

International Comparative Legal Guides

Renewable Energy 2027

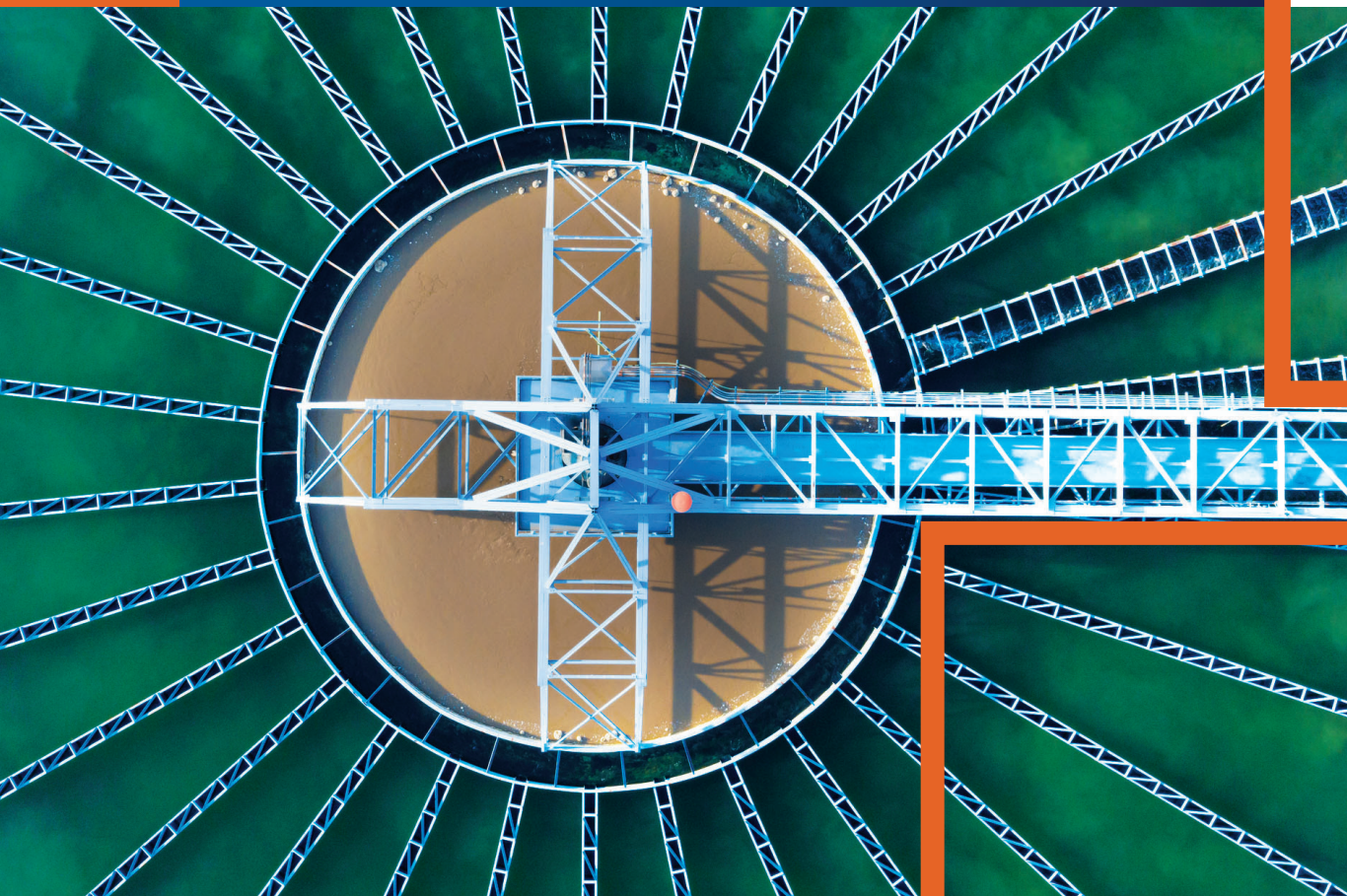
A practical cross-border resource to inform legal minds

Seventh Edition

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Expert Analysis Chapters

1

Renewable Energy in the Middle East: Evolving Structures and Risk Allocation
Oliver Irwin, Shane Jaftha & Shayan Najib, Bracewell (UK) LLP

7

Powering Beyond Borders: Key Legal and Regulatory Considerations for Solar Photovoltaic Development and Cross-Border Electricity Exports from Indonesia
Paskalia Deviani Ekaputri, Dhani Maulana M Pattinggi & Matthew Goerke, Hiswara Bunjamin & Tandjung in association with Herbert Smith Freehills Kramer

Q&A Chapters

15

Bulgaria
Nikolay Voynov, Boris Lazarov, Patrizia Foffo & Kristian Anadoliev, Penkov, Markov & Partners

23

Cameroon
Willy Mvondo, Hervé Essiane, Laetitia Mbondo & Nelson Ze Ze, YEMAN AFRICA

32

Costa Rica
Raúl Guevara Villalobos, Alta

40

Denmark
Klint Klingberg-Jensen & Flemming Pristed, Poul Schmith

50

Germany
Dr. Wolf Friedrich Spieth, Niclas Hellermann & Sebastian Lutz-Bachmann, POSSER SPIETH WOLFERS & PARTNERS

61

India
Suniti Kaur, Riya Singh Parihar, Shrishti Sharma & Tushar Todi, Alaya Legal

72

Indonesia
Emir Nurmansyah, Serafina Muryanti, Adya Sepasthika & Kenny Poltak, ABNR Counsellors at Law

83

Ivory Coast
Myriam Carius, Carius and Partners

97

Japan
Sadayuki Matsudaira & Nobuaki Mori, Nishimura & Asahi (Gaikokuho Kyodo Jigyo)

105

Romania
Anca Ioana Rusu & Valentin Hiriț, Berechet Rusu Hiriț

113

Slovakia
Barbora Balunova, Tomas Lysina, Lukas Juck & Denisa Rezova, L/R/P advokáti, s.r.o. (L/R/P Attorneys)

122

United Kingdom
Oliver Irwin, Robert Meade, Nicholas Neuberger & Kirsty Delaney, Bracewell (UK) LLP

135

Zambia
Reagan Blankfein Gates & Natasha Kabaso, Reagan Blankfein Gates Legal Practitioners

143

Zimbabwe
Nikita Madya & Chantele Sibanda, Wintertons

Indonesia

ABNR Counsellors at Law



Emir
Nurmansyah



Serafina
Muryanti



Adya
Sepasthika



Kenny
Poltak

1 Overview of the Renewable Energy Sector

1.1 What is the basis of renewable energy policy and regulation in your jurisdiction and is there a statutory definition of 'renewable energy', 'clean energy' or equivalent terminology?

The principal regulations governing renewable energy policy in Indonesia include the following:

- (a) Law No. 30 of 2007 on Energy (Energy Law).
- (b) Law No. 30 of 2009 on electricity as amended by Law No. 6 of 2023 on Stipulation of Government Regulation (GR) *in Lieu* of Law No. 2 of 2022 on Job Creation to become Law (Law 6/2023) (Electricity Law).
- (c) GR No. 14 of 2012 on Electricity Supply Business Activities as amended by GR No. 23 of 2014.
- (d) GR No. 79 of 2014 on National Energy Policy (NEP) (GR 79/2014).
- (e) Presidential Regulation (PR) No. 112 of 2022 on the Purchase of Power from Renewable Energy Project (PR 112/2022).
- (f) Ministry of Energy and Mineral Resources (MEMR) Regulation No. 5 of 2025 on Guidelines for Power Purchase Agreements from Power Plants Utilising Renewable Energy Sources (MEMR 5/2025).
- (g) MEMR Decree No. 188.K/TL.03/MEM.L/2025 of 2025 on the Approval of the Electricity Supply Business Plan of PT Perusahaan Listrik Negara (Persero) (PLN) for the Period 2025–2034.
- (h) MEMR No. 11 of 2021 on the Implementation of Electricity Business (MEMR 11/2021).
- (i) PR No. 14 of 2024 on the Organization of Carbon Capture and Storage Activities (PR 14/2024).
- (j) MEMR No. 19 of 2025 on Hybrid Power Plants (MEMR 19/2025).
- (k) Ministry of Finance (MoF) Regulation No. 103 of 2023 on the Provision of Fiscal Support Through the Funding and Financing Framework for the Acceleration of Energy Transition in The Electricity Sector (MoF 103/2023).

Under the PR 112/2022, renewable energy sources are energy sources derived from sustainable energy resources that remain available if properly managed, including geothermal energy, wind energy, bioenergy, solar energy, water flows and waterfalls (hydropower), as well as ocean currents and differences in temperature between ocean layers.

1.2 Describe the main participants in the renewable energy sector and the roles which they each perform.

Government institutions

- (a) MEMR
MEMR is the primary regulator of the electricity and renewable energy sector. Through the Directorate General of New, Renewable Energy and Energy Conservation and Directorate General of Electricity, MEMR prepares regulations, determines electricity business policies, issues electricity business licences (where applicable), approves electricity supply business plans (RUPTL), determines renewable energy pricing mechanisms in accordance with prevailing regulations, and oversees technical and operational compliance.
- (b) PT PLN
PT PLN is Indonesia's state-owned electricity utility and the dominant offtaker of electricity generated by utility-scale renewable energy projects. PLN is responsible for electricity generation, transmission, distribution and retail supply under its Electricity Supply Business Licence (IUPTL). For most independent power producer (IPP) projects, PLN acts as the buyer under the Power Purchase Agreement (PPA), procures renewable energy projects through competitive procurement, and integrates renewable generation into the national grid.
- (c) MoF
MoF is responsible for the fiscal framework supporting renewable energy development. MoF administers tax incentives (including tax holidays, tax allowances and import duty facilities where applicable), allocates State Budget funding for strategic energy programmes, manages government guarantees and viability support for infrastructure projects, and formulates policies relating to climate finance, energy transition financing and the implementation of carbon pricing instruments together with other relevant ministries.
- (d) Ministry of Forestry
The Ministry of Forestry regulates the utilisation of forest areas for renewable energy projects located within forest estates. Renewable energy developers requiring forest land (for example, hydroelectric reservoirs, geothermal facilities, transmission lines or access roads) must obtain the relevant forest utilisation approvals. The Ministry also regulates the utilisation of environmental services, including water resources and hydropower potential within conservation and protected forest areas, where permitted under applicable laws.

- (e) **Ministry of Environment**
The Ministry of Environment is responsible for environmental governance applicable to renewable energy projects. The Ministry formulates environmental policies and standards, administers the environmental approval regime (including an Environmental Impact Assessment (AMDAL) or Environmental Management Efforts and Monitoring Efforts (UKL-UPL) requirements), supervises compliance with environmental quality standards, waste management, emissions and biodiversity protection.
- (f) **Ministry of Public Works (MoPW)**
MoPW plays an important role in renewable energy projects that depend on water resources, particularly hydropower. Under the water resources framework, MoPW formulates policies for the management and allocation of water resources, develops and manages dams, reservoirs and river basin infrastructure, issues or coordinates water resource utilisation approvals, and ensures that hydropower development is consistent with national water resource management and infrastructure planning.
- (g) **Ministry of Industry (MoI)**
MoI supports the development of domestic manufacturing capacity for renewable energy equipment and promotes the localisation of renewable energy industries. MoI formulates industrial policies relating to the manufacture of solar modules, batteries, electrical equipment and other renewable energy components, administers industrial standards, and supports implementation of domestic industry development policies, including those relating to domestic content (TKDN), where applicable.
- (h) **Danantara Indonesia (Danantara)**
Danantara is Indonesia's sovereign wealth fund and state investment management agency, established to manage and optimise strategic state assets and investments. Danantara, as the holding company of state-owned enterprises (SOEs) including PLN, is actively involved in the development of renewable energy projects in Indonesia. Under PR No. 109 of 2025 on the Acceleration of Waste-to-Energy Power Plants, Danantara acts as the procurement entity (through its investment holding company, operational holding company SOEs or SOE subsidiaries) for waste-to-energy (WtE) power plant projects approved by the Minister of Environment. Accordingly, procurement of private participation in qualifying WtE projects is now centralised through Danantara, while regional governments are no longer responsible for conducting project tenders.

Private sector

- (a) **IPPs**
IPPs develop, finance, construct, own and operate renewable energy generating facilities under an IUPTL. IPPs typically sell electricity under long-term PPAs to PLN or, less commonly, to another holder of an IUPTL for electricity distribution and sale. In practice, the vast majority of utility-scale renewable energy projects sell electricity to PLN as there are only a limited number of private entities holding an IUPTL for distribution and sale.
- (b) **Lenders and financial institutions**
Lenders and financial institutions provide project financing, conduct legal and technical due diligence, negotiate financing documents, take security over project assets and contractual rights, and monitor compliance with financing obligations.

- (c) **Engineering, Procurement and Construction (EPC) Contractors**
EPC Contractors design, procure equipment and construct renewable energy facilities in accordance with technical specifications, performance guarantees and project schedules.
- (d) **Operation and Maintenance (O&M) Contractors**
O&M Contractors operate and maintain renewable energy facilities after commercial operation to ensure compliance with contractual availability, performance and reliability standards.

1.3 Describe the government's role in the ownership and development of renewable energy and any policy commitments towards renewable energy, including applicable renewable energy targets.

Under Article 33 of the 1945 Constitution of the Republic of Indonesia, land, waters and the natural resources contained therein are controlled by the State and must be utilised for the greatest prosperity of the people. Accordingly, the Government of Indonesia (GoI) plays a central role in the ownership, regulation and development of renewable energy resources. Through MEMR, the GoI formulates national energy policies, establishes the legal and regulatory framework for renewable energy development, oversees the electricity sector and promotes investment in renewable energy. The State also retains a significant role in the electricity sector PLN, the state-owned electricity utility, which remains the principal purchaser of electricity generated from utility-scale renewable energy projects.

Indonesia has adopted a number of policy commitments to accelerate the deployment of renewable energy. Under GR 79/2014, the GoI targets a 23% share of renewable energy in the national primary energy mix by 2025 and at least 31% by 2050. These commitments are reinforced by PR 112/2022, which requires renewable energy to be prioritised in electricity planning, introduces procurement and pricing mechanisms to encourage renewable energy investment, and supports the gradual transition away from coal-fired power generation.

The GoI's commitment is further reflected in PLN's 2025–2034 RUPTL, which plans to add approximately 69.5 GW of new generation capacity by 2034, of which around 34.3 GW (approximately 70%) is expected to come from renewable energy sources.

2 Renewable Energy Market

2.1 Describe the market for renewable energy in your jurisdiction. What are the main types of renewable energy deployed and what are the trends in terms of technology preference and size of facility?

The Indonesian power sector is heavily regulated by the GoI. Therefore, almost every stage of power project development will involve the GoI, through MEMR and other relevant ministries and PLN as the main offtaker in the IPP project. In principle, PLN is granted "first priority position" to supply electricity in the public interest, although other private companies can also supply electricity in the public interest.

Against this regulatory backdrop, Indonesia's renewable energy market is undergoing a significant transition, driven by the GoI's decarbonisation agenda, increasing electricity demand, and the implementation of the 2025–2034 RUPTL, which prioritises renewable energy development. While

coal-fired power plants continue to dominate Indonesia's electricity generation mix, renewable energy is expected to account for the majority of new generation capacity additions over the next decade. The main types of renewable energy projects developed in Indonesia are hydropower, geothermal, solar photovoltaic (PV), wind, and bioenergy.

Current market trends are largely driven by the GoI's electricity development plan (2025–2034 RUPTL), which places greater emphasis on renewable energy and energy storage. Under the RUPTL, approximately 76% of the planned additional generation capacity is expected to come from renewable energy and energy storage systems. Among renewable technologies, solar PV is planned to account for the largest share of new capacity additions (17.1 GW), followed by hydropower (11.7 GW), wind (7.2 GW), geothermal (5.2 GW), and bioenergy (0.9 GW). The RUPTL also includes approximately 10.3 GW of energy storage capacity comprising battery energy storage systems (BESS) and pumped-storage hydropower.

Renewable energy projects in Indonesia continue to comprise both utility-scale and distributed generation. Utility-scale projects are generally developed by PLN or IPPs under long-term PPAs, while distributed generation mainly consists of rooftop solar PV installations by commercial and industrial consumers for self-consumption. Following the successful commissioning of the Cirata Floating Solar Power Plant in 2023, the GoI has continued to view floating solar PV, together with solar PV combined with BESS, as technologies with significant development potential in Indonesia.

In terms of project size, the Indonesian market consists of both utility-scale renewable energy projects supplying electricity to PLN under long-term PPAs and smaller distributed generation projects, particularly rooftop solar PV systems installed for captive use by commercial and industrial consumers.

2.2 What role does the energy transition have in the level of commitment to, and investment in, renewables? What are the main drivers for change?

The energy transition has become the principal driver of renewable energy investment in Indonesia and has significantly strengthened the GoI's commitment to renewable energy development. Indonesia has adopted a target of achieving net zero emissions by 2060 or sooner and has introduced a series of regulatory reforms to accelerate renewable energy deployment while gradually reducing reliance on coal-fired power generation. This commitment is reflected in PR 112/2022, which promotes renewable energy procurement and the phased retirement of coal-fired power plants, as well as the 2025–2034 RUPTL, under which approximately 76% of planned new generation capacity is expected to come from renewable energy and energy storage. In addition, MEMR Regulation No. 5 of 2025 introduces standard guidelines for PPAs to improve project bankability and encourage private sector participation in renewable energy projects.

The main drivers for this transition include: (i) government policy and decarbonisation commitments. Indonesia's commitment to achieving net zero emissions by 2060, supported by PR 112/2022, the 2025–2034 RUPTL, and other renewable energy reforms, has established renewable energy as the primary source of future electricity capacity expansion; and (ii) international climate commitments and sustainable financing. Indonesia's participation in international climate initiatives, including the Just Energy Transition Partnership, together with increasing availability of green

and sustainability-linked financing, has encouraged greater investment in renewable energy projects.

2.3 What role, if any, has civil society played in the promotion of renewable energy?

Civil society has played a supportive role in promoting renewable energy in Indonesia through policy advocacy, public engagement, research, and implementation of community-based renewable energy initiatives. Organisations such as the Institute for Essential Services Reform, the Indonesian Center for Environmental Law, and the Indonesian Renewable Energy Society (*Masyarakat Energi Terbarukan Indonesia*) have actively contributed to policy discussions, published research and recommendations, and advocated for the acceleration of renewable energy deployment and a just energy transition.

Indonesia's regulatory framework also recognises the importance of public participation in environmental decision-making. Law No. 32 of 2009 on Environmental Protection and Management, as amended by Law No. 6 of 2023, guarantees public participation in environmental protection and management, including through access to information, public consultation, and the submission of objections or recommendations during the environmental approval process for energy projects. These mechanisms enable civil society to participate in the development of renewable energy projects while promoting compliance with environmental and social standards.

While renewable energy policy and investment remain primarily driven by the GoI and PLN, civil society organisations have supported the implementation of PR 112/2022 and the 2025–2034 RUPTL by providing policy recommendations, technical assistance, and public outreach, thereby contributing to regulatory reform and broader public acceptance of renewable energy.

2.4 What is the legal and regulatory framework for the generation, transmission and distribution of renewable energy?

The main regulation that governs the electricity industry in Indonesia is the Electricity Law. The implementation of electricity business is further regulated by several GRs and MEMR regulations.

Electricity supply in Indonesia is divided into electricity supply for the public interest and electricity supply for own use. The business activities are divided into the following categories under the regulation: (a) electricity generation; (b) electricity transmission; (c) electricity distribution; (d) electricity sale; and (e) integrated activities covering more than one activity set out above.

Supplying electricity in the public interest (e.g., power generation, transmission, distribution and power sales) requires an IUPTL, which is issued by the Online Single Submission system on behalf of MEMR, governor or regent (as applicable). In the case of distribution and sale of electricity or integrated activities, the business undertaking must also obtain the following from MEMR: (a) approval of its business area stipulation; (b) approval of its electricity approval; and (c) approval of its RUPTL. MEMR also approves electricity tariffs applied to the end-consumers after obtaining approval from the House of Representatives (DPR).

In addition to the above approvals and licences, every power plant or electricity generation installation, whether it is for

supplying the public or for a company's own use, must obtain an Operational Worthiness Certificate (SLO) before it can be commercially operated or used.

2.5 What are the main challenges that limit investment in, and development of, renewable energy projects?

Despite Indonesia's strong policy commitment to the energy transition, investment in renewable energy projects continues to face a number of legal and regulatory challenges, including:

- **PLN's dominant role as the sole offtaker.** PLN remains the sole offtaker for most utility-scale renewable energy projects under the electricity framework established by the Electricity Law. Consequently, project development largely depends on PLN's procurement programme and the inclusion of projects in the RUPTL, limiting opportunities for direct electricity sales to end-users.
- **Permitting and land acquisition.** Renewable energy projects typically require multiple permits and approvals, including environmental approvals, spatial planning compliance, and land rights. Obtaining these approvals often involves coordination with various government authorities and stakeholders, which may affect project timelines and increase development costs.
- **Grid and transmission constraints.** Renewable energy resources are often located in areas where transmission infrastructure is limited. The integration of variable renewable energy therefore requires significant investment in transmission networks, grid modernisation and energy storage, which may delay project implementation.

2.6 How are large utility-scale renewable power projects typically tendered?

Large utility-scale renewable power projects in Indonesia are generally procured by PLN under the framework established by PR 112/2022. As a general rule, such projects are awarded through a competitive direct selection process.

Under PR 112/2022, direct selection applies to most utility-scale renewable energy projects, including hydropower, solar PV (with or without battery energy storage), wind, biomass and biogas projects. The procurement is conducted competitively based on the lowest price offer, subject to the applicable price ceiling, and must be carried out in a transparent and fair manner.

Direct appointment is only permitted in limited circumstances, including geothermal projects developed by holders of geothermal concessions (*Izin Panas Bumi* or Geothermal Business Licence (IPB)), hydropower projects utilising government-owned dams, reservoirs or irrigation canals, capacity expansions of existing renewable energy plants, and purchases of excess power. Direct appointment may also be used where only one qualified bidder remains after a direct selection process and a re-tender.

Separately, PR No. 109 of 2025 introduces a special procurement mechanism for WtE projects. Under this framework, the GoI may assign Danantara (through its operational holding) or another designated SOE to develop such projects. This assignment mechanism applies specifically to WtE projects and operates separately from the general competitive procurement framework under PR 112/2022.

2.7 To what extent is your jurisdiction's energy demand met through domestic renewable power generation?

Indonesia's electricity demand continues to be met predominantly by domestic fossil fuel-based generation, particularly coal-fired power plants. Although Indonesia possesses abundant renewable energy resources, renewable energy currently accounts for a relatively small share of the country's electricity supply. According to the latest data published by MEMR, as of the end of 2025, renewable energy accounted for approximately 15.75% of Indonesia's installed power generation capacity, while renewable sources contributed approximately 14.5% of the total electricity generation, with hydropower and geothermal representing the largest share, followed by bioenergy, solar and wind power.

To increase the contribution of renewable energy, the GoI has adopted a number of policy measures, including PR 112/2022, MEMR 5/2025, and the 2025–2034 RUPTL. The current RUPTL provides that approximately 76% of planned additional generation capacity during the planning period will be sourced from renewable energy and energy storage, reflecting the GoI's objective of gradually increasing the share of renewable energy in the national electricity mix while reducing reliance on coal-fired power generation.

3 Sale of Renewable Energy and Financial Incentives

3.1 What is the legal and regulatory framework for the sale of utility-scale renewable power?

The sale of utility-scale renewable power in Indonesia is principally governed by the Electricity Law, PR 112/2022, and MEMR 5/2025. Renewable energy developers generally sell electricity to PLN, which remains the dominant electricity offtaker and state-owned utility in Indonesia. Utility-scale renewable energy projects are typically developed by IPP under long-term PPA with PLN.

3.2 Are there financial or regulatory incentives available to promote investment in/sale of utility-scale renewable power?

To promote and increase investment in renewable energy, the GoI provides the following fiscal facilities:

- (a) Income tax facilities in the form of a 30% reduction of net income for six years, escalated depreciation and amortisation, and compensation for any loss that occurred for more than five years but not more than 10 years of tax holiday.
- (b) Tax holiday in the form of exemption from tax from five–10 years as of the commercial operation of the power plant and 50% reduction of tax from outstanding income tax for two years.
- (c) VAT exemption and exemption of import duty for capital goods.

MoF 103/2023 sets out provisions on fiscal support, financing, and an integrated blended finance mechanism through an Energy Transition Platform to facilitate the transition from coal-fired power plants to renewable energy power plants. Through MoF 103/2023, the GoI assigns PT Sarana Multi Infrastruktur as the Platform Manager.

The Platform Manager may offer the eligible parties, including IPP, the following types of: (i) loans or other

financing schemes; and/or (ii) facilities through public-private partnerships.

The loan facilities may be supported by the GoI through: (i) government investment, as prescribed by the laws and regulations on government support funds, with the GoI's return capped at a maximum equal to the GoI Securities Series Benchmark amount; (ii) government guarantees as prescribed by the laws and regulations on central government guarantees on infrastructure financing through direct loans from international financial institutions to SOEs; and/or (iii) other forms of support defined under laws and regulations on fiscal matters.

3.3 What are the main sources of financing for the development of utility-scale renewable power projects?

Utility-scale renewable energy projects in Indonesia are predominantly financed through non-recourse or limited recourse project financing structures. Financing is provided by a combination of domestic and international commercial banks, multilateral development institutions, export credit agencies and development finance institutions. For smaller projects, sponsors may rely more heavily on equity financing.

3.4 What is the legal and regulatory framework applicable to distributed/C&I renewable energy?

Distributed and C&I renewable energy projects are principally governed by the Electricity Law and its implementing regulations, including PR 112/2022. The most common form of distributed renewable energy deployment is rooftop solar PV systems installed for captive consumption by commercial and industrial consumers.

3.5 Are there financial or regulatory incentives available to promote investment in distributed/C&I renewable energy facilities?

The incentives explained in question 3.2 above are also applicable to distributed/C&I renewable energy facilities.

3.6 What are the main sources of financing for the development of distributed/C&I renewable energy facilities?

Distributed and C&I facilities are commonly financed through sponsor equity, corporate financing, leasing arrangements and commercial bank facilities. For solar PV, third-party ownership and leasing structures have become increasingly common, allowing consumers to install solar facilities without significant upfront capital expenditure.

3.7 What is the legal and regulatory framework applicable to the development of green hydrogen projects?

Indonesia does not yet have a standalone regulatory framework governing green hydrogen projects. Instead, hydrogen development remains subject to generally applicable electricity, industrial, environmental and licensing regulations. Nevertheless, the GoI has formally recognised hydrogen as part of Indonesia's energy transition strategy. MEMR 19/2025 incorporates hydrogen into certain hybrid renewable energy

configurations, particularly for remote and isolated systems. The GoI has also issued the National Hydrogen Strategy (2023) and the National Hydrogen and Ammonia Roadmap (RHAN) (2025), which set out the strategic direction for the development of Indonesia's hydrogen sector, although they remain policy documents rather than legally binding regulations.

3.8 Are there financial or regulatory incentives available to promote investment in green hydrogen projects?

There are currently no hydrogen-specific fiscal incentives under Indonesian law. However, green hydrogen projects may potentially access incentives generally available for renewable energy, energy transition and strategic investment projects, depending on project structure and qualification requirements.

3.9 What are the main sources of financing for the development of green hydrogen projects in your jurisdiction?

As the green hydrogen sector remains at an early stage of development in Indonesia, financing is expected to come primarily from sponsor equity, strategic investors, development finance institutions, export credit agencies and climate-focused financing programmes. Availability of financing is likely to depend on project scale, technology maturity and offtake arrangements.

3.10 What is the legal and regulatory framework that applies for clean energy certificates/environmental attributes from renewable energy projects?

The legal framework governing clean energy certificates and environmental attributes in Indonesia is still developing and is primarily regulated through the renewable energy and carbon trading regimes. The principal regulations include: MEMR 11/2021, which provides the basis for the issuance of renewable energy certificates (RECs); PR No. 110 of 2025 on the Implementation of Carbon Economic Value Instruments and National Greenhouse Gas Emission Control (PR 110/2025), which establishes the framework for Greenhouse Gas Emission Reduction Certificates (*Sertifikat Penurunan Emisi Gas Rumah Kaca* (SPE GRK)); and Law No. 4 of 2023 on the Development and Strengthening of the Financial Sector and the implementing regulations of the Indonesian carbon exchange, which regulate the trading of carbon units through Indonesia's carbon exchange. In addition, the Draft Bill of Renewable Energy is expected to provide a more comprehensive framework for RECs and environmental attributes once enacted.

3.11 Are there financial or regulatory incentives or mechanisms in place to promote the purchase of renewable energy by the private sector?

Yes. The principal mechanism is PLN's REC programme, which enables corporate consumers to verify that their purchased electricity is generated from renewable energy sources. RECs are increasingly used by companies to satisfy ESG commitments and sustainability reporting requirements.

Additionally, businesses increasingly adopt rooftop solar PV systems and captive renewable generation facilities to meet renewable electricity requirements and reduce carbon

emissions. The GoI's energy transition policies and renewable energy development programmes further support increased private sector participation in renewable energy procurement.

3.12 Is there a mandatory (or a developed voluntary) carbon emissions trading market in your jurisdiction?

Yes. Indonesia has established a regulated carbon trading market. The principal framework is now governed by PR No. 110 of 2025 on the Acceleration of the Implementation of Carbon Economic Value through the Greenhouse Gas Emission Reduction Certification Scheme (*Sertifikat Penurunan Emisi Gas Rumah Kaca* (SPE-GRK)). Carbon trading may be conducted through emissions trading and carbon offset mechanisms, with carbon units required to be certified and registered in accordance with the applicable regulatory framework.

A significant recent development is the recognition of certain internationally recognised carbon standards and carbon units within Indonesia's domestic carbon trading ecosystem. This development is expected to broaden market participation and create additional opportunities for project developers and investors, including nature-based solution projects, while supporting the integration of Indonesia's carbon market with the international carbon market.

3.13 What is the legal and regulatory framework applicable to the development of carbon capture and storage projects?

Indonesia has established a dedicated regulatory framework for carbon capture and storage (CCS) through PR 14/2024. The regulation permits CCS activities to be conducted under two principal schemes: (i) within existing oil and gas working areas operated under production sharing contracts (PSCs); and (ii) within dedicated Carbon Storage Permit Areas (CSPAs) designated by the GoI. PR 14/2024 also introduces a specific licensing regime for CCS activities, including exploration permits and Carbon Storage Operation Permits, and regulates carbon capture, transportation, injection and storage activities. The framework is intended to support Indonesia's greenhouse gas emission reduction and net-zero commitments while facilitating investment in carbon storage projects.

3.14 Are there financial or regulatory incentives available to promote investment in carbon capture and storage projects?

PR 14/2024 constitutes a significant regulatory incentive as it provides legal certainty and a dedicated licensing framework for CCS projects. The regulation also expressly contemplates the provision of fiscal and other incentives to encourage CCS development, although the details remain subject to further implementing regulations. In addition, CCS projects may benefit from Indonesia's developing carbon market framework, including opportunities to generate value through carbon trading and other carbon-related monetisation mechanisms.

3.15 What are the main sources of financing for the development of carbon capture and storage projects in your jurisdiction?

Financing for CCS projects in Indonesia is expected to come primarily from project sponsors, upstream oil and gas

companies, strategic investors, international financial institutions and climate-focused investment funds. The economic viability of CCS projects may also be supported by carbon trading and other monetisation mechanisms recognised under the applicable regulatory framework. In the case of CCS activities conducted within PSC areas, SKK Migas rules allow CCS operations to be monetised through carbon trading and other approved mechanisms, while operators of CSPAs may generate revenues through storage fees charged to carbon producers. The introduction of PR 14/2024 is expected to facilitate investment by providing greater regulatory certainty and a clear commercial framework for CCS activities.

4 Consents and Permits

4.1 What are the primary consents and permits required to construct, commission and operate utility-scale renewable energy facilities? Does the consenting and permitting regime differ for specific types of renewable energy facilities, such as nuclear, offshore wind, battery storage, or others?

Regardless of technology, a utility-scale renewable energy project company will generally need to obtain the following principal consents and permits:

- (a) General business licences consisting of a Business Identification Number (NIB), Tax Registration Number (NPWP) and Tax Registration Certificate (SKT).
- (b) Conformity of Space Utilisation Activities (KKPR), confirming that the location can be used for the intended power generation activities.
- (c) Environmental Approval, which is issued based on the environmental assessment documents prepared by the project owner, either in the form of an AMDAL UKL-UPL, depending on the scale of the utility project.
- (d) Building Approval (PBG) and Certificate of Functional Worthiness (SLF) for the construction and utilisation of civil buildings related to the utility facilities.
- (e) Electricity Licences, consisting of:
 - The Electricity Supply Business Licence for Public Interest (IUPTLU), covering generation, transmission, distribution, sale, distribution and sale (bundled), or fully integrated activities, as applicable.
 - Determination of Business Area (*Wilayah Usaha*) from MEMR, applicable for a renewable energy power supplier who directly supplies electricity to end-consumers. Generation-only power suppliers selling electricity to PLN do not require a Business Area.
 - MEMR approval of electricity purchase price, applicable for renewable energy power suppliers selling energy to PLN, only if the agreed purchase price exceeds the price cap under PR 112/2022.
- (f) An SLO evidencing compliance of the electrical installation with the applicable operational standards.
- (g) In the event that the project is located within a forest area, a Forest Area Utilization Approval (PPKH), or in the event that the project is located across marine and coastal spaces, a Confirmation of Conformity of Marine Space Utilisation Activities (KKPRL).

In addition to the general licences above, there are also specific permits that need to be obtained for certain renewable technologies. Please refer to the table below:

Type of technology	Specific permits
Geothermal projects	IPB and Function Worthiness Approval
Hydropower projects	Water Resources Utilization Business Licence (IPSDA) and Cross Cut River Approval (if the project involves river channel diversion)

4.2 What are the primary consents and permits required to construct, commission and operate distributed/C&I renewable energy facilities?

The licensing regime for distributed/C&I renewable energy facilities is broadly similar to that for utility-scale projects. Except where the facility supplies electricity for own use, the applicable licence is an Electricity Supply Business Licence for Own Use (*Izin IUPTLS*), and not the IUPTLU.

The IUPTLS would only be required if the installed capacity exceeds 500 kW in a single installation system. For installations of 500 kW or below, only a report to MEMR (or the Governor, as applicable) prior to construction is required.

4.3 What are the requirements for renewable energy facilities to be connected to and access the transmission network(s)?

Transmission assets are predominantly owned and operated by PLN, and only a limited number of transmission facilities are owned by private entities.

For a renewable energy generator seeking to connect to and access the transmission network, the typical requirements are:

- Commercial arrangement with PLN, which is usually included in the PPA between the renewable energy generator and PLN.
- Compliance with the applicable Grid Code stipulated under MEMR Regulation No. 20 of 2020 and PLN's technical interconnection and reliability standards.

4.4 What are the requirements for renewable energy facilities to be connected to and access the distribution network(s)?

The same requirements for the connection and access to the transmission facilities also apply here. Distributions facilities are also predominantly owned and operated by PLN in Indonesia.

4.5 Are microgrids able to operate? If so, what is the legislative basis and are there any financial or regulatory incentives available to promote investment in microgrids?

Indonesia has only recently formally recognised the concept of "microgrid" into its electricity legal framework, specifically under the "Small-Scale Power Generation Network System/*Sistem Pembangkitan Tenaga Listrik Skala Kecil*" (the Small-Scale System) regulated by MEMR Regulation No. 19 of 2025 on Hybrid Power Plants (MEMR 19/2025).

Under MEMR 19/2025, a Small-Scale System is defined as "an independently operated power generation network connected to a local distribution network to supply electricity

to communities living on small islands or in isolated areas". MEMR 19/2025 currently only regulates hybrid power plant configurations within Small-Scale Systems, combining renewable power plants with: (i) other renewable power plants (limited to those powered by solar, wind, hydro, and biomass); (ii) hydrogen power plants; (iii) BESS; and (iv) diesel power plants, in certain configurations permitted under MEMR 19/2025.

In addition, PLN's 2025–2034 RUPTL identifies smart microgrid pilot projects in Nusa Penida, Biak, and Bawean, as part of PLN's smart-grid modernisation roadmap and de-dieselisation programme for isolated and outermost regions.

We are not aware of any fiscal incentives that apply specifically to microgrids. However, microgrid developers may benefit from the general fiscal incentives available to renewable energy projects (e.g., tax holidays, income tax reductions, and VAT and import-duty exemptions on capital goods, as applicable).

4.6 Are there health, safety and environment laws/regulations which should be considered in relation to specific types of renewable energy or which may limit the deployment of specific types of renewable energy?

Yes. All renewable energy projects in Indonesia are subject to Indonesia's general health, safety, and environment (HSE) regime, principally under Law No. 32 of 2009 on Environmental Protection and Management (as amended) and Law No. 1 of 1970 on Occupational Safety, together with its implementing regulations.

Depending on scale and impact, renewable energy projects must obtain an Environmental Approval (based on an AMDAL or ULKL-UPL), or a Statement of Environmental Management and Monitoring Undertaking (SPPL). Projects must also comply with technical approvals for the discharge of emissions, wastewater, and hazardous (B3) waste, as well as assessment of traffic impact where relevant, together with electricity safety standards and obtainment of SLO requirements prior to commercial operation.

In addition to the above, geothermal technologies are subject to additional sector-specific HSE considerations, as regulated under MEMR Regulation No. 33 of 2021 on Occupational Health and Safety, Environmental Management and Protection, as well as Technical Guidance of Indirect Utilization of Geothermal Energy.

5 Storage

5.1 What is the legal and regulatory framework which applies to energy storage and specifically the storage of renewable energy?

Indonesia does not yet have a comprehensive standalone regulatory framework governing energy storage. BESS are instead regulated across several instruments:

- GR No. 25 of 2021 on the Implementation of the Energy and Mineral Resources Sector classified BESS-related activities as electricity supporting services (consultancy, installation, O&M and training related to BESS facilities).
- MEMR 5/2025 and MEMR 19/2025 both recognise BESS as an integrated and inseparable component of renewable power plants.

5.2 Are there any financial or regulatory incentives available to promote the storage of renewable energy?

We are not aware of any fiscal or regulatory incentives that apply specifically to BESS. However, BESS developers may benefit from the general fiscal incentives available to renewable energy projects (e.g., tax holidays, income tax reductions, and VAT and import-duty exemptions on capital goods, as applicable).

5.3 What are the main sources of financing for the development of energy storage projects in your jurisdiction?

Energy storage projects are typically financed as part of broader renewable energy power plants. Depending on the type or scale of the power plants, financing may be derived from non-recourse project financing, limited-recourse project financing or equity financing.

6 Foreign Investment and International Obligations

6.1 Are there any special requirements or limitations on foreign investors investing in renewable energy projects?

Indonesia is generally open to foreign investment in renewable energy projects. Under the current investment regime, renewable energy projects are largely open to up to 100% foreign ownership. An exception applies to power generation projects with a capacity of less than 1 MW, which are generally reserved for domestic investment.

6.2 Are there any currency exchange restrictions or restrictions on the transfer of funds derived from investment in renewable energy projects?

Indonesia generally does not impose foreign exchange restrictions on the repatriation of investment proceeds. However, foreign exchange transactions against Rupiah above the certain thresholds stipulated by Bank Indonesia must be supported by an underlying transaction, and the amount and tenor of the foreign exchange transaction must not exceed the underlying transaction. The applicable thresholds range from USD 50,000 to USD 10,000,000, depending on the type of transaction.

The term “underlying transaction” is defined in the regulations as activities that underlie foreign exchange market transactions. The underlying transaction mentioned above must be proven by underlying transaction documentation (either in final or approximate version).

6.3 Are there any employment limitations or requirements which may impact on foreign investment in renewable energy projects?

Foreign investors may employ expatriates for positions requiring expertise that is not readily available in Indonesia, subject to obtaining the relevant manpower approvals. In particular, employers must obtain an approved Expatriate Utilization Plan (*Rencana Penggunaan Tenaga Kerja Asing* or RPTKA) from the Ministry of Manpower before engaging

foreign workers. Employers are generally required to appoint Indonesian counterparts and implement knowledge-transfer and training programmes for local employees. Certain positions, including specified human resources roles, are reserved for Indonesian nationals and cannot be filled by expatriates. In practice, these requirements are not unique to renewable energy projects and apply generally to foreign-invested companies operating in Indonesia.

6.4 Are there any limitations or requirements related to equipment and materials which may impact on foreign investment in renewable energy projects?

In Indonesia, the procurement of equipment and materials for renewable energy projects may affect foreign investment due to the TKDN requirements. The GoI requires that the construction of electricity infrastructure for the public interest utilise domestic products and/or services, particularly where such infrastructure is undertaken by, among others, SOEs and private business entities.

The TKDN regime was, however, partially relaxed in 2024 through MoI Regulation No. 11 of 2024 on the Use of Domestic Products for the Development of Electricity Infrastructure. Under the newer regime that is governed by MEMR Decree No. 191.K/EK.01/MEM.E/2024, the combined local content thresholds are roughly: (a) geothermal, 24% for projects up to 60 MW and 29% for larger projects; (b) hydropower, 45% up to 10 MW, 35% for 10–50 MW, and 23% above 50 MW; (c) wind power, 15%; (d) biomass, 21%; (e) biogas, 25.19%; and (f) WtE, 16.53%. These thresholds are generally lower than those under the previous regime and were introduced to enhance project bankability and encourage investment in Indonesia’s renewable energy sector.

7 Competition and Antitrust

7.1 Which governmental authority or regulator is responsible for the regulation of competition and antitrust in the renewable energy sector?

The primary authority responsible for competition and anti-trust enforcement in Indonesia is the Indonesian Competition Commission (*Komisi Pengawas Persaingan Usaha* or KPPU), which oversees and enforces competition law across all sectors, including the renewable energy sector.

7.2 What power or authority does the relevant governmental authority or regulator have to prohibit or take action in relation to anti-competitive practices?

The KPPU can impose very serious sanctions on companies for anti-competitive practices, including:

- (a) Fines of a minimum of IDR 1 billion up to a maximum of 50% of the net profits or 10% of total sales generated by the company in the relevant market, during the period of violation.
- (b) Restrictions on future trading practices, such as cancellation of anticompetitive agreements or order to cease certain behaviour.
- (c) Criminal sanctions on the company and/or individuals, including fines of up to IDR 5 billion or imprisonment of up to one year for non-cooperation during investigations, by refusing to provide information required for an investigation or hindering the investigation.

The KPPU also has certain powers to investigate possible infringements of Indonesian competition law. It can call reported parties, witnesses, and others to provide clarification, obtain letters and documents related to the case, data regarding the assets and turnover of a reported party, carry out an inspection and analyse the information obtained based on the foregoing.

7.3 What are the key criteria applied by the relevant governmental authority or regulator to determine whether a practice is anti-competitive?

The Indonesian Competitions Law (ICL) prohibits **anti-competitive agreements** and **anti-competitive behaviour**:

- (a) Chapter III of the ICL prohibits **anti-competitive agreements**. These are agreements, understandings or collusive behaviour between businesses that distort, restrict or prevent competition in any way. An agreement does not necessarily need to be in writing: certain tacit behaviour, where competitors collude based on a meeting of minds, could already constitute an agreement.
- (b) Chapter IV of the ICL prohibits **anti-competitive behaviour**. Contrary to anti-competitive agreements, such behaviour does not necessarily need to involve other parties. Unilateral behaviour, by one undertaking, could already result in a violation of any of the prohibitions under Chapter IV of the ICL.

Some anti-competitive agreements and behaviour are prohibited irrespective of their effect on competition (“*per se*” prohibitions), such as price fixing, price discrimination, group boycott, closed agreements, group boycott conspiracy, and abuse of dominant position. Nevertheless, in practice, the KPPU will normally use a “rule of reason” approach by assessing the anticompetitive effect of such agreements or behaviour.

8 Dispute Resolution

8.1 Provide a short summary of the dispute resolution framework (statutory or contractual) that typically applies in the renewable energy sector, including procedures applying in the context of disputes between any applicable government authority/regulator and the private sector.

In Indonesia’s renewable energy sector, disputes are generally resolved through arbitration, whether domestic or foreign.

Disputes between a government authority or regulator and a private sector entity are generally classified as state administrative disputes (*sengketa tata usaha negara*). Such disputes fall within the jurisdiction of the State Administrative Court (*Pengadilan Tata Usaha Negara* or PTUN) and typically arise from the issuance of a state administrative decision or governmental administrative action affecting the rights or interests of a private party. Before commencing court proceedings, the claimant is generally required to exhaust available administrative remedies, including filing an administrative objection (*keberatan*) and, where applicable, an administrative appeal (*banding*) with the relevant governmental body. A claim may be brought on the basis that the challenged decision or action violates applicable laws and regulations and/or the General Principles of Good Governance (*Asas-Asas Umum Pemerintahan yang Baik* or AUPB). Available remedies include annulment of the decision or action, and in certain cases, compensation and/or rehabilitation.

8.2 Are alternative dispute resolution or tiered dispute resolution clauses common in the renewable energy sector?

Yes. Tiered dispute resolution clauses are common in the renewable energy sector. Parties may agree to refer technical or other disputes to an expert before proceeding to arbitration or court proceedings.

If the parties opt for domestic arbitration, generally under Law No. 30 of 1999, ADR is conducted out of court and generally begins with direct negotiations between the parties. If no settlement is reached, the parties may engage a mediator or expert adviser, and, if necessary, seek the assistance of an ADR institution. Any settlement agreement reached through ADR is final and binding, must be registered with the relevant District Court, and implemented within the statutory timeframe.

In practice, however, ADR is not commonly adopted as the principal dispute resolution mechanism in the renewable energy sector. Given the multi-step process prescribed by Law No. 30 of 1999 and the possibility that unresolved disputes may ultimately proceed to arbitration, parties more commonly elect arbitration directly (where provided for under the relevant contract), or pursue litigation before the competent courts. Accordingly, while ADR is legally available and may be used where agreed by the parties, arbitration and court proceedings remain the more prevalent dispute resolution mechanisms in the sector.

8.3 What interim or emergency relief can the courts grant?

Indonesian Civil Procedural Law does not expressly recognise the concept of “interim” or “emergency” relief as commonly understood in some jurisdictions. However, a party may seek a provisional remedy (*tuntutan provisi*) as part of an ongoing court proceeding, upon which the court may issue a provisional decision (*putusan provisi*).

Such relief cannot be obtained before a lawsuit has been filed. A provisional claim must be submitted in connection with the main proceedings and is typically included in the statement of claim. The court may grant a provisional decision during the course of the proceedings, either by way of an interlocutory decision or together with its final judgment, at its discretion.

A provisional decision is generally immediately enforceable, notwithstanding any ongoing appeal or cassation proceedings. However, because a provisional claim is ancillary to the principal claim, it will generally fail if the underlying claim is dismissed or rejected.

8.4 Is your jurisdiction a party to and has it ratified the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and/or the Convention on the Settlement of Investment Disputes between States and Nationals of Other States and/or any significant regional treaty for the recognition and enforcement of judgments and/or arbitral awards?

Indonesia is a party to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958, which has been acceded under Presidential Decree No. 36 of 1981. Accordingly, foreign arbitral awards may be recognised and enforced in Indonesia, subject to the requirements under Law 30/1999

and the applicable court enforcement procedures. Further, Indonesia is also a party to the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, which has been ratified under Law No. 5 of 1968 on the Settlement of Disputes between the State and Foreign Nationals concerning Investment.

Indonesia is not a party to any regional treaty providing for the reciprocal recognition and enforcement of foreign court judgments. Foreign court judgments are not enforceable in Indonesia and would usually need to be re-litigated before the Indonesian courts. Although foreign judgment may be submitted as documentary evidence, Indonesia courts are under no obligation to render the same judgment, as the courts have a broad discretion to assess and determine each case based on the facts being presented to them.

8.5 Are there any specific difficulties (whether as a matter of law or practice) in litigating, or seeking to enforce judgments or awards, against government authorities or the state?

As a general matter, there are no special procedural rules that prevent private parties from bringing claims against government authorities before the competent courts or tribunals. However, in practice, several factors may make litigation and enforcement less predictable and more challenging.

As an example, obtaining a favourable judgment or award does not necessarily guarantee prompt recovery. If the losing party does not voluntarily comply with the judgment, the prevailing party must seek enforcement through the relevant court. The enforcement process generally involves an application for execution, a court reprimand (*aanmaning*), attachment of assets (*sita eksekusi*), and, where necessary, a public auction of attached assets. These procedures may be time consuming and can present practical difficulties, particularly where the location, ownership, or attachability of assets is disputed and resulted in the commencement of other legal proceedings (e.g., objections from third parties).

Where the judgment debtor is a government authority or state institution, enforcement related to any monetary compensation may be more complex given that, generally, state assets cannot be subject to any attachment. Therefore, in practice, successful enforcement often depends on the willingness of the relevant government body to comply with the judgment or award voluntarily.

Further, although Indonesia recognises and enforces qualifying foreign arbitral awards under the New York Convention, such award cannot be directly enforced in Indonesia. Where a foreign arbitral award involves the GoI as one of the disputing parties, the awards will need to first obtain a writ of execution (*eksekutorial*) from the Supreme Court before it can be delegated to the Central Jakarta District Court. As a result, the enforcement process becomes more procedurally complex and may involve additional time and administrative requirements.

8.6 Are there examples where foreign investors in the renewable energy sector have successfully obtained domestic judgments or arbitral awards seated in your jurisdiction against government authorities or the state?

We are not aware of any instances in which foreign investors in the renewable energy sector have successfully obtained domestic court judgments or arbitral awards against Indonesian government authorities or the State since not all Indonesian court decisions are uploaded to the Supreme

Court's Directory of Decision database or otherwise made publicly accessible. Accordingly, there may be relevant cases that are not publicly available and of which we are unaware.

In relation to arbitral awards, it should also be noted that arbitration proceedings and awards are generally confidential in nature. Unless the award becomes public through court proceedings (and its content is stated in a court decision) or disclosed by the parties involved, third parties typically do not have access to such awards. Consequently, there may be arbitration cases involving foreign investors and government authorities that we are not aware of. Although we are not aware of any ultimately successful renewable energy cases, we have identified precedent showing that foreign investors may challenge Indonesian government decisions before domestic courts and, at certain stages, obtain favourable judgments.

9 Updates and Recent Developments

9.1 Please provide a summary of any recent cases, new legislation, regulations, and policy announcements in renewables in your jurisdiction.

The most significant recent policy development in Indonesia's renewable energy sector is the issuance of PT PLN (Persero)'s 2025–2034 RUPTL, approved under MEMR Decree No. 188.K/TL.04/MEM.L/2025.

The new RUPTL is in alignment with the 2025 National Electricity General Plan (locally known as *Rencana Umum Ketengalistrikan Nasional* or RUKN), prepared sets out a 10-year roadmap for the development of Indonesia's electricity sector and reflects a stronger commitment to the country's energy transition and net-zero emissions target by 2060. The RUPTL plans to add 69.5 GW of new generation capacity, of which approximately 76% (including energy storage) will comprise renewable energy and battery or pumped-storage facilities. The renewable energy mix includes solar, hydro, wind, geothermal, bioenergy and, for the first time, nuclear power.

9.2 How do you envisage the renewable energy landscape in your jurisdiction evolving over the next five years?

Indonesia's renewable energy market is expected to experience significant growth over the next five years, driven primarily by the implementation of the 2025–2034 RUPTL, increasing electricity demand, and the GoI's continued commitment to achieving net-zero emissions by 2060. The RUPTL provides greater visibility over the location, timing and allocation of future projects, which should enhance investor confidence and accelerate project development. We also expect increased domestic and international investment, given that approximately 73% of the planned generation capacity is intended to be developed by IPPs.

From a regulatory perspective, however, further legislative and regulatory refinements will likely be required to fully realise these ambitions. In particular, greater clarity on the implementation of the joint utilisation of transmission and distribution networks, together with bankable commercial and regulatory frameworks for transmission access, grid expansion and energy storage, will be important to facilitate private investment and ensure the efficient integration of renewable projects into Indonesia's electricity system. Overall, the sector is expected to evolve towards a more diversified, decentralised and renewable-based electricity system with greater participation from private investors alongside PLN and its subsidiaries.



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Founded in 1967, ABNR is Indonesia's longest-established law firm, playing a foundational role in shaping the country's international commercial legal landscape, particularly during Indonesia's historic reopening to foreign investment. Over more than five decades, we have grown alongside Indonesia's economy, advising on its most complex and consequential transactions.

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