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ALSA LEGAL ENGLISH GLOSSARIUM #3

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ALSA Local Chapter
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ALSA LEGAL ENGLISH GLOSSARIUM #3

INTRODUCTION TO ALSA LEGAL ENGLISH GLOSSARIUM

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I. Introduction to Legal English

According to Britannica, language is a system of spoken, signed, or written symbols that people use to express themselves within a social and cultural context. including communication, identity expression, play, imaginative expression, and emotional release.[1] With more than 1.5 billion speakers worldwide, English is the most spoken language in the world.[2] As a well-known language, one would gain various advantages to learn and speak English. On the educational aspect, learning and speaking English can open up broader career and educational opportunities, facilitate understanding of international journals, better prepare oneself for the international arena, and provide many other benefits. Thus, it is essential to fully understand English, either as a foreign language or for educational purposes. In the professional world, English is widely utilized and is a vital communication tool in many different businesses all over the world.[3] Being able to communicate clearly and effectively in English is essential in the career world when interacting with clients and coworkers from other countries. Furthermore, professional environments utilize a lot of terms or specialized phrases, thus proficiency in the language is necessary for accurate and effective function within the industry. The legal profession is one of the professional fields which requires the use of specialized terminology.

Legal English is a particular kind of specialized English that is often used in the legal industry. Corresponding to Northcott, legal English, or what some call "legalese", is an English language education to enable law professionals to operate in academic and professional contexts requiring the use of English.[4] This form of English includes terminology, phrases, and writing styles unique to legal documents, proceedings, and

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[1]David Crystal and Robert Henry Robins, "Language," Britanica, accessed on July 3, 2024, https://www.britannica.com/topic/language.

[2]Marcus Lu, "Ranked: The Top Languages Spoken in the World," Visual Capitalist, accessed on July 3, 2024, https://www.visualcapitalist.com/top-languages-spoken-in-the-world.

[3]Md. Imranur Barat and Md. Jobaar Talukder, "Proficiency on Business Communication Effectiveness: A Comprehensive Research Analysis," *International Journal for Multidisciplinary Research* Vol. 5, No. 6 (November-December 2023): 3.

[4]Jill Northcott, *The Handbook of English for Specific Purposes* (Hoboken: John Wiley & Sons, Inc., 2013), 213-226.

discussions. For legal practitioners and scholars to guarantee professionalism, accuracy, and clarity in their work, mastery of legal English is essential for the accurate reading of legal documents, efficient communication within the legal system, and the advancement of justice and fairness. Contracts and legislative documents are examples of legal papers that are complicated and full of specialized terminology. In addition, law students must be proficient in legal English to provide accurate arguments, fully comprehend legal materials, perform in-depth research, and many more. Legal proceedings also rely heavily on clear and precise communication so that misconception and unawareness of legal terminology, witness statements, or charges could affect incorrect interpretation of evidence that may cause wrongful accusation. Mistakes in understanding legal English can lead to various consequences, such as financial loss and false convictions. As legal documents often involve financial agreements, contracts, and property rights, misunderstanding the terms of these documents could lead to penalties, unexpected liabilities, and even legal disputes. Thus, it can be concluded that mistakes in the use of legal English can lead to serious consequences such as inaccuracies in documents, invalid agreements, and wrongful accusations which will cause losses to various parties.

In conclusion, as legal English has emerged on an international scale, it is important for law students and legal practitioners to master legal English. Mastering legal English will be highly beneficial for creating effective communication in many sectors in the current competitive global environment. Therefore, it is necessary for law students and legal professionals to be proficient in the use of legal English as it remains crucial for many legal purposes.

II. What is ALSA Legal English Glossarium #3?

Asian Law Students Association (**ALSA**) is a nonpolitical and nonprofit organization for law students all across Asia. ALSA National Chapter Indonesia (**ALSA Indonesia**) is one of the 17 national chapters in Asia. ALSA Indonesia has 15 local chapters, including ALSA Local Chapter Universitas Indonesia (**ALSA LC UI**). ALSA LC UI is an organization that has various innovative work programs aimed at developing

the skills of its members and external parties. As one of the divisions under the field of Human Resource and Development, the English Development division has various work programs that focus on developing the English skills of its members and external parties. ALSA Legal English Glossarium is a legal writing program that focuses on improving legal English and legal knowledge produced by the English Development division.

ALSA Legal English Glossarium is a list of frequently-used terminology related to a particular field of law where each of these terms is also equipped with relevant explanations and examples in legal instruments. ALSA Legal English Glossarium is the embodiment of three pillars of ALSA, which are legally skilled, academically committed, and internationally minded. The pillars of legally skilled and academically committed serve as the hope of helping readers to improve their understanding of legal knowledge by expanding their legal vocabularies. Moreover, the internationally minded pillar serves to improve reader's ability to adapt to global competition by improving their understanding of legal vocabulary in English.

The theme of this year's ALSA Legal English Glossarium is environmental law. As time goes on, global issues such as climate change and environmental damage affect various aspects of human life. Therefore, it cannot be denied that many of these issues are closely related to human rights, which are highly upheld in law. This is where environmental law plays an important role to protect the environment and provide penalties for violations of environmental sustainability. Law students must familiarize themselves with and have a good understanding of various legal terminologies, including terminologies related to environmental law in order to become knowledgeable and competent legal practitioners.

Hence, ALSA Legal English Glossarium #3 serves not only as an educational resource but also as an inspiration for proactive efforts in environmental protection. The knowledge from this glossary will hopefully empower law students and practitioners to confidently address complex environmental issues, developing legal professionals who are well-equipped to advocate for environmentally sustainable practices. By bridging the gap between legal terminology and its application in real life, this publication aims to

cultivate a commitment to environmental responsibility, encouraging legal professionals to prioritize environmental sustainability in order to create a healthy and safe planet for future generations.

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ALSA LEGAL ENGLISH GLOSSARIUM #3

INTRODUCTION TO ENVIRONMENTAL LAW

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Introduction to Environmental Law

According to Black's Law Dictionary, Environmental law is defined as a collective body of regulations, orders, constraints, and allowances that collectively focuses on the maintenance and protection of the environment of a country from damages caused by a certain activity.[5] With the existence of environmental laws containing regulations and penalties for violations of environmental sustainability, humans will be more guided in their actions towards the environment. In studying environmental law, there are basic materials that need to be understood, such as the principles of environmental law, environmental rights, and environmental sustainable development.

Environmental rights refer to the idea that people have the basic right to environmental conditions of a specified quality.[6] Human rights and the environment are closely connected as human rights cannot be fully fulfilled without a safe, clean, and healthy environment.[7] To achieve optimal and sustainable use of the environment, everyone's environmental rights must be fulfilled.Furthermore, environmental law also recognises , sustainable development principle which is necessary to meet the needs of the present generation without compromising the ability of future generations to meet their own needs regarding the environment.[8]

In studying these materials, there are terminologies that are commonly used. Thus it is necessary to have a proper understanding of these terms. Consequently, the exploration of the principles of environmental law, environmental rights, and sustainable development will serve as critical subtopics under this broader thematic framework. This will provide a structured approach to comprehensively address the complexities of environmental law.

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[5]"Environmental Law," Black's Law Dictionary, s.v., accessed on July 7, 2024 https://thelawdictionary.org/?s=environmental+law.

[6]"Human Rights and The Environment," Geneva Environment Network, accessed on June 24, 2024, https://www.genevaenvironmentnetwork.org/resources/updates/human-rights-and-the-environment/.

[7]"What are Environmental Rights?" United Nation Environment Programme, accessed on July 8, 2024, https://www.unep.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/what?_ga=2.86096152.1695126247.1721800220-921495394.1721317285.

[8]Brundtland Commision, *Our Common Future: Report of the World Commission on Environment and Development* (Oxford: The Oxford University Press, 1987), 12.

Introduction to Environmental Law Terminologies				
No.	**Terminology**	**Translation**	**Explanation**	**Example in Legal Instrument**
Principles of Environmental Law				
1.	State Responsibility	*Tanggungjawab Negara*	Every internationally wrongful act of a state entails the international responsibility of that state, and to incur the legal consequences of such responsibility, the act or omission must constitute a breach of an international obligation of that state.[9]	"What is meant by the principle of state responsibility is: (a) the state guarantees that the utilization of natural resources will provide maximum benefits for the welfare and quality of life of the people, both present and future generations; (b) the state guarantees the rights of citizens to a good and healthy environment; (c) the state prevents natural resource utilization activities that cause pollution and/or damage to the environment." Explanation of Article 2, Law No. 32 Year 2009 on Environmental Protection and Management.
2.	Common but differentiated responsibility and respective capabilities (**CBDR-RC**)	*Tanggungjawab bersama tetapi berbeda dan berdasarkan kapasitas*	The principle of recognizing the common obligation of all states to protect and preserve the environment, but with the recognition that each state has different capabilities and	"This Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of

[9]Christina Voigt, *The Oxford Handbook of International Environmental Law*, 2nd ed, edited by Lavanya Rajamani and Jacqueline Peel, (New York: Oxford University Press, 2021), 1008.

			responsibilities.[10]	different national circumstances." Article 2, Number 2, Paris Agreement.
3.	Precautionary Principle	*Prinsip Kehati-hatian*	Efforts to prevent environmental damage that must be carried out against serious threats or irreversible losses even though there is no certain scientific data on the occurrence of these threats.	"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities." Principle 15, Rio Declaration on Environment and Development.
4.	Principle of Preventive Action	*Prinsip Pencegahan*	Actions taken to prevent pollution or damage to natural resources that can be ascertained or measured using scientific data from occurring.	"States have the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction." Article 21, Stockholm Declaration 1972.

[10]"Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC)," Climate Nexus, accessed June 8, 2024, https://climatenexus.org/climate-change-news/common-but-differentiated-responsibilities-and-respective-capabilities-cbdr-rc/#:~:text=Common%20but%20Differentiated%20Responsibilities%20and%20Respective%20Capabilities%20(CBDR%E2%80%93RC),countries%20in%20addressing%20climate%20change.

5.	Polluter Pays Principle	*Prinsip Pencemar Membayar*	The principle that the party whose business or activity causes pollution and/or damage to the environment is obliged to be responsible for paying the costs of restoring the environment.[11]	"National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment." Article 16, Rio Declaration on Environment and Development.
6.	Intragenerational Equity	*Keadilan Intra Generasi*	Fairness and justice within the same generation, ensuring that the current's generation needs are met without compromising the ability of future generations to meet their own need.[12]	"Intragenerational Equity: There shall be a fair and equitable sharing of the benefits of nature, including appropriate access to ecosystem services. There shall be a fair and equitable sharing of efforts and burdens." Principle 7, IUCN World Declaration on the Environmental Rule of Law.
7.	Intergenerational Equity	K*eadilan Antar Generasi*	Equality among all generations (past, present and future) to share equitably in the use of the planet and its natural resources and entitled to inherit a planet that on balance is at least as	"Intergenerational Equity: The present generation must ensure that the health, diversity, ecological functions, and beauty of the environment are maintained or restored to

[11]Article 2, Point J, Law No. 32 of 2009 on Environmental Protection and Management.
[12]Alice Venn, *Managing Global Warming*, (Academic Press: 2019), 711-728.

			good as the previous generation.[13]	provide equitable access to the benefits of the environment by each successive generation." Principle 8, IUCN World Declaration on the Environmental Rule of Law.
Environmental Rights				
8.	Good Governance	*Tata Kelola Pemerintahan yang Baik*	The management of governmental affairs in the fields of natural resources and the environment is based on the vision of protecting and preserving environmental functions in support of sustainable development.	"The principle of good governance is essential to the progressive development and codification of international law relating to sustainable development. It commits States and international organizations: (a) to adopt democratic and transparent decision-making procedures and financial accountability; (b) to take effective measures to combat official or other corruption; (c) to respect the principle of due process in their procedures and to observe the rule of law and human rights; and (d) to implement." Principle 6.1, New Delhi Declaration of Principles of International Law Relating to Sustainable Development.

[13]Edith Brown Weiss, "Our Rights and Obligations to Future Generations for the Environment," *American Journal of International Law*, Vol.84, No. 1 (1990).

9.	Substantive Rights	*Hak Substantif*	The substantive right is defined as the right to life, the right to an adequate standard of living, the right to health, and the right to justice within and between generations.	"Everyone has the right to a good and healthy environment." Article 9, Paragraph 3, Law No. 39 Year 1999 on Human Rights.
10.	Environmental Human Rights	*Hak atas Lingkungan Hidup yang Baik dan Sehat*	Environmental rights means any proclamation of a human right to environmental conditions of a specified quality.[14]	"Everyone has the right to live a prosperous life, both physically and mentally, to have a place to live, to obtain a good and healthy living environment, and to receive healthcare services." Article 28H, Paragraph 1, The 1945 Constitution of The Republic of Indonesia.
11.	Procedural Rights	*Hak Prosedural*	Procedural rights are supporting elements in the fulfillment of substantive rights, namely the right to information, the right to participate in decision-making, and the right to access justice.	"In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention." Article 1, Aarhus Convention on Access to Information, Public Participation in

[14] United Nation Environment Programme, "What are Environmental Rights?"

				Decision-Making and Access to Justice in Environmental Matters.
12.	Principle of Public Participation	*Prinsip Partisipasi*	This principle assumes that everyone in the community is involved in decision-making on environmental improvement and environmental protection.	"Public participation is essential to sustainable development and good governance in that it is a condition for responsive, transparent and accountable governments as well a condition for the active engagement of equally responsive, transparent and accountable civil society organizations, including industrial concerns and trade unions. The vital role of women in sustainable development should be recognized." Principle 5.1, New Delhi Declaration of Principles of International Law Relating to Sustainable Development.
13.	Principle of Access to Information	*Akses Informasi*	The access to information facilitates citizens to access various information regarding the planning and implementation of environmental development by public authorities.	"Public participation in the context of sustainable development requires effective protection of the human right to hold and express opinions and to seek, receive and impart ideas. It also requires a right of access to appropriate, comprehensible and timely information held by governments and industrial

				concerns on economic and social policies regarding the sustainable use of natural resources and the protection of the environment, without imposing undue financial burdens upon the applicants and with due consideration for privacy and adequate protection of business confidentiality." Principle 5.2, New Delhi Declaration of Principles of International Law Relating to Sustainable Development.
14.	Principle of Access to Justice	*Akses Keadilan*	A set of guarantees that gives non-governmental organizations and individuals a possibility to challenge in court the legality of decisions, acts, or omissions that harm the environment. [15]	"The empowerment of peoples in the context of sustainable development requires access to effective judicial or administrative procedures in the State where the measure has been taken to challenge such measures and to claim compensation. States should ensure that where transboundary harm has been, or is likely to be, caused, individuals and peoples affected have non-discriminatory access to the same judicial and administrative procedures as would individuals and peoples of the State in which the harm

[15]"Access to Justice in Environmental Matters," Just Access, accessed on July, 20, 2024, https://just-access.de/access-to-justice-in-environmental-matters/#.

				is caused." Principle 5.3, New Delhi Declaration of Principles of International Law Relating to Sustainable Development.
Environmental Sustainable Development				
15.	Ecological Balance	*Keseimbangan Ekologi*	A state of dynamic equilibrium within a community of organisms, in which diversity (genetic, species, and ecosystem) remains relatively stable but can change gradually through natural succession.[16]	"... We see around us growing evidence of man-made harm in many regions of the earth: dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies…" Chapter 1, Declaration of the United Nations Conference on the Human Environment.
16.	Sustainable Use	*Penggunaan yang Berkelanjutan*	The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.[17]	"Each Contracting Party shall, as far as possible and as appropriate, cooperate with other Contracting Parties, directly or, where appropriate, through competent international organizations, in respect of areas beyond national jurisdiction and on other

[16]"Ecological Balance," World Wide fund for Nature, accessed on July 28, 2024, https://wwf.panda.org/discover/knowledge_hub/teacher_resources/webfieldtrips/ecological_balance/#:~:text=Ecological%20balance%20has%20been%20defined,the%20numbers%20of%20each%20species.

[17]Article 2, The Convention on Biological Diversity.

				matters of mutual interest, for the conservation and sustainable use of biological diversity." Article 5, Convention on Biological Diversity.
17.	Sustainable Development	*Pembangunan Berkelanjutan*	A conscious 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, ability, welfare, and quality of life of present and future generations.[18]	"Owing to new scienitific insights and to a growing awareness of the risks for mankind - for present and future generations - of pursuit of such interventions at an unconsidered and unabated pace, new norms and standards have been developed, set forth in a great number of instruments during the last two decades. Such new norms have to be taken into consideration, and such new standards given proper weight, not only when States contemplate new activities but also when continuing with activities begun in the past. This need to reconcile economic development with protection of the environment is aptly expressed in the concept of sustainable development." Article 12, Reports of Judgements, Advisory Opinions and Orders Case Concerning

[18]Article 1, Point 3, Law no. 32 of 2009 on Environmental Protection and Management.

				The Gabcikovo-Nagymaros Project (Hungary/Slovakia), Judgment of 25 September 1997.
18.	Environmental Protection	*Perlindungan Lingkungan*	Practices and procedures that are designed to avoid, minimize, eliminate, or reverse damage to the environment and to environmental systems.[19]	"Action by the Community relating to the environment shall have the following objectives: to preserve, protect and improve the quality of the environment, to contribute towards protecting human health, to ensure prudent and rational utilization of natural resources." Article 130r, Point 1, Single European Act.
19.	Environmental Cost	*Biaya Lingkungan*	Expenses incurred as a result of some violation of ecological integrity either by an enterprise that implements a program to rectify the situation, or by society or the ecosystem as a whole when no person or enterprise is held liable.[20]	"National authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment." Principle 16, Rio Declaration on Environment and

[19]"Environmental Protection," Oxford Reference, accessed on July 28, 2024, https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095753671.

[20]"Environmental Cost," General Multilingual Environmental Thesaurus, accessed on July 28, 2024, https://www.eionet.europa.eu/gemet/en/concept/2796.

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NATURAL RESOURCES MANAGEMENT

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Natural Resources Management

Natural resources management means the sustainable use of the main natural resources, such as land, water, air, minerals, forests, fisheries, wild plants, and wildlife.[21] These resources are monitored, safeguarded, and preserved as they are essential to the sustainability of both human populations and natural ecosystems since they rely on natural resources.[22] Understanding the management of natural resources is essential as it ensures the health and protection of the ecosystem, promotes the sustainable use of resources as well as ensures long-term economic benefits, and guarantees compliance with environmental laws and international agreements. Thus, it is crucial for both the general public and law students to study this subject. From the legal perspective, natural resources management is significantly correlated with environmental law. It provides the legal framework for sustainable resources management and environmental protection, and serves as the foundation for natural resources management. To ensure that resources are managed responsibly and protected for future generations, a strong legal framework is essential for guiding practices, enforcing standards, and resolving conflicts in natural resources management.

To understand the sub-theme of natural resources management more deeply, this sub-theme will contain four subtopics, each addressing a crucial aspect of natural resource management, such as; Energy Resources, Plantation, Forestry, and Mineral and Coal Mining. Energy resources refer to any materials, whether it's a renewable source such as wind power, geothermal power, and tidal power, or non-renewable sources, such as oil, natural gas, and coal, that has the ability to generate electricity, heat, move items, or power life for human use. Forestry involves a coordinated management system concerning forests, forest lands, and forest products. Considering the numerous advantages forests provide to people, it is essential to have policies in place to manage their use effectively and ensure the preservation of both the forests and their resources. Plantation is the right way to manage abundant natural resources such as fertile soil

[21]Iyyanki V. Muralikrishna, Valli Manickam, *Environmental Management* (Oxford: Butterworth-Heinemann, 2017), 23-35.

[22]Christina Harvey, "Natural Resources Management: NRM Definition, Types & Jobs," study.com, accessed on July, 19, 2024, https://study.com/academy/lesson/natural-resource-management-nrm-overview-history-types.html.

and water into agricultural products, such as plants that are more beneficial to the lives of creatures. To sustain energy production and industrial uses, current global conditions still rely on minerals and coal mining, as well as extraction of minerals and coal from subterranean resources on Earth's surface.

Natural Resources Management Terminologies				
No.	**Terminology**	**Translation**	**Explanation**	**Example in Legal Instrument**
Energy Resources				
1.	Renewable Energy Sources	*Sumber Energi Terbarukan*	Energy that is obtained from sources that are for all practical purposes inexhaustible, which includes moving water (hydroelectric power, tidal power, and wave power), thermal gradients in ocean water, biomass, geothermal energy, solar energy, and wind energy.[23]	"Provision of energy from new energy sources and renewable energy sources carried out by business entities, permanent establishments, and individuals can obtain facilities and/or incentives from the government and/or local governments in accordance with their authority for a certain period of time until the value of its economy is achieved." Article 20, Point 5, Law No. 30 of 2007 on Energy.
2.	Geothermal Energy	*Energi Panas Bumi*	A source of heat energy contained in the hot water, steam, and rock along with other associated minerals and gasses that are genetically inseparable in a geothermal system.[24]	"The administration of Geothermal activities is intended to: a. control Geothermal business activities that promote energy security and self-reliance in order to support sustainable development and offer the

[23]"Renewable Energy," Oxford Reference, accessed on August 10, 2024, https://www.oxfordreference.com/display/10.1093/oi/authority.20110803100413949.
[24]Article 1, Law No. 21 Year 2014 on Geothermal Energy.

				maximum benefit for the welfare and prosperity of the people; b. improve the utilization of renewable energy in the form of Geothermal energy in order to meet the national energy demands; and c. improve the utilization of environmentally friendly, clean energy in order to reduce greenhouse gas emissions." Article 3, Law No. 21 Year 2014 on Geothermal Energy.
3.	Hydropower	*Tenaga Air*	Energy that uses the natural flow of moving water to generate electricity.[25]	"Business Entities that have been determined by the minister who organizes government affairs in the field of water resources as partners in the utilization of state property in the context of providing infrastructure for hydropower before this Presidential Regulation comes into force, the process of purchasing and the price of electricity in accordance with the provisions in this Presidential Regulation." Article 37, Presidential Regulation No. 112 Year 2022 on Acceleration of Renewable

[25]"Hydropower Basics," Department of Energy, accessed on August 7, 2024, https://www.energy.gov/eere/water/hydropower-basics.

				Energy Development for Electricity Supply.
4.	Non-renewable Energy Sources	*Sumber Energi Tak Terbarukan*	Energy resources that take millions of years to form and will run out if exploited continuously, which include fossil fuels such as oil, natural gas and coal.[26]	"The Secretary shall carry out research, development, demonstration, and commercial application programs in fossil energy, including activities under this subtitle, with the goal of improving the efficiency, effectiveness, and environmental performance of fossil energy production, upgrading, conversion, and consumption. Such programs take into consideration the following objectives: (1) Increasing the energy conversion efficiency of all forms of fossil energy through improved technologies (2) Decreasing the cost of all fossil energy production, generation, and delivery. (3) Promoting diversity of energy supply. (4) Decreasing the dependence of the United States on foreign energy supplies. (5) Improving United States energy security. (6) Decreasing the environmental impact of energy-related activities. (7) Increasing the export of fossil energy-related

[26]Article 1, Paragraph 8, Law No.30 Year 2007 on Energy

				equipment, technology, and services from the United States." Section 961, Letter (a), Energy Policy Act of 2005.
5.	Nuclear Energy	*Tenaga Nuklir*	It is a form of energy released from a nucleus (atomic core) made of protons and neutrons to generate electricity through nuclear fission, which is where an atomic nucleus splits into two or more smaller nuclei, while releasing energy.[27]	"Research and development on nuclear energy should be conducted in order to master nuclear science and technology for the purpose of safety, security, peace, and welfare of the people." Article 8, Paragraph 1, Law No. 10 Year 1997 on Nuclear Energy.
6.	Coal Energy	*Tenaga Batubara*	Coal is a nonrenewable fossil fuel that is combusted and used to generate electricity.[28]	"Describe the facilities to be established for coal energy resources and conversion research and research on related environmental problems including facilities for interdisciplinary academic research projects by the combined efforts of specialists such as mining engineers, mineral engineers, geochemists, mineralogists, mineral economists, fuel scientists, combustion engineers, mineral

[27]"What is Nuclear Energy? The Science of Nuclear Power," International Atomic Energy Agency, accessed on August 6, 2024, https://www.iaea.org/newscenter/news/what-is-nuclear-energy-the-science-of-nuclear-power.
[28]"Coal," National Geographic Education, accessed on August 6, 2024, https://education.nationalgeographic.org/resource/coal/.

				preparation engineers, coal petrographers, geologists, chemical engineers, civil engineers, mechanical engineers, and ecologists." Section 801, Letter (d), Point 1, Surface Mining Control and Reclamation Act of 1977 As Amended Through P.L. 117–58, Enacted November 15, 2021.
Forestry				
7.	State Forest	*Hutan Negara*	A forest located on land without any ownership rights.[29]	"Government shall conduct forest protection within state forests." Article 48, Paragraph 2, Law No. 41 Year 1999 on Forestry.
8.	Titled Forest	*Hutan Hak*	A forest located on land that has ownership rights.[30]	"Utilisation of titled forests shall be conducted by holders of the title upon land, the concerned in accordance with the function thereof." Article 36, Paragraph 1, Law No. 41 Year 1999 on Forestry.
9.	Deforestation	*Deforestasi*	Deforestation is the conversion of forest to other land use for certain purposes independently of whether human-induced or not.[31]	"Whether the country concerned has national or subnational laws in place, including in accordance with

[29]Article 1, Law No. 41 Year 1999 on Forestry.
[30]*Ibid.*
[31]Global Forest Resources Assessment, "Terms and Definitions FRA 2020," (Rome: Food and Agriculture Organization of the United Nations, 2018), https://openknowledge.fao.org/server/api/core/bitstreams/531a9e1b-596d-4b07-b9fd-3103fb4d0e72/content.

				Article 5 of the Paris Agreement, and takes effective enforcement measures to tackle deforestation and forest degradation, and to avoid and penalise activities leading to deforestation and forest degradation and in particular whether it applies penalties of sufficient severity to deprive of the benefits accruing from deforestation or forest degradation." Article 29, Point 4, Letter (c), Regulation (EU) 2023/1115 of The European Parliament and of The Council on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No. 995/2010.
10.	Forest Inventory	*Inventarisasi Hutan*	The systematic collection of data on the forestry resources within a given area.[32]	"Forest inventory shall be implemented to know and obtain comprehensive data and information on forest resources, natural wealth potentials and environment thereof." Article 13, Paragraph 1, Law No. 41 Year 1999 on Forestry.

[32]"Sustainable Forest Management (SFM) Toolbox," Food and Agriculture Organization, accessed on July 21, 2024, https://www.fao.org/sustainable-forest-management/toolbox/modules/forest-inventory/basic-knowledge/en/?type=1.

11.	Forestry and Other Land Use	*Penyerapan Karbon Bersih Sektor Hutan dan Lahan*	FOLU Net Sink is a condition to be achieved through mitigation actions to reduce greenhouse gas (GHG) emissions from the forestry and land sector under the condition that the absorption rate is higher than the emission rate.[33]	"GHG Emissions Reduction as referred to in section (2) and section (3) is mainly supported by GHG Emissions control in the forestry Sector to become carbon storage/reinforcement in 2030 applying Indonesia Forest and Other Land Use Net Sink 2030 approach." Article 3, Paragraph 4, Presidential Regulation No. 98 Year 2021 on Implementation of Carbon Pricing to Achieve the Nationally Determined Contribution Target and Control Over Greenhouse Gas Emissions in the National Development.
Plantation				
12.	Land Use	*Penggunaan Lahan*	Human use of land for economic anda cultural activities (such as agricultural, residential, industrial, mining, and recreational use) that are practiced at a given place.[34]	"The utilization and land use in protected areas or cultivated areas must be in accordance with the function of the area in the Regional Spatial Plan." Article 13, Paragraph 1, Government Regulation No. 16 Year 2004 on Land Stewardship.
13.	Crops	*Hasil*	All Plantation and its processing	"Every Person in processing,

[33]"Indonesia's FOLU Net Sink 2030." *Kementrian Lingkungan Hidup dan Kehutanan*, accessed on September 21, 2024, https://ppid.menlhk.go.id/berita/siaran-pers/7166/indonesias-folu-net-sink-2030#:~:text=FOLU%20Net%20Sink%202030%20adalah,tingkat%20emisi%20pada%20tahun%202030.

[34]"What are the Trends in Land Use and Their Effects on Human Health and the Environment?," United States Environmental Protection Agency, Accessed on July 10, 2024, https://www.epa.gov/report-environment/land-use.

		Perkebunan	products consist of main products, processed products, and also by-products.[35]	distributing, and/or marketing crops is prohibited to: (a) falsify the quality and/or packaging of crops; (b) use auxiliary materials and/or additives for processing; (c) mix the crops with other objects or materials, which may endanger human health and safety, damage environmental functions, and/or cause unfair business competition." Article 77, Law No. 39 Year 2014 on Plantations.
14.	Plant Genetic Resources	*Sumber Daya Genetik Tanaman*	Plants and their genetic material, which contain units that function as carriers of hereditary traits that can be of actual or potential value for creating new breeds or strains.	"The sustainable use of plant genetic resources for food and agriculture may include such measures as: (a) pursuing fair agricultural policies that promote, as appropriate, the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources; (b) strengthening research which enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers, especially those who generate and use their own varieties and apply

[35]Article 1, Paragraph 11, Law No. 39 Year 2014 on Plantations.

				ecological principles in maintaining soil fertility and in combating diseases, weeds and pests……" Article 6, Paragraph 6.2, International Treaty on Plant Genetic Resources for Food and Agriculture.
15.	In-situ Conservation	*Konservasi In-situ*	Conservation of ecosystems and/or natural habitats and maintenance of viable species of living things in their natural habitat where they have developed their distinctive properties.[36]	"Promote in-situ conservation of wild crop relatives and wild plants for food production, including in protected areas, by supporting, inter alia, the efforts of indigenous and local communities." Article 5, Paragraph 5.1, Letter (d), International Treaty on Plant Genetic Resources for Food and Agriculture.
16.	Ex-situ Conservation	*Konservasi Ex-situ*	Conservation of components of biological diversity outside their natural habitats.[37]	"Cooperate to promote the development of an efficient and sustainable system of ex situ conservation, giving due attention to the need for adequate documentation, characterization, regeneration and evaluation, and promote the development and transfer of appropriate technologies for this purpose with a view to improving the sustainable use

[36] Article 2, The Convention on Biological Diversity.
[37] *ibid.,*

				of plant genetic resources for food and agriculture." Article 5, Paragraph 5.1, Letter (e), International Treaty on Plant Genetic Resources for Food and Agriculture.
Mineral and Coal Mining				
17.	Mineral Resource Activities	*Kegiatan Sumber Daya Mineral*	Prospecting, exploration or development of mineral resources but does not include scientific research activities.[38]	"No Antarctic mineral resource activity shall take place until it is judged, based upon assessment of its possible impacts on the Antarctic environment and on dependent and on associated ecosystems, that the activity in question would not cause…" Article 4, Paragraph 2, Convention on The Regulation of Antarctic Mineral Resource Activities.
18.	Carbon Capture Storage (**CCS**)	*Penangkapan dan Penyimpanan Karbon*	The process of capturing waste carbon dioxide (CO_2) from large point sources, such as fossil fuel power plants, transporting it to a storage site, and depositing it where it will not enter the atmosphere, normally an underground geological formation.[39]	"The implementation of CCS in the Carbon Storage Permit Area is carried out by the permit holder based on the Exploration license and Storage Operation License." Article 3, Presidential Regulation No. 14 Year 2024 on Implementation of Carbon

[38]Article 1, Convention on The Regulation of Antarctic Mineral Resource Activities.
[39]Meng Wang, et al.,"Promoting support for carbon capture and storage with social norms: Evidence from a randomized controlled trial in China," Energy Research & Social Science, Vol. 74 (April 2021): 8-9.

				Capture and Storage Activities..
19.	Exploration	*Eksplorasi*	Activities, including logistic support, aimed at identifying and evaluating specific mineral resource occurrences or deposits, including exploratory drilling, dredging, and other surface or subsurface excavations required to determine the nature and size of mineral resource deposits and the feasibility of their development, but excluding pilot projects or commercial production.[40]	"The Commission shall prescribe any additional associated conditions necessary to ensure that an area to be identified is consistent with other provisions of this Convention and may prescribe general guidelines relating to the operational requirements for exploration and development in an area to be identified including measures establishing maximum block sizes and advice concerning related support activities." Article 41, Paragraph 1, Letter E, Convention on The Regulation Of Antarctic Mineral Resource Activities.
20.	Coal Mining	*Pertambangan Batubara*	Extraction of coal deposits from the surface of the Earth and from underground.[41]	"The expansion of coal mining to meet the Nation's energy needs makes even more urgent the establishment of appropriate standards to minimize damage to the environment and to productivity of the soil and to protect the health and safety of the public." Section 101, Point D, The

[40]Article 1, Convention on The Regulation Of Antarctic Mineral Resource Activities.
[41]"Coal Mining," Britannica, accessed on August 6, 2024, https://www.britannica.com/technology/coal-mining.

				Surface Mining Control and Reclamation Act Of 1977, As Amended Through P.L. 117–58, Enacted November 15, 2021.
21.	Coal Supply	*Pasokan Batubara*	The availability of usable coal, usually for energy generation.	"Assure that the coal supply essential to the Nation's energy requirements, and to its economic and social well-being is provided and strike a balance between protection of the environment and agricultural productivity and the Nation's need for coal as an essential source of energy." Section 102, Point F, The Surface Mining Control and Reclamation Act of 1977, As Amended Through P.L. 117–58, Enacted November 15, 2021.

ALSA LEGAL ENGLISH GLOSSARIUM #3

NATURAL RESOURCES POLLUTION

ALSA Local Chapter
Universitas Indonesia
Board of 2024

Natural Resources Pollution

The management of natural resources by living beings can be detrimental to the balance of the ecosystem and even human health. Irresponsible and unwise activities regarding natural resources often lead to the pollution of natural resources. Pollution itself is defined as the contamination of natural resources (such as air, land, and water) by the discharge of harmful substances, which are referred to as pollutants.[42] Pollutants are divided into two types, which are synthetic pollutants produced by humans and pollutants produced by nature which are extracted by humans from the Earth.[43] Examples of synthetic pollutants include pesticides and pharmaceutical products, while pollutants produced from nature include fossil fuels and heavy metals.

It is important to understand about natural resources pollution as an effort to learn to be wiser in utilizing and managing natural resources on this Earth. Irresponsible utilization of natural resources will lead to natural resources pollution which will harm the purity of nature and threaten human health. Worse still, if this is not immediately resolved, it will lead to the destruction of natural resources. Therefore, understanding the causes and consequences of natural resources pollution is very important as we strive to create a more sustainable environment for this generation and the future generations of this planet.

To understand deeper about the sub-theme of natural resources pollution, this sub-theme will contain three subtopics, each addressing a crucial aspect of natural resources pollution, such as; Land Pollution, Water Pollution, and Air Pollution. Land Pollution refers to the contamination and deterioration of the land/soil due to direct or indirect effects of human activities.[44] The substances that commonly cause land pollution include garbage, toxic waste products, farm waste, and even radioactive waste. Next, water pollution involves the discharge of substances or energy into groundwater or surface waters, such as lakes, rivers, and oceans, to

[42]"What are Natural Resources," East Riding of Yorkshire Council, accessed July 24, 2024, https://www.eastriding.gov.uk/environment/sustainable-environment/managing-our-environmental-impact/what-are-natural-resources/#:~:text=Pollution%20is%20the%20contamination%20of,litter%20or%20runoff%20from%20factories.

[43]"Pollutants and Waste," Understanding Global Change, accessed on July 24, 2024, https://ugc.berkeley.edu/background-content/pollutants-and-waste/.

[44]"Land Pollution - Definition, Causes, and Prevention," Environmental Chemistry, accessed on July 24, 2024, https://www.toppr.com/guides/chemistry/environmental-chemistry/land-pollution/.

levels that impair the water's beneficial uses or disrupt ecosystem functions.[45] Lastly, there is air pollution, which means environmental pollution indoors or outdoors by any chemical, physical, or biological substances that alter the natural characteristics of the atmosphere.[46] This pollution can be caused by various human and natural factors such as household appliances, vehicles, industry, or even forest fires.

Natural Resources Pollution Terminologies				
No.	**Terminology**	**Translation**	**Explanation**	**Example in Legal Instrument**
Land Pollution				
1.	Hazardous Waste	*Limbah Berbahaya*	Types of waste that contain hazardous materials such as chemicals, heavy metals, or other toxic substances that can endanger human health and pollute the environment if not managed properly.	"Ensure that persons involved in the management of hazardous wastes or other wastes within it take such steps as are necessary to prevent pollution due to hazardous wastes and other wastes arising from such management and, if such pollution occurs, to minimize the consequences thereof for human health and the environment." Article 4, Paragraph 2, Letter (c), Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal.
2.	Radioactive Waste	*Limbah Radioaktif*	Waste that contains radioactive materials and by-products from nuclear reactors, fuel processing	"Each Contracting Party shall take the appropriate steps to ensure that at all stages of radioactive waste management individuals, society

[45]Jerry Nathanson, "Water Pollution," Britannica, accessed on July 25, 2024, https://www.britannica.com/science/water-pollution.
[46]"Air Pollution," World Health Organization, accessed on July 24, 2024, https://www.who.int/health-topics/air-pollution.

			plants, hospitals and research facilities that can be very hazardous to living things because it pollutes the surrounding environment, especially the soil.[47]	and the environment are adequately protected against radiological and other hazards. In so doing, each Contracting Party shall take the appropriate steps to: (i) ensure that criticality and removal of residual heat generated during radioactive waste management are adequately addressed; (ii) ensure that the generation of radioactive waste is kept to the minimum practicable; (iii) take into account interdependencies among the different steps in radioactive waste management…" Article 11, The Joint Convention on The Safety of Spent Full Management and on The Safety of Radioactive Waste Management.
3.	Landfill	*Tempat Pembuangan Akhir* (**TPA**)	A disposal site for various gaseous, liquid, and solid waste materials that can potentially contaminate the soil with leachate and microorganisms produced from these wastes if not managed properly.	"Final processing site is the site where processing and returning of waste to the environmental medium that safe for human and the environment are taken place." Article 1, Paragraph 8, Law No. 18 Year 2008 on Waste Management.
4.	Persistent Organic Pollutants (**POPs**)	*Polutan Organik Persisten*	Hazardous chemicals that accumulate and magnify in living organisms through	"Take appropriate measures so that such wastes, including products and articles upon becoming wastes, are:

[47]"Backgrounder on Radioactive Waste", United States Nuclear Regulatory Commision, accessed July 23, 2024, https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/radwaste.html.

			the food chain that threaten human health and the environment ecosystem.	(i) Handled, collected, transported and stored in an environmentally sound manner; (ii) Disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, including those that may be developed pursuant to paragraph 2, and relevant global and regional regimes governing the management of hazardous wastes…" Article 6, Paragraph 1, Letter (d), Stockholm Convention on Persistent Organic Pollutants.
5.	Soil Contamination	*Kontaminasi Tanah*	A result of non-organic agricultural practices, industrial activities, and improper waste disposal such as chemicals that enter and absorb into the soil, causing a decrease in the	"To avoid soil contamination and to ensure the environmentally compatible pretreatment, treatment and disposal of waste and residual materials, waste management concepts shall be drawn up and implemented."

			productivity of the soil.[48]	Article 17, Paragraph 2, Protocol on the Implementation of the Alpine Convention 1991 in the Domain of Soil Conservation.
Water Pollution				
6.	Waste-water Discharge	*Pembuangan Air Limbah*	The amount of water or substance added/leached to a water body from a point or a non point source.[49]	"Limits for waste-water discharges stated in permits are based on the best available technology for discharges of hazardous substances" Article 3, Point 1C, The Convention on the Protection and Use of Transboundary Watercourses and International Lakes.
7.	Effluent	*Limbah*	Treated or untreated wastewater that flows out of a treatment plant, sewer, or industrial outfall.	"Effluent limitations established pursuant to this section shall be calculated on the basis of the amount of section 307(a) toxic pollutant(s) present in the water after any water supply treatment steps have been performed by or for the owner or operator…" Title 40, Chapter I, Subchapter D, Part 149, Point 129.6 (B), Code of Federal Regulations.

[48]"What is Soil Contamination? and Why Does it Happen?," Envirotech Online, accessed on August 3, 2024, https://www.envirotech-online.com/news/health-and-safety/10/breaking-news/what-is-soil-contamination-and-why-does-it-happen/32581.

[49]"EEA Glossary," European Environmental Agency, accessed on August 5, 2024, https://www.eea.europa.eu/help/glossary/eea-glossary.

8.	Transboundary Impact	*Dampak Lintas Batas*	Any significant adverse effect on the environment resulting from a change in the conditions of transboundary waters caused by a human activity, the physical origin of which is situated wholly or in part within an area under the jurisdiction of a Party, within an area under the jurisdiction of another Party. Such effects on the environment include effects on human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures or the interaction among these factors; they also include effects on the cultural heritage or socio-economic conditions resulting from alterations to those factors.[50]	"To prevent, control and reduce transboundary impact, the Parties shall develop, adopt, implement and, as far as possible, render compatible relevant legal, administrative, economic, financial and technical measures, in order to ensure, inter alia, that: (a) The emission of pollutants is prevented, controlled and reduced at source through the application of, inter alia, low- and non-waste technology; (b) Transboundary waters are protected against pollution from point sources through the prior licensing of waste-water discharges by the competent national authorities, and that the authorized discharges are monitored and controlled…" Article 3, Paragraph 1, The Convention on the Protection and Use of Transboundary Watercourses and International Lakes.
9.	Dumping	*Pembuangan*	The disposal of solid wastes without environmental control.	"In accordance with the principles of international law regarding State responsibility for damage to the environment of other States or to any other area of the environment, caused by dumping of wastes and other matter of all kinds, the Contracting Parties undertake to develop procedures for the

[50]Article 1, Convention on The Protection and Use of Transboundary Watercourses and International Lakes.

				assessment of liability and the settlement of disputes regarding dumping." Article 10, London Convention on The Prevention of Marine Pollution by Dumping of Wastes and Other Matter.
10.	Agglomeration	*Aglomerasi*	An area where the population and/or economic activities are sufficiently concentrated for urban waste water to be collected and conducted to an urban waste water treatment plant or to a final discharge point.[51]	"Member States shall ensure that all agglomerations are provided with collecting systems for urban waste water, at the latest by 31 December 2000 for those with a population equivalent (p.e.) of more than 15000, and at the latest by 31 December 2005 for those with a p.e. of between 2000 and 15000. For urban waste water discharging into receiving waters which are considered "sensitive areas" as defined under Article 5, Member States shall ensure that collection systems are provided at the latest by 31 December 1998 for agglomerations of more than 10000 p.e…" Article 3, Paragraph 1, European Union Council Directive 91/271/EEC.
Air Pollution				
11.	Air Pollution	*Pencemaran Udara*	Indoor or outdoor environmental	"The control of air pollution includes the regulation of mobile

[51]Article 2, European Union Council Directive 91/271/EEC.

			contamination by any chemical, physical, or biological agents that modify the natural characteristics of the atmosphere.[52]	sources, specific mobile sources, stationary sources, and specific stationary sources through efforts to control emission sources and/or disturbance sources aimed at preventing the degradation of ambient air quality." Article 2 Government Regulation No. 41 Year 1999 on Control of Air Pollution.
12.	Transboundary Air Pollution	*Pencemaran Udara Lintas Batas*	Transboundary pollution means pollution whose physical origin is situated wholly or in part within the area under the national jurisdiction of one State and which is transported into the area under the jurisdiction of another State.[53]	"The Contracting Parties, taking due account of the facts and problems involved, are determined to protect man and his environment against air pollution and shall endeavor to limit and, as far as possible, gradually reduce and prevent air pollution including long-range transboundary air pollution." Article 2, 1979 Convention on Long-Range Transboundary Air Pollution.
13.	Air Pollutants	*Polutan Udara*	Any air pollution agent or combination of agents, including any physical, chemical, biological, or radioactive substances, that are emitted into or enter the	"The Contracting Parties, within the framework of the present Convention, shall by means of exchanges of information, consultation, research and monitoring, develop without undue

[52]World Health Organization, "Air Pollution."
[53]"EEA Glossary," European Environmental Agency, accessed on July 30, 2024, https://www.eea.europa.eu/help/glossary/eea-glossary.

			ambient air.[54]	delay policies and strategies which shall serve as a means of combating the discharge of air pollutants, taking into account efforts already made at national and international levels." Article 3, 1979 Convention on Long-Range Transboundary Air Pollution.
14.	Greenhouse Gasses	*Gas Rumah Kaca*	"Greenhouse gases" means those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation.[55.] The gasses in the atmosphere that absorbs infrared radiation (net heat energy) emitted from the Earth's surface and radiates it back to the Earth's surface, thus increasing the surface temperature of the earth and contributing to the greenhouse effect.[56]	"The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by at least 5 per cent below 1990 levels in the commitment period 2008 to 2012." Article 3, Paragraph 1, Kyoto Protocol to the United Nations Framework Convention on Climate Change.

[54]"Air Pollutants," Science Direct, accessed on August 31, 2024, https://www.sciencedirect.com/topics/earth-and-planetary-sciences/air-pollutant.
[55]Article 1, Paragraph 5, United Nations Framework Convention on Climate Change.
[56]"Greenhouse Gas," Britannica, accessed on August 31, 2024, https://www.britannica.com/science/greenhouse-gas.

15.	Emission Limitation	*Batas Emisi*	A regulation set by the State or Administrator that continuously limits the amount, rate, or concentration of air pollutant emissions.	"Each party shall establish specific objectives, which it undertakes to achieve, for emissions limitations or reduction of such air pollutants as the Parties agree to address. Such specific objectives will be set forth in annexes to this Agreement." Article 4, Agreement Between The Government of Canada and The Government of The United States of America on Air Quality.
16.	Air Quality	*Kualitas Udara*	Air quality refers to the degree to which the air is suitable or clean enough for humans or the environment.[57]	"Member States shall designate at the appropriate levels the competent authorities and bodies responsible for the following: (a) assessment of ambient air quality; (b) approval of measurement systems (methods, equipment, networks and laboratories); (c) ensuring the accuracy of measurements; (d) analysis of assessment methods; (e) coordination on their territory if Community-wide quality assurance programmes are being organised by the Commission; (f) cooperation with the other Member States and the Commission. Where relevant, the competent authorities and bodies shall comply with Section C of

[57]"Air Quality Basics," NSW Environment and Heritage, accessed on July 22, 2024, https://www.environment.nsw.gov.au/topics/air/air-quality-basics#:~:text=Air%20quality%20refers%20to%20the,is%20free%20of%20harmful%20substances.

				Annex I. ” Article 3, Directive 2008/50/EC of The European Parliament and of The Council on Ambient Air Quality and Cleaner Air for Europe.

ALSA LEGAL ENGLISH GLOSSARIUM #3

NATURAL RESOURCES DAMAGES AND RESTORATION EFFORTS

ALSA Local Chapter
Universitas Indonesia
Board of 2024

Natural Resources Damages and Restoration Efforts

One of the critical consequences of allowing pollution of natural resources to persist without immediate intervention is the potential for severe and lasting damage to these resources. Natural resources damages are the destruction, loss of value, reduced productivity, or even injury to the natural resources due to the discharge of hazardous substances into the environment.[58] When pollutants have contaminated air, land, or water, they can damage these resources, impair their functions, and harm the organisms that live in them. That is the reason why natural resources damage does not only cause harm to nature, but also to the living things that depend on it. For example, humans who drink water, breathe air, and consume vegetables and fruits from land that may have been unknowingly contaminated.

Comprehending natural resources damages is crucial, as it helps in recognizing the extent of harm caused to natural ecosystems. The essential components of natural resources damages are key for those involved in environmental protection, policy-making, and sustainable development. This understanding is essential in the law industry for devising effective conservation strategies, ensuring compliance with legal requirements, and avoiding penalties and legal disputes. Additionally, understanding these components equips individuals with the knowledge to conduct thorough damage assessments and advocate for appropriate remediation efforts.

In this sub-theme, frequently-used legal English terminology related to the discourse on natural resources damages will be presented and divided into two subtopics; one focusing on the damages and the other on restoration efforts. Natural resources damages are damages from hazardous substance discharge into the environment, while natural resources restoration efforts mean any attempts aim to reverse degradation that has already occurred and bring an ecosystem back towards a good condition.[59] Vocabulary ranging from the environmental destruction to environmental restoration terms are introduced not only to the general public, but also to law

[58]"Natural Resources Damages (NRD)," New Jersey Department of Environmental Protection's Presentation, accessed on August 4, 2024, https://dep.nj.gov/wp-content/uploads/basf/nrd-presentation.pdf.

[59]"The Importance of Restoring Nature in Europe," European Environment Agency, accessed on August 18, 2024, https://www.eea.europa.eu/publications/importance-of-restoring-nature/the-importance-of-restoring-nature.

students who are new to studying environmental law. This sub-theme also serves as the closing section of ALSA Legal English Glossarium #3.

Natural Resources Damages and Restoration Efforts Terminologies				
No.	**Terminology**	**Translation**	**Explanation**	**Example in Legal Instrument**
Natural Resources Damages				
1.	Pollution Damage	*Pencemaran Minyak yang Berakibat Kerusakan*	Damage or depletion resulting from pollution due to the release or escape of petroleum from a facility.[60]	"No liability for pollution damage shall attach to the owner if he proves that the damage: (a) resulted from an act of war, hostilities, civil war, insurrection or a natural phenomenon of an exceptional, inevitable and irresistible character, or (b) was wholly caused by an act or omission done with intent to cause damage by a third party, or (c) was wholly caused by the negligence or other wrongful act of any Government or other authority responsible for the maintenance of lights or other navigational aids in the exercise of that function.." Article 3, Paragraph 2, International Convention on Civil Liability for Oil Pollution Damage 1992.
2.	Environmental Damage	*Kerusakan Lingkungan*	Damage to protected species and natural habitats, damage to	"Where environmental damage has not yet occurred but there is

[60]Article 1, Point 6, International Convention on Civil Liability for Oil Pollution Damage 1992.

			water and damage to soil.[61]	an imminent threat of such damage occurring, the operator shall, without delay, take the necessary preventive measure." Article 5, Paragraph 1, Directive 2004/35/CE.
3.	Global Warming Potential	*Potensi Pemanasan Global*	A measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide (CO_2).[62]	"The Member States and the Commission shall use the global warming potentials listed in Annex I to this Regulation for the purpose of determining and reporting greenhouse gas inventories data pursuant to paragraphs 3, 4 and 5 of Article 26 of Regulation (EU) 2018/1999." Article 2, Commission Delegated Regulation (EU) 2020/1044.
4.	Global Warming	*Pemanasan Global*	Changes in the surface-air temperature, referred to as the global temperature, brought about by the greenhouse effect which is induced by emission of greenhouse gasses into the air.[63]	"Given the high global warming potential and relatively short atmospheric lifetime of methane, the Commission shall analyze the implications for implementing policies and measures for the purpose of reducing the short- and middle-term impact of methane

[61] "Environmental Damage," Environment & Resources Authority, accessed on August 5, 2024, https://era.org.mt/topic/environmental-damage/.

[62] "Understanding Global Warming Potentials," United States Environmental Protection Agency, accessed on August 6, 2024, https://www.epa.gov/ghgemissions/understanding-global-warming-potentials#:~:text=The%20Global%20Warming%20Potential%20(GWP,carbon%20dioxide%20(CO2).

[63] "Global Warming," European Environmental Agency, accessed on August 5, 2024, https://www.eea.europa.eu/help/glossary/eea-glossary/global-warming.

				emissions on Union greenhouse gas emissions…" Article 16, Regulation (EU) 2018/1999
5.	Climate Change	*Perubahan Iklim*	"Climate change" means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.[64]	"Each of these Parties shall adopt national policies and take corresponding measures on the mitigation of climate change, by limiting its anthropogenic emissions of greenhouse gases and protecting and enhancing its greenhouse gas sinks and reservoirs…" Article 4, Paragraph 2, Letter (a), United Nations Framework Convention on Climate Change.
6.	Ozone Depletion	*Penipisan Ozon*	Gradual thinning of Earth's ozone layer in the upper atmosphere caused by the release of chemical compounds containing gaseous chlorine or bromine from industry and other human activities.[65]	"The Parties, individually, jointly or through competent international bodies, shall co-operate in promoting public awareness of the environmental effects of the emissions of controlled substances and other substances that deplete the ozone layer." Article 9, Paragraph 2, Montreal Protocol Substances that Deplete the Ozone Layer.

[64] Article 1, Paragraph 2, Kyoto Protocol to the United Nation Framework Convention on Climate Change.
[65] "Ozone Depletion," Britannica, accessed on August 14, 2024, https://www.britannica.com/science/ozone-depletion.

7.	Soil Erosion	*Erosi Tanah*	The process where the top layer of soil is washed away by natural forces such as water or wind.[66]	"Soil erosion shall be limited to the inevitable minimum. Areas damaged by erosion and land movement shall be rehabilitated in, as far as this is necessary for the protection of human beings and material goods." Article 11, Paragraph 2, Protocol on the Implementation of the Alpine Convention of 1991 in the Domain of Soil Conservation.
8.	Desertification	*Penggurunan*	A type of land degradation where already relatively dry land becomes increasingly arid to the detriment of soil productivity and loss of water bodies, biodiversity and vegetation cover.[67]	"Adopt measures to rationalize and strengthen mechanisms to supply funds through public and private investment with a view to achieving concrete results in action to combat land degradation and desertification and mitigate the effects of drought." Annex V, Article 7, Letter (a), United Nations Convention to Combat Desertification.
Natural Resources Restoration Efforts				
9.	Baseline Condition	*Kondisi Dasar*	The condition at the time of the damage of the natural resources and services that would have existed had the	"... Significant adverse changes to the baseline condition should be determined by means of measurable data such as; the

[66] "Erosion," National Geographic, accessed on August 13, 2024, https://education.nationalgeographic.org/resource/erosion/

[67] "What is Desertification and Why is it Important to Understand?" World Economic Forum, accessed on August 13, 2024, https://www.weforum.org/agenda/2024/04/what-is-desertification-land-degradation/.

			environmental damage not occurred, estimated on the basis of the best information available.[68]	number of individuals, their density or the area covered, the role of the particular individuals or of the damaged area in relation to the species or to the habitat conservation..." Annex I, Directive 2004/35/CE.
10.	Preventive Measures	*Upaya Pencegahan*	Any practice that reduces, prevents, or eliminates pollution at its source before it is created. [69]	"Where an incident has caused pollution damage in the territory, including the territorial see or an area referred to in Article II, of one or more Contracting States or preventive measures have been taken to prevent or minimize pollution damage in such territory including the territorial see or area, actions for compensation may only be brought in the Courts of any such Contracting State or States. Reasonable notice of any such action shall be given to the defendant. " Article 9, Paragraph 1, International Convention on Civil Liability for Oil Pollution Damage 1992.
11.	Conservation	*Konservasi*	The management of living and non-living resources in such a way as to sustain the maximum benefit for present	"The Secretary shall develop and implement plans (hereinafter in this subsection referred to as "recovery plans") for the

[68]Article 2, Directive 2004/35/CE of the European Parliament and of the Council
[69]Article 1, Point 7, International Convention on Civil Liability for Oil Pollution Damage 1992.

			and future generations.	conservation and survival of endangered species and threatened species listed pursuant to this section, unless he finds that such a plan will not promote the conservation of the species." Section 4, Letter F, Point 1, Endangered Species Act of 1973.
12.	Restoration	*Restorasi*	Re-establishment of flora and fauna to the ecosystem after a period of pollution or destruction by human activities.[70]	"The person provides full cooperation, assistance, and access to persons that are authorized to conduct response actions or natural resource restoration at the vessel or facility from which there has been a release or threatened release (including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response action or natural resource restoration at the vessel or facility)" Section 107, Letter Q, Number 1, Letter A, Point iv, Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
13.	Reforestation	*Reboisasi*	The action of renewing a forest by planting seeds or young	"Forest and land rehabilitation shall be implemented through the following activities:

[70]"Restoration Definition and Legal Meaning," The Law Dictionary, accessed on August 2, 2024, https://thelawdictionary.org/restoration/.

			trees.	a. Reforestation; b. tree-planting; c. cultivation; d. plant diversification; or e. application of vegetative and technical soil conservation on critical and non-productive lands." Article 41, Paragraph 1, Law No. 41 Year 1999 on Forestry.
14.	Soil Remediation	*Remediasi Tanah*	The application of technologies to mitigate and clean risk from contaminated land/soil that can be harmful to humans and the environment.[71]	"Endeavour to develop appropriate strategies for identifying sites contaminated by chemicals listed in Annex A, B or C; if remediation of those sites is undertaken it shall be performed in an environmentally sound manner." Article 6, Paragraph 1, Letter (e), Stockholm Convention on Persistent Organic Pollutants.
15.	Interim Losses	*Kerugian Interim*	Losses which result from the fact that the damaged natural resources and/or services are not able to perform their ecological functions or provide services to other natural resources or to the public until the primary or complementary measures have taken effect.[72]	"Compensatory remediation shall be undertaken to compensate for the interim loss of natural resources and services pending recovery. This compensation consists of additional improvements to protected natural habitats and species or water at either the damaged site or at an alternative site."

[71]"What is Soil Remediation?," Mintek Resources, accessed on August 3, 2024, https://mintekresources.com/what-is-soil-remediation/

[72]Annex II, Directive 2004/35/CE of The European Parliament and of The Council.

				Annex II, Point 1.1.3, Directive 2004/35/CE, on environmental liability with regard to the prevention and remedying of environmental damage.
16.	Environmental Compensation	*Kompensasi Lingkungan*	Action such as financial contribution, services, work, or restrictive covenants that a party is obliged to provide as compensation for damage to the environment from activities it has carried out.[73]	"(1) Where environmental damage occurs with regard to the installation and operation of a facility, a business owner of the facility shall compensate for the damage: Provided, That this shall not apply where such damage occurs due to a war, civil war, riot, natural disaster, or force majeure. (2) Where environmental damage occurs due to a situation that occurred before the operation of a facility was suspended, a business owner who operated the facility shall make compensation pursuant to paragraph (1)." Article 6, Paragraph 1 and 2, Act on Liability for Environmental Damage and Relief Thereof.

[73]"Environmental Compensation Definition," Law Insider, accessed on August 3, 2024, https://www.lawinsider.com/dictionary/environmental-compensation.

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