

THE NATIONAL COUNCIL OF CLIMATE CHANGE

(Presidential Regulation No. 16/2008 dated July 1, 2008)

BY THE GRACE OF GOD ALMIGHTY,
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that an excessive rise in greenhouse gas effect has led to a global climate change that may reduce the quality of the environment and harm all creatures;
- b. that because of its geographical position Indonesia as an archipelagic country is highly susceptible to the global climate change and therefore, it needs to be controlled under a principle requiring all countries to take responsibility according to their respective social, economic and technological capabilities;
- c. that to increase coordination in controlling the climate change as well as to strengthen the bargaining position of Indonesia at international forums on controlling the climate change, it is necessary to form the National Council of Climate Change;
- d. that based on the considerations in letters a, b and c, it is necessary to stipulate a Presidential Regulation on the National Council of Climate Change;

In view of :

1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
2. Law No.6/1994 on the Ratification of the United Nations Framework Convention on Climate Change (Statute Book of 1994 No. 42 , Supplement to Statute Book No. 3557);
3. Law No.23/1997 on Environmental Management (Statute Book of 1997 No. 68 , Supplement to Statute Book No.3699);
4. Law No.17/2004 on the Ratification of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (Statute Book of 2004 No. 72 , Supplement to Statute Book No. 4403):

5. Law No.25/2004 on the National Development Planning System (Statute Book of 2004 No. 104 , Supplement to Statute Book No.4421);

DECIDES :

To stipulate:

PRESIDENTIAL REGULATION ON THE NATIONAL COUNCIL OF CLIMATE CHANGE

Article 1

Referred to in this Presidential Regulation as :

1. Climate change is a change in average climate conditions and/or climate varieties from one time cycle to another as a result of human activities.
2. Climate change adaptation is a process of strengthening and building strategies to anticipate the impact of the climate change and to implement the strategies in order to reduce the negative impact of the climate change and obtain the positive benefit of the climate change.
3. Climate change mitigation is an effort to avoid the emergence of climate change through activities capable of reducing gas emission/increasing the absorption of greenhouse gas from various emission sources.
4. Technological transfer is an effort to transfer environmentally friendly technology in support of mitigation and adaptation efforts to address the impact of climate change.
5. Funding is an effort to tap financing sources, either domestic or foreign, to finance adaptation and mitigation efforts.
6. Carbon trade is the sales and purchase of certificates of carbon emission reduction from climate change mitigation activities.

Article 2

To coordinate climate change control efforts and strengthen the bargaining position of Indonesia at international forums in controlling the climate change, THE NATIONAL COUNCIL OF CLIMATE CHANGE shall be formed.

Article 3

THE NATIONAL COUNCIL OF CLIMATE CHANGE as referred to in Article 2 shall be tasked with :

- a. formulating national policies, strategies, programs and activities on climate change control efforts;
- b. coordinating activities in carrying out climate change control activities covering adaptation, mitigation, technological transfer and funding;
- c. formulating policies on the mechanism and procedure of carbon trade;
- d. monitoring and evaluating the implementation of policies on climate change control efforts;
- e. strengthening the bargaining position of Indonesia to encourage developed nations to take greater responsibilities in climate change control efforts.

Article 4

THE NATIONAL COUNCIL OF CLIMATE CHANGE shall be made up of :

- a. Chairman : The President of the Republic of Indonesia;
- b. Deputy Chairmen : 1. The Coordinating Minister for People's Welfare;
2. The Coordinating Minister for the Economy
- c. Executive Chairman/ Member : Ir. Rachmat Witoelar
- d. Members : 1. The Minister/State Secretary
2. The Cabinet Secretary
3. The State Minister for the Environment
4. The Finance Minister

5. The Home Affairs Minister
6. The Foreign Minister
7. The Energy and Mineral Resources Minister
8. The Forestry Minister
9. The Agriculture Minister
10. The Industry Minister
11. The Public Works Minister
12. The State Minister for National Development Planning/Chairman of the National Development Planning Agency (BAPPENAS)
13. The Marine Affairs and Fisheries Minister
14. The Trade Minister
15. The State Minister for Research and Technology
16. The Transportation Minister
17. The Health Minister
18. The Head of the Meteorology and Geophysics Agency

Article 5

- (1) In carrying out its tasks, THE NATIONAL COUNCIL OF CLIMATE CHANGE shall be assisted by a number of working groups.
- (2) The working groups as referred to in paragraph (1) shall consist of :
 - a. Adaptation Working Group;
 - b. Mitigation Working Group;
 - c. Technological Transfer Working Group;

d. Funding

- d. Funding Working Group;
 - e. Post Kyoto 2012 Working Group;
 - f. Forestry and Land Use Change Working Group.
- (3) If deemed necessary, the Executive Chairman can form working groups other those referred to in paragraph (2).

Article 6

- (1) Members of the working groups as referred to in Article 5 shall come from the relevant government agencies and experts.
- (2) The Executive Chairman shall set the lineup, working mechanism, appointment and dismissal of members of the working groups as referred to in paragraph (1).

Article 7

- (1) To assist THE NATIONAL COUNCIL OF CLIMATE CHANGE in carrying out its tasks, the Secretariat of THE NATIONAL COUNCIL OF CLIMATE CHANGE led by Chief of Secretariat shall be formed.
- (2) The Executive Chairman shall appoint and discharge the Chief of Secretariat as referred to in paragraph (1).
- (3) The Secretariat as referred to in paragraph (1) and paragraph (2) shall be tasked with assisting THE NATIONAL COUNCIL OF CLIMATE CHANGE in carrying out administrative tasks.
- (4) The Executive Chairman shall set the organizational structure and work mechanism of the Secretariat of THE NATIONAL COUNCIL OF CLIMATE CHANGE.

Article 8

- (1) The personnel of the Secretariat of THE NATIONAL COUNCIL OF CLIMATE CHANGE can be civil servants and non-civil servants.

- (2) The career development of civil servants employed at the Secretariat of THE NATIONAL COUNCIL OF CLIMATE CHANGE as referred to in paragraph (1) shall be conducted by their respective agencies of origin pursuant to the legislation in force.

Article 9

- (1) THE NATIONAL COUNCIL OF CLIMATE CHANGE shall hold a periodic coordination meeting at least once every 3 (three) months or any time according to the need.
- (2) If deemed necessary, THE NATIONAL COUNCIL OF CLIMATE CHANGE can invite other ministers and/or officials or parties considered necessary to the coordination meeting held by THE NATIONAL COUNCIL OF CLIMATE CHANGE.
- (3) The Executive Chairman shall set further provisions on the work mechanism of THE NATIONAL COUNCIL OF CLIMATE CHANGE.

Article 10

All expenses arising from the execution of the tasks of THE NATIONAL COUNCIL OF CLIMATE CHANGE shall be borne by the State Budget, namely the budget of the State Minister for the Environment.

Article 11

This Presidential Regulation shall come into force as from the date of stipulation.

Stipulated in Jakarta

On July 4, 2008

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

sgd.

DR. H. SUSILO BAMBANG YUDHOYONO

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