IKN HAS THE POTENTIAL TO DAMAGE THE ENVIRONMENT: AN ANALYSIS OF THE LEGAL POWER OF IKN BASED ON THE ENVIRONMENTAL LAW

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Abstract

One of the primary difficulties in the development of the Indonesian National Capital (IKN) is the environment. According to predictions, the construction of IKN infrastructure could have an adverse effect on the environment, potentially affecting biodiversity, regional landscape quality, the amount of carbon stored in the forests, water availability, pollution, trash, noise, and drainage systems. In addition to having an influence on the environment, IKN development may also have an impact on social issues including land disputes brought on by property seeking and unauthorized land use. A conceptual and statutory approach is applied in the study method used to investigate current legal issues. The purpose of this research is to examine and assess how the government should manage and safeguard the environment in light of the move of the country's capital. The findings of this study suggest that shifting the country's capital will have an impact on the region around Kutai Kartanegara Regency. The management and conservation of the environment in the territory designated as the new nation's capital falls under the purview of the government, particularly regional governments. If someone violates or does not abide by the sustainability and welfare of the region, legal action can be taken, including administrative measures like filing objections, preventive and repressive protection, as well as providing sanctions in the form of fines and imprisonment.

1. INTRUDACTION

Especially in light of population expansion and migration, urban development and poorly planned development have the potential to have an impact on the economy, social conditions, and environmental quality. More over half of the world's population, according to the UN (2012), resides in urban areas, and this tendency will continue until 2050, when roughly 70% of the population will do so. Urban regions have experienced fast population growth, which has increased land demand and impacted land conversion. This land conversion could result in environmental damage including flooding, falling groundwater levels, rising temperatures in cities, and other things.

In addition, urbanization and unchecked urban growth can have an impact on climate change. According to the IEA (2008), while covering only 2% of the planet's geographical surface, cities account for the majority of greenhouse gas emissions, accounting for 70% of carbon dioxide (CO2) emissions, primarily from the building and transportation sectors.

The presence of forest regions and green open spaces (RTH) around the city helps to solve environmental issues. Green open space serves several purposes in metropolitan environments, including lowering temperatures, mitigating flooding, lowering groundwater levels, and even offering a place for socializing and enjoyment.

Urban areas' surrounding forests serve to provide ecosystem/environmental services such as water resources, carbon absorption, oxygen production, climate regulation, tourism services, and economic resources like timber and other commodities. This forest plays a significant role in the sustainability of the neighborhood or serves as a buffer zone for other places, including urban areas that are highly reliant on healthy forests according to Seymour (2018). This applies to both urban forests and forests outside of urban areas.

Particularly for cities situated in delicate ecosystems such lowland coastal areas, flood plains, biodiversity hotspots, and areas with high water pressure, the interaction between forests and cities has not received much attention in urban planning conceptions. In fact, if proper planning is not done, this area has a high risk of environmental degradation, much like the New Capital Region, which is slated to become the IKN.

IKN is situated in East Kalimantan Province, a region of Kalimantan Island, where spatial mapping is used to realize the sustainability of protected functional areas and biodiversity conservation areas with wet tropical forest vegetation covering at least 45% of the island's area as the Lungs of the World. According to present circumstances, 59.50 percent of the IKN area is made up of forests, including production, conservation, and protected forests. The IKN area is part of the protected endemic animal habitat area in addition to having a substantial forest area.

Sustainable urban planning is urgently needed to realize nature and environmental conservation that remains balanced with urban development, especially for planning IKN development in sensitive areas. The concept of developing cities in the world is now starting to apply sustainable development concepts such as Sustainable City, Green City and Eco City to overcome urban problems and prevent various environmental impacts.

Cities all across the world, particularly those in China, are developing urban planning ideas meant to assist sustainable development. Similar to this, the Indonesian government intends to use the Forest City concept to develop the IKN. However, this term has not yet been given a precise definition or guiding principle. In order to ensure that the development of the National Capital pays attention to the balance between urban development and natural and environmental sustainability, especially in maintaining and conserving potential forest functions, this study will formulate the Forest City concept as a more sustainable model for future urban planning. the Kalimantan major island. The study of the Forest City concept in IKN planning aims to identify the Forest City concept along with principles, criteria, and indicators in IKN planning and development, with the target of providing recommendations for development plans for the National Capital City in an effort to preserve forests and improve environmental quality.

Since President Joko Widodo passed Law No. 3 of 2022 concerning the State Capital on February 15, 2022, the development of the IKN has been legally permitted. However, there were advantages and disadvantages during the ratification process. Bivitri Susanti, a specialist in constitutional law, claims that the creation of Law No. 3 of 2022 is not transparent or participative. In order to have this Law reviewed by the Constitutional Court because it conflicts with other laws, various parties have intended to do so according to Subarudi (2022).

A statutory regulation gains strength from the scientific perspective as the basis for submitting it to become Law as a solution to solving issues and meeting legal needs in the community when an academic text is present. The requirement for a philosophical foundation, legal foundation, and sociological foundation to accompany the draft law is one area of the draft law that has an academic text. When developing legislation, legislative and executive institutions must do this.

According to Khair (2022), So, from a philosophical, sociological, and legal perspective, stakeholders will be able to review or assess whether this draft law is practical to be submitted, which will ultimately become a regulation to produce a comprehensive rule. The method of creating academic texts for draft laws linked to the philosophical, sociological, and legal bases is described in the first appendix to Law Number 12 of 2011 concerning the production of legislation, particularly in chapter 4. According to Hutapea (2020), Jakarta will continue to experience environmental challenges with growing intensity. These issues include climate change, land subsidence, and environmental pollution, according to Martinez & Masron (2020).

The growth of the National Capital City (IKN), per Hackbarth & Vries (2021), may have an effect on the environment such as 1) Decreased forest cover is a result of a number of factors, one of which being the use of land in forested areas for habitation, mining, and even plantations. Despite the fact that the State Capital (IKN) area is a part of the island of Kalimantan, the goal of spatial planning is to realize the preservation of protected areas with wet tropical forest vegetation and biodiversity conservation zones. The world's lungs cover at least 45% of Borneo Island; 2) threats to animal habitats on the island of Kalimantan, one of Indonesia's most important ecosystems for wildlife, which is home to a diversity of animals and plants, including some species that are classified as protected or critical; 3) Carbon emissions may come from the conversion of land from wooded regions as a result of the National Capital City (IKN) growth. Scarce raw water supplies. The carrying capacity of water in the IKN area (256,000 ha) has been exceeded, according to the most recent analysis from the KLHS Masterplan IKN. However, both the people and the IKN region (56,000 ha) continue to have limited access to potable water; 4) Flood Potential Because to the building of IKN, there is a chance that some regions, particularly those near watersheds and in flood-prone districts like Sepaku, Sambojo, and Muara Jawa, will experience flooding. It's because most sentences take place in or near forests, either in their natural state or as plantation forests.

According to amungkas (2022), due to this circumstance, it is necessary to choose a development strategy that won't threaten the existing ecosystems, including the habitats of protected exotic animals and other environmental services like carbon sequestration, water system protection, and air temperature regulation. Additionally, as mentioned in the National Determination Contribution document, Indonesia is currently obligated by a worldwide commitment, notably the Paris Agreement, wherein Indonesia is pledged to lowering emissions by 29% under the business as usual plan and 41% with outside assistance in 2030. A further commitment made by our net sink under the Folu scheme is to achieve net carbon sequestration by 2030.

Target 11 of the 17 Sustainable Development Goals (SDGs) calls for "sustainable cities and communities," and this is what IKN development aims to achieve. IKN-Nusantara, which promotes inclusive, safe, resilient, and sustainable cities and settlements, must be influenced by target 11, which includes sustainable cities and settlements. It is critical to be aware that public perception will be impacted by the growth of IKN. Even specialists and academics, particularly environmentalists, are worried about the influence on socio-demographic issues in addition to the preservation of local biodiversity.

The IKN development, among others, will have various effects on the environment, including those brought on by global warming, population growth, pollution, and the waste of natural resources that are not environmentally friendly, according to Adamowicz & Zwolinska-Ligaj (2020). This kind of circumstance

affects socio-demographic issues in addition to the deterioration of biodiversity. As a result, thorough consideration of various areas of social and economic development also requires sustainable urban development.

Because of this, sustainable development promotes the growth of the economy, the development of human resources, and the protection of the environment. When the idea of sustainable development is applied to rural regions, Indonesia as an agricultural nation needs to focus on issues relating to vital agriculture, picturesque communities, and prosperous farmers. The definition of sustainable development for Indonesia, an agrarian nation, is therefore development that is planned as much as possible to create a life by balancing social, economic, and environmental sustainability, following the carrying capacity and capacity of the environment to meet the needs of the current generation without having to reduce the ability and capacity of the environment.

This study aims to explain how the government's approach to environmental management and protection relates to the development of the State Capital (IKN) from the standpoint of the Sustainable Development Goals (SDGs) and how to incorporate the idea of a forest city into the State Capital's (IKN) development plan.

2. RESEARCH METHOD

This research uses empirical juridical research methods that is conducted by examining the current circumstances and is connected to legal regulations that regulate the government's responsibility regarding potential environmental effects and the government's power over the transfer of the nation's capital. How the region's ecology will be protected, as well as the local communities that live there. As outlined in Law Number 32 of 2009 concerning Environmental Protection and Management, this then serves as the foundation for what the government is required to undertake in order to protect and manage the environment.

Accordting to Muijeen et al. (2020) the interviews and focus groups investigating a specific issue or phenomena with the informants involved were the primary methods used to collect primary data. This approach is required to gather data or information on environmental protection from the viewpoint of sustainable development goals (SDGs), taking into account the influence of the development of the National Capital City (IKN). To provide detailed information, the study's findings are then explained in words, diagrams, graphs, photographs, or tables. The findings of this study are then discussed in detail to offer pertinent information and components of the research issue so that the background behind legal standards and policy concepts can be clearly understood.

3. RESULTS AND DISCUSSION

East Kalimantan Province, specifically the North Penajam Paser and Kutai Kartanegara Regencies, is where the potential IKN area is situated. The location of IKN is in East Kalimantan Province, which is a part of the island of Kalimantan, and is a vital area for the protection of biodiversity (kehati). This island, often called Borneo, is referred to as the "Lungs of the World" because of its forests, which have a rich biodiversity and play a significant role in absorbing carbon and supplying oxygen.

According to Presidential Regulation No. 3 of 2012 concerning Spatial Planning for the Island of Kalimantan, the direction for the spatial planning of the island of Kalimantan is to realize the preservation of biodiversity conservation areas and functional protected areas with wet tropical forest vegetation of at least 45 percent of the area of the island of Kalimantan as "Lungs of the World." The purpose of the World's Lungs, which are vast expanses of wet tropical forest flora, is to absorb carbon dioxide, produce oxygen, and maintain a stable climate, according to this regulation.

The policy for the island of Kalimantan, known as the Lungs of the World, calls for the preservation of areas with endemic plant and animal biodiversity, the creation of ecosystem corridors between conservation areas, the bolstering and rehabilitation of protected areas, and the management of cultivation activities that could disturb protected areas. Natural resources are rich in Indonesia and

are dispersed widely across the country. For Indonesian society to remain viable in the future, the riches of the country's natural resources must be protected. The earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people, the 1945 Constitution of the Republic of Indonesia (hereafter referred to as the 1945 Constitution of the Republic of Indonesia) declares.

In order to provide for the requirements of the Indonesian people, natural resources that are already available are also used, albeit sparingly and sensibly. Every person has the right to live in physical and spiritual prosperity, to have a pleasant and healthy living environment, and to obtain health care, according to Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia. In Indonesia, maintaining and preserving natural resources is synonymous with defending the environment. Excessive exploitation of natural resources will have an effect on the sustainability of the environment. The ecosystem is impacted by the excessive use of natural resources, as follows:

Table 1. Impact for Environment

NO	NATURAL RESOURCES	IMPACT FOR ENVIRONMENT
1	Forest Resources	Damage to a forest's ability to function as a reservoir (groundwater reserve) might result in a reduction in the amount of groundwater infiltration.
2	Land Resources	Lower level of land quality
3	Mineral Resources	Topography changes in mining areas, water pollution, erosion
4	Water Resources	River, swamp, and ground water contamination

In accordance with Law Number 32 of 2009 concerning Environmental Protection and Management, the government has the power and responsibility to protect and manage the environment. Environmental issues of the present day include pollution, climate change, resource depletion, waste management, biodiversity extinction, deforestation or clearing of forests, the phenomenon of ocean acidification, ozone layer thinning, acid rain, and genetic engineering. Natural resources, including environmental management, are unique to each place and come with advantages and downsides. Natural resources and environmental management vary from place to region, therefore any development must take into account any current conditions or situations. In accordance with Law Number 32 of 2009 concerning Environmental Protection and Management, the development of government infrastructure must be based on sustainable development and environmental awareness.

One region that has endured environmental contamination, including pollution, flooding, and river water pollution, is the Indonesian capital city of Jakarta. This occurs as a result of Jakarta's dense population and location at the heart of the nation's capital, where significant infrastructure development is taking place to support governmental operations. Environmental management is not balanced with infrastructure growth in Jakarta. Because so many automobiles release carbon dioxide (CO2), the lack of green open space causes a loss of rainwater absorption capacity and an absence of oxygen.

A capital city is a city that is intended to serve as a nation's administrative hub. The national capital typically serves as a hub for government leaders to meet and conduct business. As a result of the large number of villagers who choose to live and work in Jakarta, the city has a dense population. In addition to the spectacular buildings, there are slum settlements near the riverbanks, which has led to the purposeful dumping of household waste and other trash into the river, which has caused the rivers in Jakarta to become filthy. Jakarta has been flooded as a result of inadequate rainwater

infiltration and local populations' riverside garbage dumping. In addition, Jakarta's burden is made even greater by the multifunctional influence of Jakarta, which is the result of a centralized government system and a multifunctional system that is centralized in Jakarta.

This includes taking into account shifting the capital to a different location. However, despite the fact that there are no statutory rules governing the relocation of the capital city, it is generally done when there is an emergency. In order to provide the move of the capital city legal clarity, the DPR needs to start drafting legislation right away. The Law Number 29 of 2007 governing the Provincial Government of the Special Capital Region of Jakarta as the State Capital of the Republic of Indonesia must also be revised in the event that the capital is moved. A few countries relocated their capital city, such as:

Table 2. Countries who relocated Capital City

NO	COUNTRY	CAPITAL CITY	YEAR
1	Australia	Melbourne to Canberra	1913
2	Russia	St. Petersburg to Moscow	1918
3	Pakistan	Karachi to Islamabad	1959
4	Brazil	Rio de Janeiro to Brasilia	1960
5	Nigeria	Lagos to Abuja	1991
6	Myanmar	Yangoon to Naypyidaw	1999

Both Brazil and Australia relocated their respective capital cities from Rio de Janeiro to Brasilia and Sydney to Canberra, respectively. To share the burden of the city's role as a corporate and political hub while lowering population density, these two nations' national capitals are being moved. Bappenas claims that there are plans to relocate the nation's capital from Jakarta to Kallimantan because of this aspects:

1. The difference in development between the western and eastern regions. Geographically, Indonesia's central region contains the required capital city.
2. Jakarta is in the ring of fire and is prone to earthquakes.
3. Jakarta's traffic is backed up, packed, and filthy. Based on traffic, Jakarta is the fourth worst city out of 390 cities. The lack of efficient communication and coordination between ministries and institutions resulted in annual economic losses of 56 trillion IDR in 2013, which are predicted to be close to 100 trillion IDR per year in April 2019 based on the severity of traffic jams in the Jakarta region.
4. Flooding-prone issues. This is a result of upstream flooding, land subsidence on Jakarta's north coast, and rising sea levels.
5. Both the availability and quality of river water are severely contaminated. The quality of Jakarta's rivers is extremely contaminated to the extent of 96%, which is disastrous for a pandemic of humans.
6. The required capital city must be a modern, world-class (smart, green, and beautiful) city that expresses national identity.

Careful planning is necessary when transferring the capital city, not only in terms of the need for big tracts of land but also in terms of the necessity to take into account effects on the economics, demographics, sociopolitics, disasters, environmental carrying capacity, and defense and security. Moving the capital city involves significant costs, and funding may originate from inside or outside of the APBN. In order to prevent new issues from arising as a result of the solution to moving the capital city from Jakarta to another area, the government has the authority to ensure the protection and control of environmental consequences that arise during the relocation of the new capital city. Sepaku sub-district, North Penajam Paser Regency and Samboja sub-district, Kutai Kartanegara Regency, East Kalimantan Province were chosen as candidates for the nation's capital.

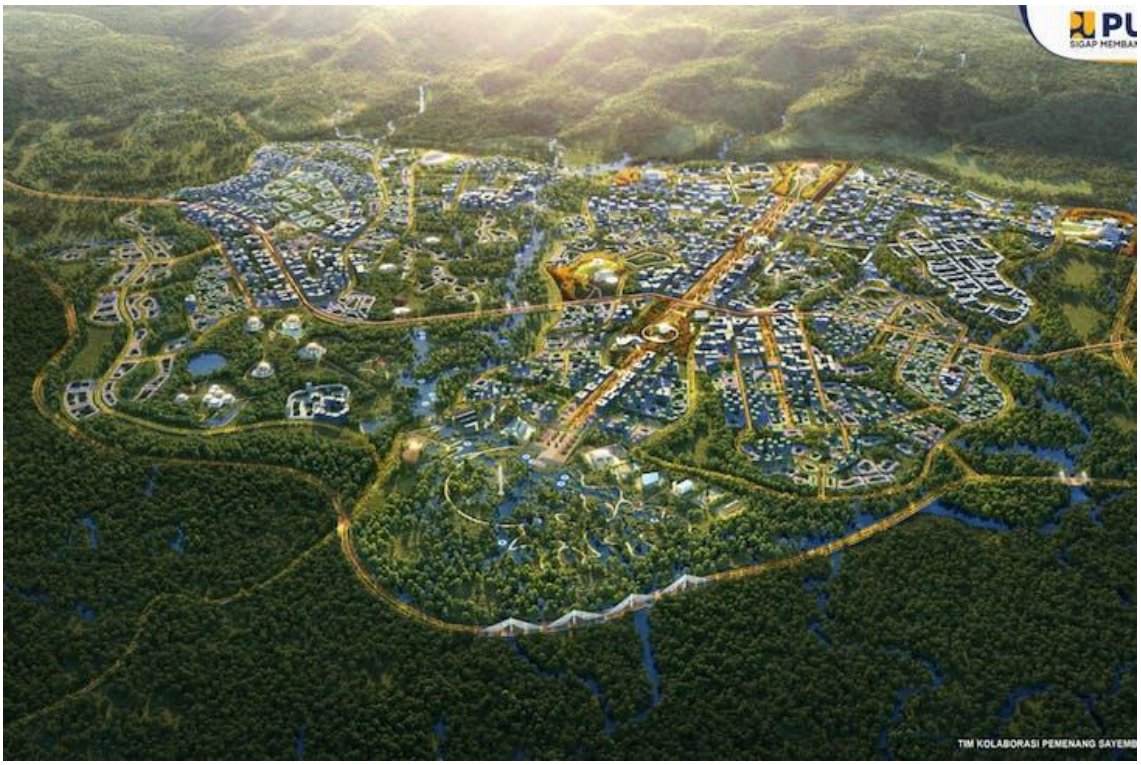


Figure 1. Design for IKN

East Kalimantan was chosen because it was strategically located in the heart of Indonesia, had few disasters, and allowed development to occur throughout the country rather than only on the island of Java. The geography of East Kalimantan is undulating with gentle to steep slopes, and lowland areas are frequently found near rivers, which has an impact on the commodities produced as well as the potential for water and erosion. These circumstances have resulted in an abundance of natural resources in East Kalimantan Province, the majority of which are transported outside. One of the top foreign exchange producers in the mining and forestry industries is East Kalimantan Province. Natural resources are rich in the North Penajam Paser Regency and include plantations, agriculture, forestry, mining, and fisheries. Oil, natural gas, agriculture, and mining make up the majority of this province's economy. Illegal logging, forest fires, and the difficulty finding safe water sources are issues that are frequently encountered in the East Kalimantan region.

Despite having an abundance of natural resources, East Kalimantan suffers from a serious environmental issue: forest fires. The advantages and disadvantages of relocating the new capital to East Kalimantan are currently being felt in a number of cases there. The Karhutla forest fire event at the end of 2019 was one of several instances of forest fires that destroyed several hectares of forest in Indonesia. In addition to human activity itself, other factors that contribute to forest fires include the hot and dry weather in Indonesia. In addition to the smoke pollution caused by the fires, the animals that reside in the forest are also destroyed, which wipes out the ecosystem's fauna. These forest fires are undoubtedly bad for the neighborhood.

Reforestation, or planting new trees, is necessary to make the environment cleaner and healthier. For instance, state-owned enterprises (BUMN) in Riau, Indonesia, between 1996 and 2000, rehabilitated 40,000 ha of former logging forests out of a total of 318,883 ha of forested land. In order to raise land productivity and produce more wood and rattan, barren land is being rehabilitated. This will have a positive influence on the environment while also creating economic opportunities that will

enhance the welfare of the neighborhood.

The proper regional carrying capacity and meeting the needs of the capital city are only two factors to be taken into account when moving the capital city; in order to ensure the sustainability of the nation's future, it is also necessary to take environmental repercussions into account. In the period of industrial revolution 4.0, when everything is based on technology, the principles of sustainable and environmentally sound development must be used for the purpose of environmental sustainability.

Undoubtedly, sufficient area must be set aside for infrastructure development in order to support government administrative activities while building a new national capital. The government must acquire land even though the first phase of building the new capital is scheduled to start in 2020 because there is still a lot of local knowledge, customary land that is protected by local communities, and forest area land. This process will undoubtedly take a long time. The provincial spatial plan needs to be altered as a result of transferring the capital to East Kalimantan.

East Kalimantan is rich in forests, so the area designation must be altered in accordance with Government Regulation Number 104 of 2015 regulating procedures for changing the designation and function of forest areas. In accordance with Law No. 26 of 2007, Article 3, the execution of spatial planning strives to produce national regional space that is secure, comfortable, beneficial, and sustainable based on archipelagic understanding and national resilience by:

1. The achievement of harmony between the natural and man-made environments
2. Realizing the integration of the use of human resources into the use of natural and artificial resources
3. Realizing the need to protect space functions and avoid having space use have a detrimental influence on the environment.

East Kalimantan is considered to have a wealth of natural resources that need to be protected for environmental reasons. As a balance between structures and natural open spaces, infrastructure development must be founded on sustainability and environmental awareness. Even if East Kalimantan is one of the regions with few disasters, if there are developments that do not adhere to the sustainability and environmental protection principles, it will still result in flooding in the following years, as it did in Jakarta.

The Kalimantan region prioritizes environmental management in order to reap the rewards and support environmentally friendly government initiatives. The government must preserve the numerous forest areas in East Kalimantan since they are a vital part of the ecosystem. In East Kalimantan, forest fires are a frequent hazard. There have been 105 fires this year, and they don't seem to be slowing down. According to a Greenpeace investigation, there were forest fires that burned 35,785 hectares in total between 2015 and 2018.

According to Law Number 32 of 2009 concerning Environmental Protection and Management, the government is required to ensure environmental protection and management. In order to protect and manage the local flora and fauna, including the forest, mangrove, wildlife, coastal, and aquatic ecosystems, the government must involve local communities in the construction of the new capital and encourage them to work together on infrastructure development issues. The goal of environmental management is to benefit humanity.

In order to balance three crucial factors, namely economic, social, and environmental protection, sustainable development must involve both present-day society and future generations. According to Law Number 32 of 2009 concerning Environmental Protection and Management and its Amendment through Law Number 11 of 2020 concerning Job Creation and Government Regulations, sustainable development is a deliberate and planned effort that integrates environmental, social, and economic factors into development strategies to ensure the integrity of the environment as well as the safety, aptitude, welfare, and quality of life of current and future generations.

Continuous building efforts are referred to as sustainable development. The continuation of building operations can be ensured by the availability of sustainable resources for carrying out

development. Let's say it has to do with how efficiently resources are used. If so, the context is an attempt to use resources for development (human welfare) while ensuring that the rate (level) of usage does not go beyond what these resources can sustainably deliver. In other words, the extent to which these resources are used, as compared to their carrying capacity, determines the sustainability of resource usage.

The relocation of Indonesia's capital city should follow the principles of sustainable development. IKN will be relocated to the East Kalimantan Province's North Penajam Paser and Kutai Kartanegara Regencies. In order to realize its vision of the National Capital as a global metropolis that exemplifies sustainable development principles and makes use of government-built policy instruments, the government published Law Number 3 of 2022. According to the guiding principles of IKN development, all commercial and residential buildings will be constructed with a strict focus on the environment, utilizing low-carbon and resource-efficient techniques.

Since 2010, the Agency for Standardization of Environmental and Forestry Instruments (BSILHK) has created an environmentally friendly building that will serve as the foundation for adopting several instruments and standards that will help realize the principles of IKN development. According to Minister of Environment Regulation No. 8/2010, an environmentally friendly building is one that incorporates environmental principles into all aspects of its planning, development, maintenance, and management.

The Ministry of Environment and Forestry defines requirements for environmentally friendly buildings through this regulation, including the use of environmentally friendly materials, amenities, and infrastructure for water resource conservation in buildings and other structures. These standards serve as the foundation for creating the tools needed to implement green building certification in Indonesia. As an Environmentally Friendly Building Certification Agency that has been registered with the Ministry of Environment and Forestry, the Green Building Council Indonesia (GBCI) now certifies green structures. In other words, GBCI provides a more technical certification tool that is prepared for use by the general public while keeping an eye on the Ministry of Environment and Forestry.

The following planning techniques for IKN development must take into account the sustainability of forest functions, such as compliance with requirements for tropical forest plant species diversity as a guide for restoring areas that need to be rehabilitated. The Sungai Wain Protection Forest in East Kalimantan, which has a high diversity of tree species covering 385 species in an area of 3.60 ha with a density of 1,917 stems/ha and basal area of 20.57 m2/ha, can be used as an example of the standard of forest species diversity for the rehabilitation and restoration work done.

This diversity of species serves as a habitat for a wide range of animals, including 126 species of insects, 234 species of birds, 17 species of fish, and 94 species of mammals. Each species plays a distinct ecological purpose in the environment, which is demonstrated by the diversity of species. This variety also illustrates how well it functions as a habitat for existing fauna. The basic qualities of wildlife habitats, especially for umbrella species, are compatible with protecting animal populations. Wildlife life requires a habitat that meets the bare minimal requirements to support the different behaviors it engages in, including foraging for food, interacting with other people, whether the animal is in a colony or is living alone, and mating.

Forested land must meet a minimum standard in order to continue supporting IKN. If they are well-maintained and large enough, forests can effectively provide as a habitat for wildlife, carbon sinks, and other environmental services. If it can be demonstrated that the existing forest can sustainably maintain the survival and presence of wild animals, then the forest area is sufficient as a habitat for them.

The premise for transferring the national capital must be a type of environmental management and protection by the government related to the development of the State Capital (IKN). Of course, there are legal requirements for creating legal products in a legal state, and one of those is outlined in Law (UU) Number 15 of 2019 Amendments to Law Number 12 of 2011 Concerning the Establishment

of Legislation. After numerous debates over the IKN Law arose, the public brought attention to the legal as well as the development and economic elements.

There are also a lot of official disability lawsuits that members of society have filed with the Constitutional Court, asking that they be suspended pending judicial review. One of them requested that members of the National Axis of State Sovereignty (PNKN) formally study the State Capital Law (UU IKN) and submit their findings to the Constitutional Court. Due to the IKN Law's inadequacy in light of judicial precedents or other laws and regulations, the IKN Law's adoption has drawn a great deal of criticism. The Republic of Indonesia's 1945 Constitution, specifically Article 18, paragraphs (1) and (4), and several agreements make the transfer of the archipelago's capital city unlawful.

The Head of the Archipelago Capital Authority will be in charge of the particular regional government that serves as the archipelago's capital instead of a province, district, or city. According to Article 9 of Law Number 3 of 2022 concerning the Capital of the Archipelago, also known as the IKN Law, the PresidentPresident will directly nominate, appoint, and dismiss the head of the authority at the ministerial level after conferring with the DPR. A leader picked by the central government rather than the people might be considered as an infringement on democratic rights, which is unfortunately a clear indication that Indonesia's democracy is under danger.

The fact that there is no legal foundation for the process or technique of transferring the capital city of a new nation serves as the deciding element (Mahardika, 2022). The change in the state capital may have a direct impact on some current laws and regulations, such as Law Number 29 of 2007 concerning Provincial Government of the Special Capital Region of Jakarta as the Capital of the Unitary State of the Republic of Indonesia and Law Number 10 of 2016 regarding Regional Head Elections, but it may also have an impact on other laws. The IKN Law not only directly affects other laws and regulations, but it also raises concerns about the unclear system of government.

The definition of a forest city for IKN development will be distinct from the forest city concept used in the preceding example, which was created in a number of different nations. IKN's planning and development must prioritize efforts to preserve and restore forests because of its proximity to forested areas and rich biodiversity. The Forest City concept is being applied at IKN in a different way than other cities that have established their cities with the supply of green open space and then reforested them.

However, because they are still pertinent to the circumstances and requirements of IKN development, this definition continues to relate to a number of features or traits that have developed, such as the predominance of forest vegetation and large tree cover. Consequently, the following definition of a forest city is more appropriate for new urban development plans in the IKN Area: "Forest cities dominated by landscapes with forest structures or green open spaces that have ecosystem service functions, like forests, and with an integrated landscape approach to creating life, side by side with nature."

According to the development idea, Forest City will be built in a way that takes into account the surrounding ecosystem in order to support sustainable development, maximize carbon sequestration and biodiversity preservation, and manage the environment for improved environmental quality. Based on the Principles, Criteria, and Indicators, it is possible to see the notion of Forest City in more detail. The Forest City Principle, which refers to the development of a city that can maintain the ecological function of the forest and development goals in other Forest City concepts such as carbon sequestration, biodiversity conservation, and environmental management to improve environmental quality, is the fundamental principle or point that becomes the reference in the Forest City Concept.

This principle serves as the overarching framework for developing criteria and indicators. A criterion is a measurement that serves as the foundation for evaluating or determining something. It may also be referred to as a standard to reach ideal conditions or a standard to determine whether the principles are being satisfied by the progress made. In contrast, indicators are elements or variables that reflect or show the circumstance or condition necessary to meet the criteria.

Planning and development of the 256,000 ha IKN area can be guided by the Forest City philosophy created by the Ministry of Environment and Forestry. However, in order to adapt these principles to urban development, adjustments must be made to ensure that their use is appropriate in both urban and urban contexts and can serve as an example for the Forest City Concept in other cities. The Forest City principle must also take into account IKN Development's goal of making IKN the world's most sustainable city and benchmarking from other cities implementing Forest City.

C. CONCLUSION

In order to support the sustainability of forests and the environment in general, the Forest City Concept is expected to be applied in a manner that is not just restricted to the setting of cities. In essence, neighboring regions and cities form a mutually influencing ecology. As a result, regional planning and policy will have a significant impact on urban development. The creation of diverse policies, programs, and activities supported by other environmental management support systems has been required for many forms of environmental protection and management, including prevention, mitigation of damage and pollution, and restoration of environmental quality. In order to balance three crucial factors, namely economic, social, and environmental protection, sustainable development must involve both present-day society and future generations. Sustainable development is a deliberate and planned effort that integrates environmental, social, and economic aspects into development strategies to ensure the integrity of the environment as well as the safety, capabilities, welfare, and quality of life, as defined by Law Number 32 of 2009 concerning Environmental Protection and Management and its Amendment through Law Number 11 of 2020 concerning Job Creation and Government Regulations.

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