

MODEL PENYELESAIAN SENGKETA LINGKUNGAN MELALUI LEMBAGA ALTERNATIF*

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Abstract

Resolving environmental dispute through court litigation often ends up with failure. As a consequence, society in cooperation with Non-Governmental Organization (NGO) and environmental organization prefer to use Alternative Dispute resolution (ADR) to resolve environmental dispute. In this regard, mediation is often chosen by the parties as it promotes a “win-win solution”. Moreover, mediation offers efficient, cheap and fast dispute resolution process. However, Indonesian law has not adequately accommodated the use of ADR in environmental dispute. As a consequence, the problem of legal certainty often comes up. In order to overcome this situation, it is important to develop a mediation process that ensures the legal certainty for both of the disputants. This can be done by developing a mediation forum which is legalized by court

Kata kunci: sengketa lingkungan, Alternative Dispute Resolution.

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