



**IAL**

**International  
Association  
of Legislation**

## **TERM OF REFERENCES**

### **International Conference on Public Participation in Legislative Law-making for a Stronger Democracy**

**Faculty of Law Universitas Indonesia in collaboration with  
The International Association of Legislation**

#### **BACKGROUND**

Democracy means government from, by, and for the people: namely government that is built based on the peoples' voice, aspiration, and watch. Apart from regular elections, characteristics of democracy include public oversight, such as public engagement or involvement in decision-making or law-making. "Even in representative democracies, participation by the public is key to legitimate law-making, as a tool to empower citizens in between elections, and to enable an informed debate in Parliament.

Public participation in the governmental sphere could not be more important than in a time of crisis such as the Covid-19 pandemic. Where mass public restrictions imposed in the name of public health leading to closure of public activities and postponement of elections, democracy is at stake. Governments continue to regulate, much more so in times of crisis, where their inevitably speedy decisions may cost lives. And, of course, governments remain accountable to the people that elected them to office.

Public participation in governing can be implemented in various ways and at various stages of decision or policy making. Public participation should be in convergence with the development of technology and be integrated with it. Effective participation requires a definite procedure, a number of free opportunities to participate, and consideration as to the local and national contexts. Therefore, in meeting the above requirement, technology-facilitated participation determines how and to what extent technology might assist, promote, and ease public participation in governing.

To be more critical, public participation has a place within regulatory government, where every aspect of life is regulated closely by multiple governmental bodies, even at multiple levels (national, local, multinational). Law-making in modern-regulatory state should have strong legitimation. Hence, participation should ensure its effectiveness on considering voices and concerns raised on public participation.

Participation in law-making is a two-way process, which the government provide and facilitate, whilst the public actively participates and understands the issue or policy in question. It seems that availability of information prior to the process of participation is critical to people in comprehending the issue. The question is, how to make the public aware of and actively participate in law-making? And to what extent their participation may or may not be considered in a sense of selecting the aspiration to be included in law?

## FULL PROGRAM RUNDOWN

### Program Day 1

Thursday 7<sup>th</sup> December 2023

Time	Agenda
08.30-09.00	Registration for International Seminar (Faculty of Law Universitas Indonesia, Depok Room: SnT, C Building 1 <sup>st</sup> floor)
09.00-11.00	<b>International Seminar</b> “Public Participation in Legislative Law-making for a Stronger Democracy”  Opening Remarks: Prof. Mauro Zamboni (Stockholm University, Co-President International Association of Legislation)  Keynote Speaker: Prof. Dr. Mahfud M.D., S.H., M.Hum. (Coordinating Minister for Political, Legal, and Security Affairs)*  Speakers: 1. Dr. Fitriani Ahlan Sjarif (Universitas Indonesia) 2. Prof. Joao Tiago Silveira (Lisbon University, Portugal) 3. Prof. Felix Uhlmann (University of Zurich, Switzerland)
11.00-11.30	Q&A and Discussion
11.30-11.45	Closing Remarks: Prof. Patricia Popelier (University of Antwerp, Belgium)
11.45-13.30	Lunch Break
13.30-16.00	Conference Parallel Session  <b>Panel 1: Comparative Laws on Public Participation in Law-Making Regulation</b>  Ricardo Rodrigues de Oliveira: <i>Missing in public involvement: the case of local referendums in Portugal</i>  Hasdinar, Ririn Maharani Salassa, and Ahmad Yani: <i>Binding Force and Follow-up Methodology of Public Participation Results in the Law-Making Process</i>  Ryan Muthiara Wasti and Satrio Alif Febriyanto: <i>Public Participation as Parliament's Ethical Responsibility in Lawmaking</i>  Qurrata Ayuni and Fitra Arsil: <i>Casting Light on Public Participation in Law-Making Regulations Across Southeast Asia: A Comparative Legal Analysis</i>

Time	Agenda
	<p data-bbox="544 264 1390 360">Efraim J. Kastanya and Fitriana: <i>Public Participation in Omnibus Law-Making: Is it Possible? Case Study from Indonesian Omnibus Law-Making</i></p> <p data-bbox="544 398 1054 432">Gonçalo Carrilho and Sónia Rodrigues</p> <p data-bbox="544 465 1342 533"><b>Panel 2: Ensuring Public Participation for disadvantages groups in the Law-Making Process</b></p> <p data-bbox="544 566 1310 633">Helmi Chandra SY: <i>Meaningful Participation Design in The Formation of Law for Affected Groups of People</i></p> <p data-bbox="544 667 1310 763">Fredy Rahalus: <i>Analysis of Meaningful Participation in The Wadas Cases with Jacques Ranciere Equality Deliberation Approach</i></p> <p data-bbox="544 797 1366 898">Asrul Ibrahim Nur, Sholahuddin Al-Fatih, and Christina Clarissa Intania: <i>Indigenous rights in a critical juncture: revitalising meaningful participation in Indonesia's mining law reform</i></p> <p data-bbox="544 931 1398 999">Fajri Nursyamsi: <i>Participation of Person with Disability in the Law Making Process in Indonesia</i></p> <p data-bbox="544 1032 1350 1133">Anggra Liany Rihadatul Aisyi and Adventhus Immanuel Karo-Karo, <i>The Role of the Child Non Government Organizations' Participation in the Law-Making Process</i></p> <p data-bbox="544 1167 1382 1234">Rozi Beni, <i>Expanding Public Participation Pathways for Indigenous Papuans in The Special Local Law Making In Papua</i></p> <p data-bbox="544 1267 1350 1335"><b>Panel 3: Public Participation in Law-Making at the time of crisis</b></p> <p data-bbox="544 1368 1366 1435">Gerhard Mangara: <i>The Potential of Climate Citizen Assemblies for Climate Change Law-Making In Indonesia</i></p> <p data-bbox="544 1469 1398 1570">Nur Aji Pratama, Al Yasir, Zaky Badruzzaman: <i>Potential for Public Participation in Perppu as the Formation of Emergency Law in Times of Crisis</i></p> <p data-bbox="544 1603 1382 1671">Frank Feulner: <i>The Indonesian House of Representatives and its role during democratic regression</i></p> <p data-bbox="544 1704 1350 1771">Ibnu Sina Chandranegara: <i>Public Participation for Emergency Legislation: How Managing Democracy in Dangerous Time</i></p> <p data-bbox="544 1805 1398 1872">Fahmi Ramadhan Firdaus: <i>The Setback of Indonesia Democracy in the COVID-19 Pandemic Era in Law- Making Process</i></p>

## Program Day 2

Friday 8<sup>th</sup> December 2023

Time	Agenda
08.30	Registration (Faculty of Law Universitas Indonesia, Depok Room: SnT, C Building 1 <sup>st</sup> floor)
08.30-11.00	<p>Conference Parallel Session</p> <p><b>Panel 4: Meaningful Participation in the legislative process</b></p> <p>Winda Sari: <i>Mapping the Meaning of Granting Rights in Article 96 Paragraph (3) of Law Number 13 year 2022</i></p> <p>Mohammad Syaiful Aris, Dita Elvia Kusuma Putri, Ahmad Yani: <i>Using Math to Get Meaningful Participation: Meaningful Participation Based on Scientific Method</i></p> <p>Sandya Erlangga: <i>Meaningful Participation in Establishment of the Act</i></p> <p>Mardania Gazali: <i>Reinforcement of Meaningful Participation: Efforts to Accommodate Citizens Rights in The Legislation Process</i></p> <p>Yayuk Whindari: <i>Meaningful Participation in Law-Making: A Cross-Country Comparison between Indonesia and South Korea</i></p> <p>R. Wahjoe Poernomo Soeprapto: <i>Meaningful Participation in the Law Formation Process Through Availability and Ease of Access and Getting Sufficient Answers on the House of Representatives Website (dpr.go.id)</i></p> <p><b>Panel 5: Various tools to facilitate Public Participation in Law-Making</b></p> <p>Gaurav Pathak, Bagavathy and Parkhi Saxena: <i>MyGov and beyond: Exploring the means to enhance public engagement in law-making in India</i></p> <p>Ahmad Ahsin Thohari: <i>Building Trust: The Importance of Reliable Public Participation Information Systems in Legislative Law-Making</i></p> <p>Viona Wijaya, Frans Filasta, and Deasy Kamila: <i>Prospects and Challenges of Strengthening Meaningful Participation Through Technology in Indonesia: The Experience of "Partisipasiku"</i></p> <p>Charles Simabura, Ichsan Kabullah, Beni Kurnia Ilahi, Nurul Izmi: <i>Implementation of the Regulatory Impact Assessment (RIA) Method on the Planning and Formation of Regional Regulations in West Sumatra Province</i></p>

Time	Agenda
	<p>Muhammad Yoppy Adhihernawan and Haliza Nur Rifdah: <i>Streamlining E-Government in Indonesia: Challenges and Opportunities for Enhancing Public Participation in Regulation-making.</i></p> <p>Reni Putri Anggraeni and Ahmad Alveyn Sulthony Ananda: <i>Strengthening Public Participation in Law Making Through Consultation and Petition Based in Indonesia: A Comparison Of The Netherlands And South Africa</i></p> <p><b>Panel 6: The Impact of The Role of The Judiciary on Public Participation in The Formation Of Laws</b></p> <p>Radian Salman: <i>Due Process of Law-Making: Judicial Decisions on Public Participation in Indonesia and Comparative Overview</i></p> <p>Ratu Durotun Nafisah: <i>In Search of the Normative Content of Meaningful Participation in Lawmaking: Lessons from Indonesia</i></p> <p>Rosita Miladmahesi and Viola Reininda: <i>A Raw Conception of Meaningful Participation: The Problem of Accountability and Transparency in the Indonesian Law-Making Process</i></p> <p>Victor Marcel Pinheiro and Timea Drinóczi: <i>The normative potential of the principle of public participation in Brazil: example from the São Paulo Court of Justice</i></p> <p>Tiago Fidalgo de Freitas: <i>The participation of subnational entities in legislative procedures – the case of the Portuguese autonomous regions</i></p> <p>Alfian and Harry Setya Nugraha: <i>Meaningful Participation in The Formation of Law Concerning The Establishment of Government Regulations in Lieu Of Law: Relevance And Implementation</i></p>
11.00-13.30	Lunch Break
13.30-16.00	IAL MEETING (General Assembly – IAL members)

### Venue

Faculty of Law Universitas Indonesia, Depok, West of Java (1 hour ride from Soekarno Hatta International Airport Jakarta, Indonesia)

Google maps for the venue (<https://goo.gl/maps/PCzbnnzHrxtbkL3K7>)

## **Organizing Committee**

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