Corruption Potential Of Environmental Funds In Overcoming Climate Change In Indonesia

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Abstract

Indonesia’s solemnity in dealing with climate change is demonstrated by ratifying the Paris Agreement 2015 treaty into Law of the Republic of Indonesia Number 16 of 2016 concerning the ratification of the Paris Agreement to the United Nations Framework Convention on Climate Change, which contains efforts to address climate change with the REDD+ program. The Government of Indonesia receives funding from REDD+, which addresses climate change in Indonesia. However, this creates the potential for corruption in using REDD+ funds by state officials.

The purpose of this study is to understand the potential for corruption of environmental funds by government officials in reducing greenhouse gas emissions and anticipating climate change in Indonesia. This research method uses a qualitative research methodology with literature review research. The data analysis uses an objective case approach and a normative juridical approach. Based on several cases of misuse of environmental funds in Indonesia, it is not certain that the optimization to address climate change at the Ministry of Environment will work as it should to achieve the target as promised in Indonesia’s NDC for 2030.
A. Introduction

Climate change is an emergency that world leaders must immediately address. In dealing with climate change, there have been many conferences to discuss solving the problem of climate change. From December 12, 2015, to January 19, 2018, 172 countries have ratified the Paris Climate Agreement. Prior to the Paris Agreement in 2015, there were several collaborations and negotiations to discuss climate change issues, such as the UNFCCC, The United Nations Framework Convention on Climate Change (UNFCCC)1 at the 1992 Rio de Janeiro conference, the Kyoto protocol in 1997 in Kyoto, Japan, the 2007 UN Climate Change Conference. Bali 2007, and so on, but have not succeeded in achieving the target of reducing world emissions. Based on the historical journey for global emission reduction agreements, has each country shown seriousness in reducing emissions?

Indonesia signed the Paris Agreement 2015, which was later ratified into UU No. 16 Tahun 2016 concerning the ratification of the Paris Agreement to the United Nations Framework Convention on Climate Change achieved, among others, through the forestry sector, energy including transportation, waste, industrial processes, and product use, and agriculture.

With the 21st UNFCCC (United Nations Framework Convention on Climate Change) or COP21/CMP11 UNFCCC meeting held in Paris, November 30 - December 12, 2015, they have agreed to adopt a series of decisions, including Decision 1/CP. 21 on Adoption of the Paris Agreement 2015 as a new instrument after the Kyoto Protocol, which aims to contain the increase in global average temperature well below two °C above pre-industrial levels and continue efforts to suppress temperature rise to 1.5° C above the pre-industrialization level, taking into account the different national conditions as outlined in the Nationally Determined Contribution (NDC), which is a mitigation action document or plan to reduce greenhouse gas (GHG) emissions from each country.

Developing countries such as Indonesia get incentives from efforts to reduce emissions, especially through forest degradation and deforestation or what is known as REDD+. In addition, developed countries also have a promise in the 2015 Paris Agreement to help poor countries and developing countries with aid funds worth US$100 billion and technology assistance as for other funds such as funds from carbon taxes, private parties, bilateral and multilateral cooperation, philanthropy and individuals. Efforts to reduce carbon and greenhouse gas (GHG) emissions are carried out by the government through the RPJMN (National Medium-Term Development Plan) to achieve the NDC target, both using the above funds and using APBN (State Expenditure Budget) funds as the main source to reduce emissions. These funds should be grant funds that can be utilized by Indonesia. The funds disbursed are not small to reduce the rate of carbon and GHG emissions. So it requires a fairly strict supervision to be realized properly.

Corruption in Indonesia is still in the category of worrying. The high number is evidenced in the CPI (Corruption Perception Index), which collects data from several sources that provide perceptions among business people and experts about the level of corruption in the public sector. A score of 0 is perceived as a corrupt condition,2 and with a score of 100 as a condition that is perceived as clean from corruption, Indonesia is at 38 out of 100.3

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1 Oleh : Gizka dan Ayu Pratiwi, “KEPENTINGAN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC) MEMILIH WORLD BANK SEBAGAI PEMEGANG DANA THE GREEN CLIMATE FUND,” JOM FISIP 4, no. 1 (2017).
2 Wawan Heru Suyatmiko, “Memaknai Turunnya Skor Indeks Persepsi Korupsi Indonesia Tahun 2020,” Integritas : Jurnal Antikorupsi 7, no. 1 (Juni 2021): 161–78, https://doi.org/10.32697/INTEGRITAS.V7I1.717.
3 “Naik Satu Poin, Indeks Persepsi Korupsi Indonesia 2021 Jadi 38,” n.d.
ranking of 96th out of 180 countries surveyed. It shows that Indonesia's corruption emergency is at more than 50 percent.

According to Indonesia Corruption Watch (ICW) data, the first rank is occupied by provincial/city/district government officials with 319 defendants or 27.48%, and village officials occupy the third rank with 158 defendants or 13.61%. Unravel the corruption problem, starting with officials who have the authority to manage village funds. The village apparatus is divided into three: the village head, village treasurer, and village secretary.

Based on this background, the novelty of research on the potential for corruption of environmental funds by government officials in the process of reducing greenhouse gas emissions and anticipating climate change in Indonesia. This research method uses a qualitative research methodology with literature review research. The method describes the method and systematics of searching for data through library research. The data were obtained using library research, sourced from relevant data from journals and books related to the object of research, both primary data and secondary data. The data analysis was carried out using an objective case approach and a normative juridical approach, which is an approach that examines legal norms that are the object of research and is consensus with various relevant legal concepts or theories. Moreover, conclusions in writing scientific papers will be presented descriptively.

B. Discussion

The author of this article will discuss the problem of potential corruption in environmental funds originating from the REDD+ program, as well as funds sourced from the APBN and other sources as grant funds to suppress the increase in the earth's temperature which aims to prevent corruption cases in Indonesia. The Government of Indonesia's commitment to controlling climate change became severe when it ratified the Climate Change Convention through Law No. 6 of 1994 with the obligation to address climate change with the REDD+ program. Indonesia received funding from REDD+ through BPDLH (Badan Pengelola Dana Lingkungan) around US$ 103.8 million. Then in September 2021, the Government of Indonesia stated that it was no longer cooperating with REDD+ due to the lack of progress in implementing the Norwegian government's obligation to realize Result Based Payment (RBP). It raises suspicions of corruption by state officials by using money from the REDD+ program in which there is no transparency over the results of the program.

1. The Urgency of Indonesia's Climate Change
a. Definition of Climate Change
The definition of Climate Change is stated in Law no. 31 of 2009; climate change is described as a change in climate caused, directly or indirectly, by human activities that cause changes in the composition of the global atmosphere and changes in natural climate variability observed over comparable periods.

Climate change is a symptom of changes in temperature on the earth in the long term. These changes then have an effect on specific weather patterns that change. Changes that occur may be underestimated and natural the same as the weather due to the solar cycle alone. However, if we look at history, in the 1800s, humans in their activities encouraged climate change and

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4 Adi Fauzanto, “PROBLEMATIKA KORUPSI DANA DESA PADA PELAPORAN DAN PERTANGGUNGJAWABAN KEUANGAN DESA BERDASARKAN PRINSIP TRANSPARANSI, AKUNTABILITAS, DAN PARTISIPATIF,” Widya Yuridika: Jurnal Hukum 3, no. 1 (2020): 43–52.
5 David Hizkia Tobing et al., METODE PENELITIAN KUALITATIF, 2016.
6 Henni Muchtar, “Analisis Yuridis Normatif ... 80 ANALISIS YURIDIS NORMATIF SINKRONISASI PERATURAN DAERAH DENGAN HAK ASASI MANUSIA” 14(1) (2015): 80.
7 Muchtar.
8 “UU No. 31 Tahun 2009 tentang Meteorologi, Klimatologi, dan Geofisika ” (n.d.).
became one of the main factors that occurred because humans carried out illegal logging, burning coal or fossil fuels, using oil and gas.\textsuperscript{9}

Climate change is a change in the pattern and intensity of climate elements over a comparable period of approximately 30 years. Climate change can be a change in average weather conditions or a change in the distribution of weather events concerning their average conditions.\textsuperscript{10}

b. Climate Change Efforts

Climate change generally lasts for a long time (slow pace) and changes slowly (slow onset). Changes in various climate parameters that take place slowly are due to various extreme events in continuous climate variability.

For example, extreme weather events occur more frequently or even less frequently, changing seasonal patterns and expanding drought-prone areas. Climate change described by drought has a significant influence on Indonesian agricultural production. Land identified as drought-prone land has the potential to reduce agricultural production.\textsuperscript{11}

One of the efforts to overcome climate change is by managing the environment to reduce the impact of climate change.\textsuperscript{12} The environmental management must involve all parties so that based on this cooperation, the objective of reducing the impact of climate change will be achieved properly. Therefore, the State of Indonesia needs to involve parties from abroad or internationally by having an agreement or a regulation regarding efforts to overcome climate change.

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{forest_map.png}
\caption{10 countries with the largest forest in the world}
\end{figure}

\begin{itemize}
\item \textsuperscript{9} United Nations: “Climate Action”. [Link]
\item \textsuperscript{10} Edvin Aldrian, Mimin Karmini, dan Budiman, Adaptation and Mitigation of Climate Change in Indonesia (Adaptasi dan Mitigasi Perubahan Iklim di Indonesia), Pusat Perubahan Iklim dan Kualitas Udara BMKG, 2011.
\item \textsuperscript{11} Ida Nurul Hidayati, “PENGARUH PERUBAHAN IKLIM TERHADAP PRODUKSI PERTANIAN DAN STRATEGI ADAPTASI PADA LAHAN RAWAN KEKERINGAN,” Jurnal Ekonomi dan Studi Pembangunan 16, no. 1 (2015): 42–52.
\item \textsuperscript{12} Mustangin Mustangin, “Perubahan iklim dan aksi menghadapi dampaknya: Ditinjau dari peran serta perempuan Desa Pagerwangi,” Jurnal Pendidikan dan Pemberdayaan Masyarakat 4, no. 1 (2017): 80, [Link].
\end{itemize}
Based on data from the Food and Agriculture Organization of the United Nations (FAO) in 2020, Indonesia is the eighth largest forest owner country in the world with an area of 92 million hectares or equivalent to 2% of the earth. Indonesia in 2016/2017 claimed to reduce the rate of deforestation and was awarded for hard work in reducing emissions. Developed countries such as Norway are the first countries to donate this appreciation fund to Indonesia. These funds can certainly help Indonesia to further strengthen efforts to suppress emissions in other sectors such as building an integrated waste management sector as one of the problems that owners in Indonesia have yet to address. Receive proper treatment from the government. This is certainly one of Indonesia's supporters to achieve the National Determined Contribution (NDC) target in 2030, which is 29% with their own efforts and 41% with adequate international assistance. In Indonesia's NDC, there are five main sectors that have been calculated with their emission reduction targets, namely forest and land (17.20%), energy (11%), waste (0.38%), industrial process and product use/IPPU (0.10 %), and agriculture (0.32%).

2. **Implementation of REDD+ in Indonesia**
   a. **The History of the Emergence of REDD+**

   Since the adoption of a decision from the United Nations Framework Convention on Climate Change and ratification of the convention with Law Number 6 of 1994, Indonesia is obliged to make efforts to overcome climate change by accommodating the implementation of REDD+ in Indonesia. The emergence of REDD+ is motivated by the obligation for all countries that have ratified the UN framework agreement on climate change or The United Nations Framework Convention on Climate Change to address climate change based on common but differentiated responsibilities (Principle 7 of the Rio Declaration on Environment and Development 1992).

   b. **Definition of REDD+**

   REDD+ (Reducing Emissions from Deforestation and forest Degradation) are measures designed to use financial incentives to reduce emissions of greenhouse gases from deforestation and forest degradation. REDD+ includes the reduction of greenhouse gases and the role of conservation, sustainable forest management, and enhancement of forest carbon stocks. This scheme will help reduce poverty levels and achieve sustainable economic growth. The process of implementing REDD+ focuses on stakeholder engagement. Voices of communities, indigenous peoples, and traditional communities must be taken into account to ensure that the rights of those living in and around the forest are guaranteed.

   c. **Sources of Funds and Recipients of REDD+ Funds**

   Several foreign parties have committed to help by channeling funds to REDD+ through the BPDLH (Environmental Fund Management Agency), including the Green Climate Fund (GCF) worth US$103.78 million, the Government of Norway worth US$56 million, and the Forest

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13 *Global Forest Resources Assessment 2020.* [https://www.fao.org/documents/card/en/c/ca9825en/](https://www.fao.org/documents/card/en/c/ca9825en/) Main Report 2020

14 “Kontribusi Penurunan Emisi GRK Nasional, Menuju NDC 2030 - Direktorat Jenderal Pengendalian Perubahan Iklim,” diakses 3 Juli 2022, [http://ditjenppi.menlhk.go.id/berita-ppi/3150-kontribusi-penurunan-emisi-grk-nasional,-menuju-nde-2030.html](http://ditjenppi.menlhk.go.id/berita-ppi/3150-kontribusi-penurunan-emisi-grk-nasional,-menuju-nde-2030.html).

15 Jurnal Wilayah dan Dan Lingkungan, “90 Konservasi Hutan Partisipatif Melalui REDD+” 1, no. 2 (2013): 189–200.

16 “Pertanyaan Seputar REDD+ dan Implementasi REDD+ di Indonesia - Direktorat Jenderal Pengendalian Perubahan Iklim,” n.d.
Carbon Partnership Facility. The World Bank manages them with a value of up to 110 million US dollars.\textsuperscript{17}

In Indonesia, those who can access REDD+ funds are BPDLH (Badan Pengelola Dana Lingkungan Hidup), mandated by the government to collect, cultivate and distribute REDD+ funds to beneficiaries such as local communities, relevant ministries, and institutions of central and local government.

d. Consequences of the REDD+ Fund

The REDD+ program is beneficial not only for the world but also for Indonesia as income through carbon trading (trading emissions).\textsuperscript{18} The results of the carbon sales are regulated in an incentive mechanism given to related parties through balancing funds, including the General Allocation Fund (DAU), the Special Allocation Fund (DAK), and the Revenue Sharing Fund, in order to create a fair distribution of incentives. Emerging issues show that the distribution of incentives is not appropriate, even though the government has created an incentive distribution scheme right on target for those who contribute. Unfair incentives are considered a problem point in the forest. In terms of incentives, accountability is an essential element in building a REDD+ benefit distribution mechanism. This accountability is used as one of the principles in the REDD+ institutional system, especially financial accountability, as a form of accountability to related parties in spending people's money. All incoming and outgoing funds in this program must be accounted for and presented comprehensively.

e. The Disconnection of REDD+ Cooperation with Indonesia

However, in September 2021, the Government of Indonesia decided to end the Statement of will between the Government of Indonesia and the Kingdom of Norway\textsuperscript{19} regarding the Cooperation on Reducing Greenhouse Gas Emissions from Deforestation and Forest Degradation (REDD+). They were taken through an incentive consultation process and taking into account the lack of progress in the implementation of the Norwegian government's obligation to realize the Result Based Payment (RBP) for the realization of Indonesia's emission reductions of 11.2 million tons CO2eq in 2016/2017, which international institutions have verified.

3. Potential Corruption of Environmental Funds

a. Definition of Corruption

Corruption is behavior that involves the abuse of public officials or power for personal gain.\textsuperscript{20} This corrupt and collusion-filled behavior causes the bureaucracy in Indonesia to develop further and further away from its ideal function. Bureaucracy is a source of waste on the state budget, central, and regional levels. In-Law Number 31 of 1999, corruption is anyone who intentionally violates the law to commit acts to enrich themselves or other people or corporations that result in state financial losses or the country's economy.

To reduce the number of corruption in Indonesia, the Government has made several efforts, namely establishing the Corruption Eradication Commission (KPK) following Undang-Undang Nomor 30 Tahun 2002 and establishing a Special Court for Corruption Crimes (TIPIKOR).

\textsuperscript{17} “Aturan BPDLH terkait Penyaluran Dana REDD+ untuk Capai Komitmen Iklim RI: Siapa Saja yang Dapat Mengakses? - Komitmen Iklim,” n.d.
\textsuperscript{18} Siti Mardiyah dan M Irfan Tarmizi, “Menguak Kepentingan Dibalik Insentif dan Akuntabilitas Program REDD+,” 2016.
\textsuperscript{19} “Indonesia Akhiri Kerja Sama Redd Dengan Norwegia | Portal Kementerian Luar Negeri Republik Indonesia,” n.d.
\textsuperscript{20} Irfan Setiawan, “Mengikis Perilaku Korupsi Pada Birokrasi Pemerintahan,” \textit{Jurnal Ilmu Pemerintahan Widyapraja} 42, no. 1 (2016): 29–38.
Legal arrangements regarding criminal acts of corruption in Indonesia are regulated in Undang-Undang Nomor 28 Tahun 1999 concerning the Implementation of a State Free from Corruption, Collusion, and Nepotism and Undang-Undang Nomor 31 Tahun 1999 concerning Eradication of Corruption Crimes. The Corruption Perception Index (CPI) is one of the publications of an international non-governmental organization called Transparency International. The survey uses a score of 0, which is perceived as a corrupt condition, and a score of 100 as a condition perceived as clean from corruption. Indonesia's position in this survey is at number 38 out of 100, ranking 96th out of 180 countries. In 2021 in Indonesia, there will be 553 cases with 1,173 suspects with a potential state loss of IDR 29.438 trillion.

Most of the perpetrators of corruption are officials, and there are patterns of corruption crimes committed. Usually, the perpetrators of corruption do not do it alone in carrying out their actions; by doing corruption together, they will form a network of corruption in state institutions or agencies. Corruption in Indonesia does not only occur within the scope of the central and local governments but begins to enter the minor lines of local Government.

b. Environmental Service Corruption Case

The corruption case at the Purwalingga Regency Environmental Service (DLH) The value of state losses from the 2017-2018 regional budget Rasuah case is estimated at more than Rp. 870 million. The first defendant, Marjito bin Jumar, was sentenced to imprisonment for six years, a fine of 200 million subsidiaries six months in prison. Catur Kurniawan bin Sugeng Prayitno was sentenced to four years and six months and a fine of Rp. 200 million, subsidiary to six months in prison. The third defendant, Subur Kuswito, was charged with four years in prison and a fine of Rp. 250 million also received a different verdict from the judge.

The three defendants were legally proven to have committed a criminal act of corruption in the Retribution Money and Waste Subsidy funds. The case at the government level, especially the institutions that deal directly with climate change, has the potential to lose public confidence in the bureaucratic system in Indonesia. Garbage is one of the main factors causing climate change. This is because from the stage of the production process to the stage of disposal and management, waste, especially plastic waste, produces greenhouse gas emissions. In addition, corruption in the bribery of land and forest conversion in Indonesia can cause losses of up to Rp. 104 trillion, as did Surya Darmadi in the Indragiri Hulu area. Previously, there was a UNDP study (Tackling Corruption Risk in Climate Change, 2010) that there was a corruption gap in land determination that has the potential to occur in developing countries receiving REDD+ funds. Especially cases of bribery to officials who have an interest in it.

Based on the above case and reinforced by Indonesia's CPI (Corruption Perception Index) score, which is still at 38 out of 100, it can be concluded that there is a potential for corruption in environmental funds. The issue of climate change has become urgent, as seen from so many conferences between countries that have attempted to negotiate ways to resolve the climate change problem.

21 Suyatmiko, “Memaknai Turunnya Skor Indeks Persepsi Korupsi Indonesia Tahun 2020.”
22 “Naik Satu Poin, Indeks Persepsi Korupsi Indonesia 2021 Jadi 38.”
23 “ICW: Ada 553 Penindakan Kasus Korupsi 2021, Potensi Kerugian Negara Rp 29,4 Triliun,” n.d.
24 Fathur Rahman, Achmad Baidhowi, dan Ruth Agnesia, “Pola Jaringan Korupsi di Tingkat Pemerintah Desa (Studi Kasus Korupsi DD dan ADD Tahun 2014-2015 di Jawa Timur ),” Jurnal Integritas 1, no. 2 (2018): 29–56.
25 “Korupsi Uang Retribusi dan Subsidi Sampah, 3 Pegawai DLH Purwalingga Divonis 6 Tahun Penjara | BPK Perwakilan Propinsi JAWA TENGAH,” n.d.
26 “Knowledge Centre Perubahan Iklim - Ubah Kebiasaan Penggunaan Plastik,” diakses 25 Oktober 2022, http://ditjenppi.menlhk.go.id/kcpi/index.php/inovasi/347-ubah-kebiasaan-penggunaan-plastik.
27 “REDD, Ladang Baru Korupsi | ICW,” diakses 25 Oktober 2022, https://www.antikorupsi.org/id/article/redd-ladang-baru-korupsi.
change problem. With the evidence of high corruption cases in 2021, it does not rule out the possibility of concerns from countries that want to cooperate in Reducing Greenhouse Gas Emissions from Deforestation and Forest Degradation activities.

The novelty of this research is about the urgency of climate change in Indonesia and the implementation of REDD+ in Indonesia. Corruption in environmental funds that are directly related to climate or the environment.

C. Conclusion

The world is currently highlighting climate change; it takes the Government's commitment to continue to carry out the contents of the 2015 Paris Agreement, which was ratified by Indonesia in the Law of the Republic of Indonesia number 16 of 2016. In addition to focusing on handling climate change prevention, the Government also still has to improve the management of state finances, in this case, namely managing environmental funds. The magnitude of the potential for corruption in Indonesia raises concerns about corruption in the funds allocated for climate change.

Therefore, Indonesia must immediately improve its handling of corruption cases in Indonesia. The Government is expected to provide a target for increasing the CPI score as proof of the seriousness of the Indonesian Government against corruption in its own country so that other countries can confidently cooperate with Indonesia in handling and preventing climate change. Any funds needed for environmental improvement must be considered by the government, communities and organizations concerned with the environment. It takes a lot of money to tackle climate change. This may be part of the government sector in the Environment Agency only. From the corruption case at the Environmental Service (DLH) of Purbalingga Regency, only one case has been highlighted by the author. There are still other cases related to funds to encourage addressing climate change in other parts of Indonesia. Whereas the handling of climate change is in the Ministry of the Environment as an effort to prevent emission reductions in Indonesia. If corruption continues, efforts towards NDC as a target for Indonesia to reduce its emissions by 2030 will certainly not be achieved.

28 “ICW: Ada 553 Penindakan Kasus Korupsi 2021, Potensi Kerugian Negara Rp 29,4 Triliun.” diakses 25 Oktober 2022, https://www.antikorupsi.org/id/article/redd-ladang-baru-korupsi
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