Pay attention to environment live

since year 1980s agenda politics environment live start centered on what which known until now as paradigm development sustainable. Start first, term this is appear in World Conservation Strategy from the

International Union for the Conservation of Nature (1980), then used by Lester R. Brown in book Building a Sustainable Society (1981). term that then be very popular via report Brundtland, keraf (2003). year 1992 is peak from process politics, which finally on conference Level height Earth in Rio de Janeiro, Brazil. Paradigm development sustainable have accepted as an agenda politics development for all country in world. Until now paradigm that no just little implemented, except also still not yet area understood and is known. This thing no only happened in Indonesia, play also at level global.

Failure implement paradigm there two reason which underlying it. First, because less understand that paradigm it's load principles work which determine and animate whole process development. Paradigm this is no understood in context fill principle tree politics development it's alone. As a result, ideals which aimed at and want realized in behind paradigm that on finally no achieved. Because, principle politics development which should lead government and all party other in designing and implement development no obeyed. with said else, paradigm development must first of all understood as ethics politics development, i.e. an commitment moral about how should development it's organized and implemented for reach the goal. In link with that, paradigm development not an concept about the importance of environment live, not anyway about development economy. This is an ethics politics development about concept development by whole and how development it's should run. As long paradigm development sustainable that no understood, or understood by bias, then aspire moral which contained in will realized.

Second, why paradigm it's no road, especially why crisis ecology still just occur. This thing because paradigm that back confirm ideology developmentalism. what which achieved at Conference Level height Earth in Rio de Janeiro, Brazil almost ten year which then, no other is an compromise which favor back development, especially with the paradigm form of growth economy. As a result, as long as ten year last this, no many change which experienced all country in world in frame correct pattern development the economy which still just prioritize growth economy. Result which achieved then still same course, i.e. drain and



exploitation source power nature with everything impact negative for environment live, ok damage source power nature nor pollution environment.

Writing this is mean highlight two thing tree, that is, first, ideals and agenda main development sustainable. Including in it, principles moral which want realized with development sustainable it's alone. Second, an critique against paradigm development sustainable, which at once offer paradigm which new, i.e. paradigm sustainability ecology as replace from paradigm development sustainable which known as long as this.

Most less there three principle main development sustainable. Third principle that guarantee so that third aspect development in above fulfilled, and in the meaning of it's the three only maybe achieved if third principle basic this is operational as an politics development.

Principle first is democracy. Principle this is guarantee so that development implemented as embodiment will with whole people for interest with whole people. with said else, development not implemented based on will government or party politics for interest regime or party which while power. an principle moral most basic, especially for guarantee that what which idealized as paradigm development sustainable can have chance for realized. without principle politics this, difficult for hope many that development sustainable can realized.

Of course just there possibility that in system politics and power which authoritarian, with leader which have commitment which strong to development sustainable, will with as well as immediately designed structure, organization and mechanism politics for create paradigm development sustainable the. Sustainability development which sustainable it's alone very vulnerable because very depending on on power and will politics ruler. As long he still power, will realized. so he no again power, will change according to with wish politics leader which new. when the importance disturbed by paradigm development sustainable he with as heart will change it .

There several aspect important from principle democracy the. First, agenda main development is agenda people for interest people. development is implementation of aspiration and will community for interest Public.

Government just executor agenda development which mandated by people. So, government must guarantee that agenda and policy development which implementation of indeed really feel from people and for interest with whole people. Second, participation community in formulate policy development and in implement policy development is an must moral and political. Society no may only involved in implement agenda development from government, except also determine and formulate agenda development that — and instead of just follow determine and formulate. Means, process planning (including planning concerning priority development) and implementation must done by aspirational. This thing far more important than result instant which no touch interest together, which holistic and futures length to front. Third must there access information which honest and open about agenda development and process the formulation of agenda development that. Transparency public then be an must in principle democracy this. idea big about rights get information which accurate and right is an claim moral from democracy and development it's alone. Fourth, there accountability public about agenda development, process the formulation of policy development and implementation of development the. Accountability public is consequence logical from principle democracy in development sustainable. Agenda development come from from people for interest people a lot, must there responsibility public about as far as where aspiration people have heard, accommodated and realized as well as as far as where goal development - interest with whole people — have really realized with commitment and effort which seriously on all party. as far as where government have mobilize whole strength and point which there in community for together create goal development which there is. only with road here people know about agenda development with everything consequence, choice best, and process to achievement results development, and that aspiration follow accommodated. hi which more important from that, people have commitment for implement it, because they involved in process the formulation. As long development is elitist and come from from top, difficult once expect engagement people in create development the.



Indeed no can denied that the process will need time, power, and cost, however, process this is far more aspirational and everything aspect development will more maybe for considered by ripe with everything the consequences. only with, way here development sustainable with third aspect tree in above can considered by are you serious. without principle democracy, nation Indonesian will with easy fall to in tendency authoritarianism in where government act most know what which wanted people. with result, very maybe what which built not interest people except interest regime, party, group, or person individual which coincidence while power. More from that, with pattern approach which authoritarian, aspect socio-cultural and environment will with easy ruled out according to with interest they which determine direction development.

Second, principle justice. Principle this is on basically want guarantee that all person and group community get chance which same for follow in process development and . activities productive as well as follow in enjoy . results development. By because that, first, principle justice sue so that there treatment which same for all person and group community, in process development, especially in participate carry out and enjoy result development and have access against chance and sources economy, including source power natural. that means, no may there person or group community which got treatment special from country in process development, especially in get chance and access against sources economy. because that, no may there monopoly political-artificial which supported power country which profitable group certain in take advantage chance and access on source power economy country. Opportunity and access it's must open by same for all person and group.

Second, principle justice also sue so that there distribution benefits and load by between all person and group Public. Benefits and load it's must proportional with role and contribution in process development, then, is fair that there which get benefits more than which else, as far as guaranteed in place first that chance and access have opened by same for all person and all group Public. Benefits and load which different will considered no fair if chance and access have opened only for group certain but

closed by accidentally for group which other.

In link with that, must there action politics affirmative from country for help group community which no have chance and access which same, because remote, less infrastructure, less education, and etc. Thus anyway, must there action politics affirmative for group certain, especially group girl which maybe be vulnerable as a result of impact from process development, including impact environment.

In context here applies principle that (a) they which got benefits economy biggest from activity development (well by country nor private) must bear loss biggest as a result of process development, especially in field environment as a result of damage and pollution environment. (b) In link with that, party which pollute and spoil environment must pay by proportional loss which caused, including proportionality in thing scope and terrible loss as a result of damage and pollution environment which caused.

Third, principle justice sue so that there chance which same for generation which will come for get benefits by same or proportional from source power economy which there is. Justice also concerning justice between generation. source power economy which there must used by wise and the damage must restored such look so that guarantee that generation which will come have chance which same for enjoy level life van relative same with generation now .

Fourth, principle incident also sue so that loss as a result of process development which experienced by group community certain must can redeemed or compensated by balanced or proportional ok by country or by group which give rise to loss the. Tax environment then is an shape justice for community which hit by impact environment from activity development which harmful.

Principle third bye principle continuity. Principle this is require nation Indonesian for designing agenda development in dimension visionary term long, for see impact development ok positive nor negative in everything the aspect in dimension term length and no only in dimension term short. Principle this is in line with reality that source power economy limited, aspect socio-cultural and environment is aspect which dimension term long, and that



development take place in space ecosystem which have interaction which complicated.

Principle this is require nation Indonesian for choose alternative development which more frugal, source power and able sync aspect conservation with aspect utilization of by wise. Thus anyway, principle sustainability require nation Indonesian for using patterns development and consumption which save energy, save material raw, and save source power natural. Nation Indonesian sued for by seriously apply principle production clean with do selection which tight against process production, technology, material raw, and management which minimize waste in every activity development and activity production economy. Nation Indonesian sued for as far as maybe using back material and technology which have worn, reduce material raw, and recycle repeat remnants of process production which there is.

Principle sustainability this is on finally very support principle justice between generation as have mentioned in above. because that, principle justice and principle sustainability on basically sue nation Indonesian for act be careful and wise in every policy development so that benefits term short which obtained from activity development no until give rise to - and paid expensive with - loss term length which no comparable with benefits term short the. Loss term length it's no solely is _ economical - material- physical, except also is nonmaterial, mental, spiritual, health, socio-cultural, and value as well as quality life man with said else, actually paradigm development confirm back understand development as an process build human completely and entirely. development no only aim increase degree physical human certain course, except allow every person and group community for increase quality his life, ok physical-material nor degree quality life by area: mental, culture, social, politics, spiritual, and ideological as said in above, principles development in above actually concerning politics development. Principles that related to with approach in politics development. Precisely here which most tree mean, do agenda and ideals development sustainable for integrate third aspect that in above achieved or no, it's about other. thing that most tree is do there change in approach development according to with claim third principle the. Problem participation community, for example, is thing which actually

no difficult and can implemented now this is also, if there will politics for that. In thing open chance which same for all person and group community, is about want or no for implemented now also. Thus anyway with aspects of other from third principle the only with change approach politics development, which started now also, can guaranteed that ideals and agenda development sustainable can achieved. ideals and agenda that is an process which eat time and power. that approach in politics development already guarantee presence of participation, presence of chance which open for all, and there attitude caution in choose direction development, it's actually have guarantee that ideals and agenda development sustainable can achieved. If since now have clear for all people that development is embodiment will and aspiration people which involve whole people, then agenda and ideals development sustainable can fought for in process which democratic and fair. If already there approach politics which in line with third principle in above, aspect social culture and aspect environment can more easy fought for (because there principle democracy) be agenda main which you're welcome got priority, even though maybe result finally not yet completely fix quality environment Indonesia experience show that result end indeed is process which long. Process which democratic, fair, and sustainable actually already can started from now term development sustainable first times introduced by area by *World Commission on Environment and Development* (WCED) in *our common Future*, defined as following : "Development that meets the needs of the present without compromising the ability of the future generation to meet their own needs" (Santosa , 2016).

Term this is very open for interpreted, and between interpretation of can different one with which other. as example, term that often matched as well as interpreted as *sustainable economic development* without requires or give focus to sustainability or preservation power support ecosystem (*continued viability of ecosystems*). *Caring for the Earth* as document substitute from *The World Conservation Strategy* which formulated by *World Conservation Union* (now known as *International Union for Conservation of Nature*, IUCN) on year 1991 too underline various interpretation of which appear from use of term *sustainable*. Various



term used like *sustainable development*, *sustainable growth*, and *sustainable use* by alternately, and often the meaning of one with which other different. IUCN alone then give the meaning of development sustainable as following (IUCN, 1991): "*improvement the quality of human life while living within the carrying capacity of support ecosystems. A "sustainable economy" is the product of sustainable development. It maintains its natural resources base, it can continue to develop by adapting, and through improvements in knowledge, organization, technical efficiency, and wisdom.*" Boer (1995) give critique against definition of development sustainable in *Caring for the Earth* which he thinks still invite problem. According to him definition of which offered too oriented to anthropocentrism and utilitarianism (*utilitarianism*). Orientation this is can seen from emphasis environment live only as role supporter (*supporting role*) and only seen as instrument or source power for utilized (exploitation) by human with rule out need environment nature (*natural environment*). By because that, Boer think more right used term *ecologically sustainable development* (ESD). Government Australia in Strategy National about ESD give definition of about ESD as following (*Commonwealth Australia*, 1992). "*... using, conservation and enhance the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the futures, can be increased.*"

Preservation power support ecosystem (process ecological) got emphasis in definition of this. power support ecosystem which preserved is prerequisite achievement of quality live generation now and generation which will come. According to Manan (2014) constitution declare that development Indonesian must implemented with include role Public. This thing can seen on Article 33 verse (4) UUD NRI 1945 the reads: "*Economy national held based on over democracy economy with principle togetherness, efficient fair, sustainable, insightful environment, independence, as well as with keep balance progress and unity economy national*". as disclosed by Mochtar Kusumaatmadja that law is way setting law which main, update law especially via legislation. By hence, in level legislation which is implementation of from UUD NRI 1945, will for carry out development national

with all fund and power which owned by depicted with more real. UU RI No. 25 Years 2004 with clear mention that development National in Indonesia is effort which implemented by all component nation Indonesian in frame reach goal state. Kusumaatmadja, 2013)

Sunaryati Hartono explain that the meaning of development national is "... the development of it's no only chasing progress outwardly ... or satisfaction inner ... but alignment, compatibility, and balance between both so that development it's evenly in all over land Water...". On fact, development national is development in everything field which must done by sustainable. for that, Satjipto Rahardjo, mention about development economy which sustainable with declare that: "... development not is an change which is bits and pieces. Even if for example, we can show industrialization as core from change that, but he on finally not only is case addition of number industry by quantitative. Connected with structure life community, industrialization this is invite occurrence of change by qualitative also".

Vision and direction development term length is creation of human which healthy, smart, productive, and morals noble and community which more good luck in development which sustainable pushed by economy which more forward, independent and evenly in all over region supported by provision of infrastructure which adequate as well as more strong unity and union nation which imbued with by character which tough in container Country Unity Republic Indonesian which held with democracy (which based on on values Pancasila) as guide in life socialize, nation, and state as well as respect upright supremacy law.

Definition of development National based on Article 1 number 2 UU RI No. 25 Years 2004 is effort which implemented by all component nation in frame reach goal patriotic. Goal state as reflected in paragraph fourth UUD NRI 1945 i.e. protect all nation Indonesian and whole spill blood Indonesian and for advance welfare general, educate life nation, and follow carry out order world based on independence, peace eternal and justice social. (Zulfikar, 2019).

Lawsuit Pollution Environment by Civil

NSJ Koeman (2003) Law civil have four function which relevant with law



environment as put forward by Koeman, namely:

1. Enforcement law Via law Civil

in Netherlands, function first law civil i.e. as means enforcement law which realized via lawsuit based on action against law (*de actie uit onrechtmatige daad*). deed against law in BW long time formulated in in Article 1401, while in BW new formulated in in Article 6: 162.

lawsuit civil as means enforcement law can done ok by citizen community nor by government, as put forward by Drupsteen that law civil can used ok by citizen community nor ruler for force compliance requirements environment which is law public. However, submission lawsuit civil as means enforcement law by ruler or government limited on situation when enforcement law administration no adequate, so that on fact utilization of lawsuit civil as means enforcement law environment by body government in Holland very rarely happen

in Netherlands, lawsuit action against law can used as means enforcement law over norms law public, like violation against permission or conditions law civil. Norms _ law environment including part from norms law public. Enforcement law over norms law environment distinguished over three field, namely: enforcement conditions is ban in rule legislation environment, enforcement . conditions or requirements in permission, and enforcement against determination sanctions.

About the meaning of enforce conditions is ban can understood from description Koeman that some rule legislation environment forbid . activities certain. For example, ban for enter material dangerous and like to water surface (based on Article 1 verse (1) *wet verontreiniging oppervlaktewateren*). with so, violation against . conditions ban kind of it's actually including in the meaning of action against law (*onrechtmatige daad*) in the meaning of Article 1401 BW.

Then about the meaning of from enforcement requirements permission can understood from explanation Koeman that actions which contradict with requirements, which by valid set in an permission environment, considered no according to law. This thing by clear declared by Court Great in decision about Houthandel van Dam (HR 9 January 1981 NJ 1981, 227), which in i Court Great weigh:

Against requirements which by valid poured in permission UU Disturbance in frame protection interest resident about must applied Article 1401 BW in state real which for it's prerequisites poured, the meaning of kind of it's accepted because norms behavior applied by maker law center or area, violation against norms it's on basically is action against law against interests people _ which for they norms it's set.²¹

As for about the meaning of enforcement determination of sanction can understood from description Koeman i.e. lawsuit enforcement law civil on finally can force compliance against decision sanction law public. For example, in situation after decision closing an place effort, but place effort it's still operate. Resident about and party interested other can file lawsuit over action against law, for example ask ban for run activity it's next.

2. Determination of norm additional

Lawsuit civil as means determination of norm additional is embodiment from function second law civil. function this is implemented, for example, by judge civil via the verdict which set norms or conditions which before no listed in an permission by office arrangement effort country which authorized.

This thing can happened in thing, for example, resident about an place effort file lawsuit based on action against law against an place effort, because presence of pollution water which sourced from place effort that. By because that, judge civil which check lawsuit it's authorized set requirements or conditions additional to in permission which concerned. with so, permission which have owned by by an place effort no free place effort it's from possibility sued over basic action against law by the parties which feel harmed by place effort that.

3. Lawsuit for get replace loss

Function third law civil is provide lawsuit for get replace loss as a result of pollution or destruction environment. Netherlands know *schadeactie*, America union have *tort actions*, and Japan call it as *kogai*. law civil Indonesian also know lawsuit for get replace loss. since promulgation of UULH, law Indonesian know two concept bear sue, i.e. bear sue based on error and bear sue without error or called also bear sue absolute.



4. Protection law additional

Function fourth law civil is as means protection law addition. Protection law this is can realized via help judge civil which check lawsuit against actions office government which no can sued via Court Tata Effort Country i.e. decisions which applies general (*besluiten van algemene strekking*) and action real ruler (*feitelijk handlen van de overheid*).

Judge civil which check lawsuit against decision government which applies general can test decision it's with . conditions which more height or with . principles general government which good. However, decision government which can checked by judge civil is decision government which applies general which not or no including law in the meaning of formal. Court Great Netherlands (*Hoge Raad*) in the verdict (HR 16 May NJ 1987, 251) have confirm authority judge civil for check decision government which applies general, but not law in the meaning of formal. Authority judge civil check action material government which impact against environment based on on decision Court height Den Haag (Hof, 4 February 1982, NJ 1982, 641).

Loss which talked about in book this is more many related to with loss in context environment. UU No. 32 Years 2009 about Protection and Management of environment live (next called UU environment live 2009), usually hook between accountability, loss, and pollution / damage environment.

In thing this, UU environment live 2009 states that "every guarantor answer effort and/ or activity which do action breaking law form of pollution and/ or destruction environment live which give rise to loss on person other or environment live mandatory pay replace loss and/ or do action certain". Quote in above show that, other than basic responsibility form of deed Against law (PMH), element other which important from article that is presence of pollution / damage environment which give rise to loss. (Wibisana, 2017).

According to UU environment live 2009, pollution is "come in or inclusion of creature live, substance, energy, and/ or component other to in environment live by activity human so that beyond standard quality environment live which have set". While that, UU environment live 2009 defines damage environment as "change

direct and/ or no direct against the nature of physical, chemistry, and/ or live environment live which beyond criteria standard damage environment live". Second definition of in above show that the importance of standard quality for measure occurrence of pollution or damage. In thing this, whether or not pollution determined with reference on standard quality environment live, while presence or absence of damage environment determined with reference on criteria standard damage environment life.

UU environment live 2009 defines standard quality environment live as "size limit or rate creature live, substance, energy, or component which there or must there and/ or element pollutant which tolerated existence in an source power certain as element environment live" While that, criteria standard damage defined as "size limit change the nature of physical, chemistry, and/ or live environment live which can tolerated by environment live for can still preserve function".

when pollution or damage have can proved, then question next is do pollution / damage that give rise to loss, so that plaintiff next can ask replace loss and/ or did action certain. for here, then need anyway on part this is explained about the meaning of from loss.

by theoretical, loss can divided by to in two group big, i.e. loss which can by direct calculated with money and which no can by direct calculated with money. Example from *pecuniary losses* between other is loss of income and cost treatment. While example from *non-pecuniary losses* between other is loss of enjoyment live and presence of suffering (*pain and suffering*) as comparison, in Indonesia, loss usually divided by to in loss related to wealth *vermogensschade* and loss ideal or morale. Loss related to wealth covers loss which by real suffered and also loss form of reduced / lost advantage which expected Including to in loss type this is loss which happened because decrease in value item (*waarde vermindering*). While it, Agustina, (2003) loss which is ideal / moral usually covers loss because presence of scared, surprise, sick, and lost pleasure live."

Apart from from definition of loss by general that, in in context environment live known anyway presence of "loss environment". UU environment live 2009 means loss environment as "loss which arise as a result of pollution and/



or damage environment live which not is rights belongs to private.

CONCLUSION

Effort increase protection environment live can done from angle interest business. trade international Indonesian can blocked when producer Indonesian no pay attention to aspect protection environment life. Protection environment live can also started from world banking. In effort for understand relationship between development and action government for protect environment live, must can distinguished between regulations about production and .rules about process production. as example rule about production is rule about residue in food, tax for leak material burn, rule *proud liability* . Example from rule about process production including rule about pollution water, rule about reclamation former mining, program restriction output waste dangerous, and obligation for clean it.

Distinguish second thing that in above is important because reasons following this. First, relationship between trade, competition and variation .rules protection environment in scope national very different for second context the. In relationship with rule about production, country which adhere to standard which relative tight can prevent some as a result of which harm in competition industry they with restriction competition import. In thing standard for process production, country which adhere to standard which more tight no can by unilateral neutralize bad luck industry they in competition international. Second, is more easy for countries _for harmonize .rules about production than .rules about process production, part because countries _have incentive economy which more strong for carry it out.

REFERENCES

1. Alastair Mullis and Ken Oliphant, *Torts*, 2nd^{ed}. London: Macmillan, 1997
2. Andri G. Wibisana, *Enforcement law environment Via Accountability Civil Code*, Jakarta: FHUI, 2017
3. Ary Zulfikar, *law planting Capital, Policy Restrictions Capital Foreigner*, Bandung: Keni media, 2019 Erman Rajagukguk, *law and environment live in Indonesia*, Jakarta: FH UI, 2003

4. H. Abdul Manan, *role law in development Economics*, Jakarta: PT. dawn Interpretama Independent, 2014
5. Mas Ahmad Santosa, *Nature even need law and Justice*, Jakarta: Asa- Prima library, 2016
6. Mochtar Kusumaatmadja, *Concepts law in Development*, Bandung: PT. Alumni, 2006
7. NSJ Koeman, *law Management of Material Dangerous and Poisonous*, Print First, Surabaya: Airlangga University Press, 2003
8. Office Minister Country Planning development National/ Agency Planning development National (BAPENAS)
9. Rosa Agustina, *deed Against Law*, Jakarta: Postgraduate FHUI, 2003
10. Sonny Keraf, *development Sustainable or Sustainable Ecology ?*, Jakarta: FHUI, 2003