

NEW MINISTER OF THE ENVIRONMENT REGULATION NO. 4 of 2013

Jul 17, 2013

Regulation No. 4 of 2013 on Guidelines for the Resolution of Environmental Disputes Provides an Additional Step in Dealing with an Environmental Complaint before Going to Court for Settlement or an Out of Court Settlement was issued on 15 March 2013 as further guidelines for the central and regional Governments as well as parties in dispute on settling environmental disputes. The Regulation provides the procedure for a complaint submitted by a party regarding alleged environmental pollution and/or damage to the Minister, Governor, Regent/Mayor or the Head of the Institution of the Regional Government for environmental affairs. The next steps are Verification and Clarification. Based on the results of the Clarification, the Minister, Governor, Regent/Mayor will offer the parties in dispute settlement options, including in court and/or out of court settlement options (mediation, negotiation or arbitration). However, please note that under Law No. 32 of 2009 on Environmental Protection and Management, a party may only opt for a court settlement if the parties in dispute do not reach an out of court settlement. The Regulation revokes and replaces Ministerial Decree No. 78 of 2003 on The Procedures for the Management of Out of Court Environmental Dispute Resolution Applications in the Ministry of the Environment.