

Administrative Environmental Governance and the Protection of Natural Reserves: A Comparative Legal Analysis of Regulatory Frameworks in Iraq and Indonesia

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ABSTRACT

This article examines the paradox of a matrix composed of International Organizations (IOs) and the subsequent interactions among regional stakeholders and states in the realm of natural reserve conservation in the Republic of Iraq and the Republic of Indonesia, with a special focus on a juxtaposed legal comparison. The researcher unravels the equivocal role of natural inhabitants, who act as collaborators in protected natural territories, though highlighting scarce attention in academia. The case of rivers Tigris and Euphrates in Iraq, whose flora and fauna were severely affected by the post-2003 invasion, is highlighted and juxtaposed with Batu Katak, Sumatra, Indonesia, where the Green Life Project has been established next to Gunung Leuser National Park as a Private Protected Area. These landmark regions possess non-congruent organizational structures and circumventions placed on activities by homo sapiens, causing obstacles to UNESCO initiatives to develop a seamless experience through coordination with local Authorities in conservation projects, research initiatives, and international tourism, which are tantamount to sparing achievements. The researcher employs insights from a juxtaposed legal analysis to discuss how regulatory roles at the national, regional, and grassroots levels regress or develop the nomenclature of natural conservation in these two non-congruent countries. This article further explores the contributions to the exponential environmental degradation of natural reserves through environmental regulations, by expanding an interlocutory comparison between Iraq and Indonesia, emphasizing the dynamic relationships between local and State Governments in conserving nature, and considering evaluations of environmental regulatory practices in both countries.

1. Introduction

In all, within its natural domain of definition, Iraq is the cradle of civilization and the hub of the Middle East. As a landlocked country, Iraq hosted several ancient civilizations over the past numerous centuries [1]. It is surely not only the land of the two great rivers, namely the Euphrates and the Tigris, but also home to the ancient land of Mesopotamia, where a good number of Prophets and Messengers of Allah descended on this piece of land to their people, and their nations to guide them to the right path [2].

On the other hand, we explore Indonesia, which also has a rich history but was only discovered in the 13th century, when colonial expeditions traveled eastward into Asia Minor [3]. The first colonists on record to arrive there were the Portuguese, followed by the Dutch, who remained in that part of the world for a good five centuries until, in 1948, the country gained independence from its erstwhile colonial rulers [4]. Nonetheless, there are, of course, many points of contention; still, there is a clear benchmark by which we compare these two off-regional countries: the protection of environmental resources, as both countries possess enormous natural reserves that are part of UNESCO heritage sites and are home to many historical monuments [5].

Contextualizing environmental governance in Iraq and Indonesia

Environmental governance in Iraq and Indonesia collectively highlights how developing nations manage natural resources under contrasting structural realities, shaped heavily by the challenges of environmental governance in Iraq and by Indonesia's broader legal framework. Hitherto, both jurisdictions face severe hurdles in balancing ecological Health with economic and political pressures, though their operational environments differ significantly. The geopolitical context of Iraq is characterized by political instability through the US invasion in 2003 and its aftermath, which has fragmented interagency authority and hindered recovery [6].

Short-term political gains frequently overshadow long-term environmental infrastructure investments, as in Indonesia, where the environmental infrastructure is defined by rapid economic expansion, regional decentralization, and the loss of archipelagic resource management [7]. The tension between regional autonomy and State Legislation often creates difficulties in implementing laws and regulations stipulated in the constitution. Iraq

is home to several cosmopolitan communities, like the Kurds, Arabs, and even religiously diversified Sunni and Shite communities [8]. Indonesia, on the other hand, faces tremendous corruption due to the presence of a public sector-smuggler nexus, where bribes often lead to animal poaching, hunting, and smuggling of animal hides. Furthermore, deforestation occurs through illegal conversion of natural resources, such as Red Meranti wood in timber logging, illegal palm oil exports, and carbon sneaking [9].

In terms of civil society and Community roles, Iraq has a youth and Civil Society group increasingly utilizing data-driven advocacy and parliamentary hearings to push for State accountability regarding the water crisis, as in the case of Indonesia, local communities and Indigenous groups push for the integration of customary laws, which are also known as the Adat laws, into international policy to secure environmental justice and fairer resources [10].

Importance of natural reserves in sustainable development

Hitherto, natural reserves are vital for sustainable development, due to the vulnerability of fragile ecosystems that preserve unique wildlife and support local communities. In Iraq and Indonesia, these protected areas help fight climate change, support green economic growth, and secure basic natural resources [11]. The importance of natural reserves in Iraq includes combating desertification, as reserves with native desert plants stabilize damaged soils and reduce soil erosion and desertification [12]. The second aspect is water and marsh protection through wetland reserves, like the southern marsh reserves [13], where rare water species and local rural economies, and last but not the least, the third and most important aspect of Iraq, is the climate resilience as Iraq's environmental plans use protected sites to manage water shortages and combat high temperatures as in the midland Iraq near Baghdad the temperatures may soar as high as 55° Celsius in the summer [14].

On the other hand, the importance of natural reserves in Indonesia includes carbon storage, as rainforest and peatland reserves store massive amounts of carbon to reduce global greenhouse gas emissions [15]. The protection of rare species is highly valued in Indonesia, as reserve sites shelter numerous indigenous and endangered animals and plants, as well as tropical jungles and coral reefs [16]. The most important aspect of Indonesia's natural reserves is the green economy project, in which protected areas drive sustainable ecotourism and support the nation's long-term biodiversity action plans [17].

Administrative Environmental Governance: Principles and Models:

Natural reserves are subsequently regressing due to accumulated pressure from the misalignment between local and federal governments, as facets of industrial projects. The lack of robust regulatory mechanisms to ensure the long-term sustainability of natural reserves has deteriorated, as these reserves face contextual challenges in today's world [18]. Hitherto, improving the governance process of development has been considered a means of improving overall performance. Primarily, this notion can stem from the development of new institutions or the strengthening of existing ones by providing a robust policy framework and undertaking initiatives that promote biodiversity in natural conservation through resources, as regulatory initiatives for environmental segregation should be given top priority [19]. Consequently, such efforts provide an overview of selected environmental governance measures undertaken by public departments through an anachronistic mode, imperative enough to stir initiatives under the guise of State commitments to global treaties, accountability and transparency, diverse ecosystems, biodiversity conservation and appropriate water allocation, inculcating further research, training, and ecological capacity. Hence, environmental regulatory reforms need to be incorporated in line with UNESCO's best guidelines and refined over time [20].

Comparative legal analysis methodology:

A comparative legal analysis of environmental governance and natural resource protection in Iraq and Indonesia collectively reveals stark differences in legislative history, geographical scale, Regional hegemony, infrastructural design, and legal framework. However, both Nations share commonalities: they are Muslim-majority and members of the Organization of Islamic Cooperation (OIC). Yet, both Nations face severe parallel challenges in enforcement and Regulatory fragmentation. A structured evaluation of their primary statutory frameworks, institutional structures, and cold legislative deficiencies highlights these dynamics in greater detail.

Regulatory Framework in Iraq

Iraq, as a nation, serves as an anchor for environmental protection through its legal frameworks. Still, unfortunately, the reliance on vastly different statutory mechanisms does not align with International best practices, which govern protected areas through UNESCO initiatives.

Constitutional and statutory provisions:

In Iraq, the Constitutional fundamentals for natural conservation are established by the application of Article No. 33 as construed by the 2005 Iraqi Constitution, which, unlike its predecessor, the self-opinionated Saddam Hussein's Ba'athist constitution, guarantees citizens the right to live in a safe environment and mandates that the state protect and preserve biological diversity [21]. The framework legislation is adopted through the primary legislative text, which is the Environmental Protection and Improvement Law No 27 of 2009 [22]. The broader framework mandates environmental impact assessments (EIS) for development projects but lacks hyper-specific guidance for managing protected habitats [23]. There is a dedicated Reserve law, the Natural Reserves Act No. 2014, which directs the establishment of protected areas and the nationalization of natural protected sites by the Ministry of Agriculture, which proposes, classifies, and administers reserves [24].

1. Constitutional Foundation

In this regard, it is important to note that the current constitution of Iraq was promulgated only in 2005; hence, it's a relatively new constitution, but it certainly establishes Environmental Protection as a public responsibility [25]. The constitution issues a State mandate for natural conservation, protecting the environment, preserving biodiversity, and ensuring sustainability of natural resources while safeguarding the interests of present and future generations [26].

Consequently, the most important enforcement mechanism in Iraq is outlined in the Environmental Protection and Improvement Law No. 27 of 2009, as through its promulgation, the principal environmental legislation establishes that environmental quality standards, licensing requirements, pollution control obligations, environmental monitoring procedures, administrative sanctions, and criminal penalties for environmental offenses are an integral part of this law [27]. Then comes the Environmental Impact Assessment or the (EIA) where major industrial infrastructure mining and development projects must obtain environmental approval before commencement of any development whatsoever the EIA process evaluates air pollution, water pollution, soils contamination, biodiversity impacts, public health risks and climate related effects, the inspection and monitoring takes place through environmental inspectors who are authorized to enter and check regulated facilities, collect environmental samples, review compliance records and

issue compliance notices [28], as they are further recommended to exercise their prerogative by suspending any license that breaches pollution regulations.

The administrative sanctions that can be imposed include a series of measures, primarily warning notices issued as legal documents and letters of demand sent to the particular organization by the authorities. Compliance orders are implemented, and upon inspection, administrative fines are imposed as penalties; if the breach is severe, environmental permits may be suspended [29]. If the offense is repeatedly committed, the facility will be closed after the third administrative fine for causing serious environmental harm. Criminal enforcement includes monetary fines, imprisonment, confiscation of technical equipment, and orders for environmental restoration and remedies. Furthermore, judicial enforcement is carried out through environmental disputes brought before the Iraqi courts, including civil actions for environmental damage, criminal prosecutions, or administrative judicial review of regulatory decisions [30].

2. The Environment Ministry

Historically, the Environment Ministry served as the principal environmental regulatory authority during the Ba'athist period (1963-2003) in Iraq [31], and, indeed, even earlier, during the erstwhile Hashemite Kingdom of Iraq (1921-1958) [32]. The functions include formulating national environmental policies through monitoring of Environmental Quality; the ministry is often tasked with conducting Environmental Impact Assessments (EIAs) [33]. The regulation of pollution control is another aspect that leads to coordination between international environmental agreements and making sure that this is implemented in the country [34]. The Environment Ministry also oversees biodiversity conservation programs. As a result of government restructuring, many environmental functions have been integrated into the Health and Environment Ministry, established under the auspices of Iraq's current regime [35]. However, environmental directorates continue to perform regulatory functions across the country [36].

3. Environmental Protection and Improvement Council

The Environmental Protection and Improvement Council's job is to coordinate environmental policy across ministries and provincial governments by developing a national environment strategy, reviewing environmental recommendations, and promoting interministerial cooperation. It also advises the Ministerial Council on environmental matters [37].

4. Provincial Environmental Directorates

In Iraq, each government maintains environmental offices responsible for local environmental inspections, including, but not limited to, pollution monitoring and issuing environmental permits to organizations in both the public and private sectors. These environmental directorates also have the authority to investigate public environmental complaints and coordinate with municipal authorities through their offices, as they serve as the primary enforcement mechanism at the grassroots level [38]. Other regulatory authorities include several ministries that share environmental responsibilities, primarily the Ministry of Water Resources, which oversees water quality management and river protection, and the Ministry of Agriculture, which addresses forestry, biodiversity conservation, and combating desertification. The Ministry of Oil, which served as a lethal weapon under Saddam Hussein's rule, is now responsible for regulating petroleum-related environmental impacts. At the same time, multiple municipalities manage Public Works nationwide, including waste management and sanitation [39]. Accordingly, other ministries perform due diligence, including, but not limited to, the Ministries of Oil, Electricity, Industry, and Minerals; such an overlapping structure disrupts coordination efforts and undermines unity across the nation [40].

Challenges in implementation:

Despite possessing a robust legal framework, Iraq faces significant enforcement difficulties due to weak institutional coordination among ministries, which results in limited financial and technical resources [41]. There is a severe shortage of trained environmental inspectors and professionals, as most Iraqi professionals have migrated to the West [42]. Pollution associated with the oil and gas sector is a serious challenge, as Iraq has gone through several wars and then a constant civil war, which destroyed the oil and gas infrastructure to a great extent, leading to illegal waste disposal. Since Iraq is a landlocked country, water scarcity and transboundary water disputes are common, as is land degradation, with desertification a major challenge that exacerbates the impacts of climate change [43]. The limited public participation in environmental decision-making is another big challenge, as is the weak implementation of environmental laws [44].

Regulatory Framework in Indonesia

The Republic of Indonesia's regulatory framework for natural reserve protection relies on foundational national statutes, including Law No. 5 of 1990 on the conservation of biological natural resources and their ecosystems [45]. Law No. 32 of 2009 on Environmental Protection and Management was promulgated and recognized indigenous ADAT principles [46]. The core national laws must be explained in detail, with Law No.5 of 1990 as the primary legal basis for safeguarding Indonesia's flora and fauna [47]. It establishes sanctuaries and reserves, divided into strict nature reserves and wildlife sanctuaries, and mandates the preservation of the original natural balance. Law No. 32 of 2009 further governs broad Environmental Protection management strategies and the prevention of ecosystem damage last but not the least law No. 41 of 1999 regulates forestry management to control forestation and degradation supported by primary forest and peatland permit moratoriums the customary and local governance also plays a key role in which Adat law which is acknowledged by the 1945 constitution revolves around customary community laws which treat nature as sacred and guide localized environmental stewardship alongside state rules[48]. The social forestry permits provide frameworks such as HUTAN ADAT that legally allow indigenous and local groups to manage and protect designated forest zones [49].

Constitutional and statutory provisions:

In Indonesia, the Constitutional basis lies in Article 33, paragraph 3 of the 1945 Constitution, which stipulates that the state controls all land, water, and natural resources and must utilize them for the greatest prosperity of the people [50]. The framework legislation for environmental governance is set out in Law No. 32 of 2009 on Environmental Protection and Management. This law is frequently updated by subsequent Omnibus legislation, such as the Job Creation Law, but it explicitly introduces the strict liability principle for environmental harm anywhere across Indonesia [51]. To date, Indonesia has a dedicated Reserve law, which provides that natural reserves are explicitly governed by Act No. 5 of 1990 on the conservation of living resources and their ecosystems [52]. This specialized framework divides protected spaces into sanctuary reserves (*Kawasan Suaka Alam*) [53], and nature conservation areas (*Kawasan Pelestarian Alam*) [54].

Administrative institutions and enforcement mechanisms:

The Republic of Indonesia, as part of ASEAN, has established a comprehensive administrative framework for environmental governance that combines constitutional principles, statutory regulation, ministerial oversight, and decentralized administration [55].

5. *Institutional framework for environmental governance*

The Indonesian Constitution of 1945 upholds the right to a healthy environment, particularly through the provisions of Articles 28H (1) and 33(4), and requires sustainability in natural resources usage. These constitutional principles are implemented primarily through the promulgation of Law No. 32 of 2009 on Environmental Protection and Management, as amended by the Job Creation Law, and the former Law No. 5 of 1990 on the Conservation of Living Natural Resources and Their Ecosystems, which altogether constitute the cornerstone of Indonesia's environmental governance regime. The Indonesian model adopts a multi-level governance approach in which responsibilities are distributed among national ministries and specialized conservation agencies, with regional autonomy, while ensuring compliance with international environmental obligations, including the Convention on Biological Diversity (CBD) [56], the Ramsar Convention [57], and the Paris Agreement [58].

6. *Ministry of Environment and Forestry (MOEF)*

The Environment and Forestry Ministry (Kementerian Lingkungan Hidup dan Kehutanan – KLHK) serves as the principal administrative authority responsible for environmental protection and biodiversity conservation in Indonesia [59]. The ministry formulates national environmental policies, prepares implementing regulations, supervises environmental licensing, manages protected forests and national parks, conducts environmental monitoring, and coordinates enforcement actions against environmental violations.

Hitherto, within the Ministry, the Directorate General of Natural Resources and Ecosystem Conservation (KSDAE) plays a significant role in administering Indonesia's protected areas, with responsibilities that include managing national parks and conservation forests, protecting endangered flora and fauna, and leading biodiversity conservation planning and habitat restoration programs [60]. The ministry further oversees conservation permits and identifies and supports community-based conservation initiatives, as the Directorate General also coordinates scientific monitoring and collaborates with universities, research

institutions, and international conservation organizations worldwide to ensure harmonization with international laws [61].

ii. Conservation Agencies and Protected Area management

Indonesia administers its protected areas through specialized regional conservation offices known as the Natural Resources Conservation Agency (Balai Konservasi Sumber Daya Alam – BKSDA) and National Park Authorities (Balai Taman Nasional) [62]. These agencies function as the operational arm of the ministry and are responsible for implementing conservation policies at the field level both of these agencies performed several principal functions, including but not limited, to monitoring biodiversity within protected areas first preventing illegal logging wildlife trafficking and land encroachment it's issuing permits for research and equal tourism while conducting environmental education programs for the masses to be apprised with the law and the rules and regulations of environmental safety[63]. Furthermore, cooperating with local indigenous communities in conservation management, keeping in mind their local traditions across the islands of Java, Sumatra, and Borneo; last but not least, these two agencies restore degraded ecosystems [64]. The decentralized nature of these agencies enables more responsive management of Indonesia's diverse ecosystems, which range from tropical rainforests and mangrove forests to coral reefs and peatlands.

1. The role of Provincial and Local Governments

The Republic of Indonesia's decentralization reforms include strengthened environmental responsibilities through devolution of power and authority to the provincial and district governments. The local governments are authorized to prepare regional environmental management plans, issue certain environmental permits, monitor compliance with environmental standards, and/or coordinate local conservation initiatives. The Provincial environmental agencies (*Dinas Lingkungan Hidup*) play an important role in environmental monitoring by enforcing waste management regulations that control pollution across their jurisdictions [65]. Environmental Impact Assessment (EIA) supervision is also carried out by provincial environmental agencies, which regularly run campaigns to raise public awareness of the rules and regulations. In this regard, they coordinate with the national authorities. However, decentralization has also posed

governance challenges; differences in administrative capacity, technical expertise, financial resources, and political commitments have led to uneven implementation of environmental regulations across Indonesia.

2. *Environmental Licensing and Administrative Control*

Indonesia employs a preventive administrative mechanism that is quite robust through environmental licensing and environmental impact assessment procedures. Projects that may significantly affect the environment must undergo an Environmental Impact Assessment (AMDAL) before receiving approval [66]. The administrative authorities evaluate ecological impacts by assessing biodiversity risks and their social consequences, which inform mitigation measures and long-term sustainability goals [67]. The licensing system enables regulators to impose operational conditions required for environmental monitoring and natural preservation, mandate rehabilitation programs, and suspend or revoke permits when environmental obligations are violated.

3. *Environmental Enforcement Mechanisms*

Furthermore, the Republic of Indonesia adopts a combination of administrative, civil, and criminal enforcement mechanisms to protect natural reserves. Administrative enforcement represents the first line of regulatory integration and primarily includes written warnings to offenders, followed by coercive government measures; if that doesn't lead to improvement, administrative fines are imposed [68]. If there is a third offense, environmental licenses are suspended, and revocation of operating permits may follow. The mandatory environmental restoration orders are quite helpful in this regard, as they serve as a statutory safeguard against all the odds in the Indonesian legal framework [69]. Environmental inspectors conduct periodic inspections, investigate complaints, and monitor compliance with statutory obligations, as compliance can be encouraged through adaptive administrative enforcement methods. While environmental damage causes significant ecological harm, authorities may pursue civil compensation claims or criminal prosecution under environmental legislation [70]. Serious offenses, including but not limited to illegal logging, forest burning, illegal mining, and wildlife trafficking, may result in substantial fines and imprisonment [71].

Challenges in implementation:

Despite considerable legislative and institutional development, the Republic of Indonesia continues to face significant governance challenges in Environmental Protection and the conservation of natural reserves. These issues include overlapping institutional jurisdictions between central and local governments, as the central government might be holding office from a different party in terms of mandate. In contrast, the provincial or local governments might belong to a different political party, and limited enforcement capacity in remote protected areas is another issue, as Indonesia's indigenous population does not appreciate federal interference from Jakarta in their protected areas [72].

Illegal logging and wildlife trafficking are a smuggling business that is quite resourceful and lucrative for the international market. Hence, many forested areas in Indonesia are used as smuggling dens for trafficking logs and wildlife, including animal hides [73]. Primarily, the land use conflicts involving plantations and mining concessions are another big issue, as the Indonesian market is home to palm oil plantations and Red meranti wood, which is a tropical hardwood from Southeast Asia belonging to the *Shorea* genus [74], Split into light and dark red varieties, it is widely used for joinery, furniture, and plywood, which is an exclusive brand of Indonesia, as it is not found in any other part of the world and has a lot of requirements for furniture development, but unfortunately is smuggled through bootleg methods out of Indonesia[75].

Hitherto, in a developing country with an enormous population, budgetary and human resource management constraints also fall on the government, and, unfortunately, corruption and regulatory inconsistencies follow, which lead to very fragile inter-agency coordination [76]. Rapid economic development and infrastructure expansion continue to create tensions between conservation objectives and resource exploitation through improved regulatory enforcement.

Policy Implications and Recommendations

The policy implications and sustainable reforms allude to subsequent initiatives strengthening environmental governance in Iraq and Indonesia, as this research is duty-bound to recommend the following:

Policy Implications for Iraq:

- The natural reserve and environmental policies in the Republic of Iraq reflect distinct legislative frameworks, depleted institutional and enforcement mechanisms, and an integrated environmental framework that is resilient to climate change.
- These steps will help alleviate severe environmental degradation, inappropriate resource management, and biodiversity loss, as a weak legal framework characterizes the policy implications in Iraq.
- The current Iraqi environmental rules lack a unified statute to establish funds and impose penalties for violations of natural reserves and environmental degradation.
- The climate in Iraq is extremely hot, especially in the summers. Rising temperatures are causing severe water scarcity, with the Tigris and the Euphrates at their lowest levels in recorded history, and dust storms frequently threaten the survival of ecosystems designated as sanctuaries, such as the Al-Tayeb Reserve.
- There is a serious resource conflict in Iraq because of poaching of animal hides, unregulated grazing of crops, and animals. Dam construction in upstream areas has placed enormous stress on marginal lands, especially marshlands, thereby accelerating desertification rather than supporting agriculture.

Recommendations for Iraqi Environmental Preservation:

The recommendations for Iraq include the following:

- ✓ Unified legislation should be enacted specializing in national laws adopting clear classifications, legal mechanisms for obtaining funds, and adhesive punitive measures to control damage to protected areas.
- ✓ Another key issue is the integration of water and land, which, when implemented through the United Nations and UNESCO development programs, provides guidelines for establishing nature-based solutions and directly establishing a climate-change-oriented agricultural system that will enable adequate water distribution policies.
- ✓ The local engagement is towards an extreme low, as lack of confidence, in Iraq because of its especially Ba'athist regime of Iraq, which destroyed public confidence completely; hence, there is a need to eradicate the past

through constant involvement of rural and urban communities to establish a robust mechanism for Natural Reserve management, which will hopefully prevent bootleg poaching of animal hides and will definitely help farmers adopt grazing management practices as per International laws.

Policy Implications for Indonesia:

Moving our discussion to Indonesia, it is not a landlocked country like Iraq. It has significant potential to grow due to its host of islands in the South Indian Ocean, the South China Sea, and even the Pacific Ocean. Having said that, it has an amazing ecological Network to preserve. Certain policy implications must be implemented in Indonesia, as the research in this article indicates.

- Primarily, the commodity expansion is in very high demand for palm oil and pulp, which continues to be incentivized by the deregulation of vital forest buffers and carbon-rich peatlands. This allows a lot of smugglers, bootleggers, and animal poachers to operate in these areas and destroy the ecological system present in these natural reserves.
- There are regulatory enforcement gaps, as decentralized regional authority often conflicts with the Federal Authorities, and conservation mandates are undermined by the authority in Jakarta, leading to encroachment within designated national parks.
- The global commitments are the third policy implication in Indonesia, as failure to adopt a robust regulatory system to reserve boundary risks will definitely undermine international trade and penalize the country through National Climate mitigation pledges, which undermine the country's welfare.

Recommendations for Natural Reserves and Environmental Preservation in Indonesia:

Regarding natural resource allocation and the protection of natural reserves, there are several recommendations for Indonesia.

- ✓ These include stricter enforcement by empowering National Forestry Inspectorates, which should be authorized to penalize the illegal commercial conversion of raw materials within protected zones.

- ✓ There should be supply chain transparency, as the current mandate strictly advocates it, but unfortunately, implementation does not occur. The traceability standards for agroforestry exports and rare commodities do not originate from encroached protected reserves.
- ✓ The final recommendation is sustainable financing, which can expand economic incentives for the indigenous populations through ecotourism and sustainable agroforestry management around buffaloes

Conclusion

Indonesia and Iraq collectively exhibit contrasting features in natural resource management, especially in their legislation, which is free of fragmentation; the financial shortfalls in Iraq; a decentralized customary ADAT system; and a biodiversity framework in Indonesia. The juxtaposition legal approach, adopted for this research, leads us to conclude that Iraq relies on centralized laws, regulations, and institutional frameworks for Environmental Protection, natural reserve conservation, and wetland management, and that the Ramsar Treaty commitments for marshlands are inactive in Iraq. However, Iraq is a signatory to such a treaty but definitely, is suffering from institutional fragmentation and limited funding as nobody in international norms from private funders wants to fund in Iraq because of the delinquent geopolitical situation, created due to post-war uncertainty all across the country but definitely the legal regulations of Environmental Protection and biodiversity in Iraq, requires institution and legislative upgradation to help keep the pace with International environmental developments, best practices and achievements.

Moving on to Indonesia, which has the 2009 Environmental Protection Law that governs alongside a pluralistic recognition of indigenous Adat customary law, which treats ecosystems with inherent stewardship values as foundational. National laws, such as the 1960 agrarian law and the 2009 Environmental Protection Law, embed principles of environmental stewardship and Indigenous rights, enabling confidence-building measures that protect both the public and the government in Indonesia. Hitherto, there is definitely a lot of scramble when it comes to enforcement challenges in both the countries Iraq faces hurdles from post-conflict reconstruction priorities lack of financial resources for National Conservation and definitely a depleted local community which is least integrated outside specific high profile veteran areas and this results in an in disciplinary approach towards

high profile conservation projects and the UNESCO itself faces a lot of issue in implementing it's a writ on Iraqi Heartland.

Indonesia. However, despite struggling with implementation gaps, commercial pressures, and clashes between national economic projects and conservation zones, it does allude to a strong theoretical customary framework that will help establish a robust foundation to get going, as all stakeholders should be kept in confidence for any protection initiative.

List of Abbreviation : OIC: Organization of Islamic Cooperation; EIA: Environmental Impact Assessment; CBD: Convention on Biological Diversity ; KLHK: Kementerian Lingkungan Hidup dan Kehutanan; MOEF: Ministry of Environment and Forestry; KSDAE: Direktorat Jenderal Konservasi Sumber Daya Alam dan Ekosistem; BKSDA: Balai Konservasi Sumber Daya Alam; AMDAL: Analisis Mengenai Dampak Lingkungan.

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