



## Harmonization of the Authority of the Central and Regional Governments in State Financial Management as an Implementation of Regional Autonomy

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### Abstract

The existence of regional autonomy provided by the central government is one of the implementations of the concept of decentralization, it is based on the desire to change the paradigm of government administration which was originally centralistic towards decentralized regional government. The consequences of these changes can cause new problems, such as incompatibilities between regional autonomy laws and sectoral laws and regulations. One of the most striking phenomena of the relationship between the local government system and regional development is the strong dependence of local governments on the central government. This dependence is clearly seen from the financial aspect, namely that local governments lose their freedom to act (local discretion) to make important decisions and there is interference by the central government against local governments. Development in the regions, especially physically, is indeed quite large, but the level of fiscal dependence between the regions and the center as a result of the center is also increasing. Fiscal dependence can be seen in the relatively low local original income (PAD) and the dominance of transfers from the center. Thus, the issue in this discussion is related to the basic concept of the division of authority between the central and regional governments and how to reduce the occurrence of power feuds in the implementation of regional autonomy. Efforts to reduce the opportunity for conflicts of authority between the central government and local governments in implementing regional autonomy can be minimized by amending several laws and regulations that are not in accordance with the regional autonomy policy.

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### 1. Introduction

The policy of decentralization by giving the widest possible autonomy to the regions to regulate and manage government affairs within the framework of the Unitary State of the Republic of Indonesia is one of the reform agendas that has been formulated in the second amendment of the 1945 Constitution. The implementation of regional autonomy is based on the spirit of changing the paradigm of local government from a centralistic approach during the New Order period to a decentralized regional government (Cakra Arbas; 2025) <sup>[1]</sup>. Jimly Asshiddiqie provides a definition of regional finance as state finance because the Indonesian state is composed as a unit, therefore as a public legal entity, the state of the Republic of Indonesia based on the 1945 Constitution of the Republic of Indonesia is a single legal entity that is single and not divided or separate. That in it there are regulations that give very broad or special regional autonomy to one or two provincial regions or districts and cities, thus it does not reduce the definition that the state of Indonesia is a unitary state in the form of a single public legal entity. In the context of such a unitary state, the meaning of money and wealth of the Unitary State of the Republic of Indonesia is also singular and integrated (Audi Helri Pondaag; 2024) <sup>[12]</sup>.

At this time, what appears before us is that the administration of government in the regions is based on three principles, namely the principles of decentralization, deconcentration and the task of assistance (Kurnia Nurma Aristawati; 2024)<sup>[2]</sup>. The laws that regulate local government are at least in the 1945 Constitution of the Republic of Indonesia, Law Number 23 of 2014, and Law Number 1 of 2022 which regulates these 3 types of principles. However, there is a change in the 1945 Constitution Article 18 paragraph (2), stating that provincial, regency, and city governments regulate and manage their own government affairs according to the principle of autonomy and assistance duties. This provision affirms that local government is an autonomous government in the Unitary State of the Republic of Indonesia.

If you look at the implementation of government functions, decentralization shows that it has flexibility in fulfilling various changes that occur quickly, decentralized units can also carry out tasks effectively and efficiently and decentralized units encourage the growth of higher moral attitudes, higher commitments, and more productive. Although there is an assessment that decentralization shows a record of success, the government needs to be careful in moving towards broader decentralization or towards delegating the implementation of Development (Priyatno Harsasto; 2020)<sup>[7]</sup>.

The experience of various developing countries shows that decentralization is not a quick step to solve governance, political, and economic problems. At the implementation stage, it does not necessarily address the shortage of skilled labor or personnel. Not all countries can implement the concept of decentralization well, however, it does not mean that efforts must be stopped. So that there is no tug-of-war between the central and regional governments, and sometimes even between the regions themselves. Therefore, it is important in this case to study and research the principles that can be used as a basis for the division of government authority between the central and regional governments, as well as finding solutions to resolve the current conflict of authority between the central and regional governments in implementing regional autonomy.

## 2. Research Methods

In this study, the author uses a type of normative legal research, which is legal research in which it examines provisions or laws and regulations in abstract. One of the uses of legal research is to find out more about whether and how the law can regulate something and how the law is enforced so that it can provide effectiveness in society. The types of legal materials used are primary and secondary legal materials. Primary legal materials, namely legal materials in the form of laws and regulations and including government policies related to the implementation of regional autonomy. Secondary legal material, namely legal material in the form of the opinions of several legal experts or doctrines, legal principles and legal theory. The analysis method used using legal materials obtained later, is analyzed according to the subject matter to be researched. The analysis will be carried out qualitatively, that is, every legal material that has been collected, both primary and secondary, will be compiled and analyzed qualitatively by interpreting, describing, describing, and compiling it systematically.

## 3. Discussion

### 3.1. Basic concepts in realizing harmonization of the division of government authority between the central and regional governments

The normative basis for the division of authority between the central and regional governments in the Unitary State of the Republic of Indonesia (NKRI) is stated in the constitution and laws related to local government. After the reform, Indonesia's system of government transformed from centralistic to decentralized/regional autonomy allowing regions to have the authority to manage certain government affairs independently (Dela Sapna Jaya; 2025)<sup>[3]</sup>. In this concept, the division of authority does not mean that the center loses authority completely, but rather that there is a delegation or delegation of authority within the framework of a unitary state. This model is often associated with the theory of decentralization, in which authority is transferred to the regions in accordance with the principle of autonomy so that local governments are able to adapt policies to local characteristics, needs and conditions. Thus, the constitutional basis of the principle of regional autonomy became an important foundation: the division of authority was introduced so that the central and regional governments could carry out their government functions proportionately and according to their respective areas of authority (Muhammad Akbal; 2016)<sup>[11]</sup>.

Based on the provisions of Article 18 of the Constitution of the Republic of Indonesia of 1945, it states that "The Unitary State of the Republic of Indonesia is divided into Provincial Areas and Provincial Areas are divided into Regency and City areas, each of which has a local government regulated by law". Thus, Indonesia has a government system that is divided into two parts, namely the central government and local government. In order to implement an effective and efficient wheel of government throughout Indonesia, a regional government was formed that was in charge of carrying out government functions and affairs in the regions. This must of course be adjusted to the interests of the community known as decentralization (Roziqin, Syahriza; 2024)<sup>[15]</sup>.

The main problem in the concept of decentralization is the question of government authority, the concept of authority is the main material in decentralization and an important element in the administration of government. For this reason, it can be believed that the application of the concept of decentralization is related to the government's ability to divide central authority, which is then delegated to the regions (Bisma Pratama Harefa; 2022)<sup>[14]</sup>. It can be said that decentralization is one of the government's efforts to implement a government model that was initially centralistic to become democratic by delegating some of its authority to each region in Indonesia. The delegation of authority carried out by the central government can be implemented both symmetrically and asymmetrically.

In a unitary state, the local government is formed by the central government. So that every authority and government affairs in the region are sourced from the central government. Both central and regional governments must have good relations so that the concept of decentralization runs effectively so as to form a solid and systematic synergy (Indri Setiani; 2024)<sup>[17]</sup>. The concept of regional autonomy that

emerges in the context of a unitary state is actually not autonomy that has the widest meaning but autonomy whose authority is limited as regulated in the law. Thus, the above description can be understood as the underlying rationality so that the provisions of Article 18 of the 1945 Constitution of the Republic of Indonesia indicate an inconsistency. At the beginning of the sentence, it affirms that local governments exercise the widest possible autonomy, but then goes on to give an exception stating that "except for government affairs that are determined by law to be the affairs of the central government. Thus, the exception is a form of restriction from the widest possible meaning of autonomy (Sherlock Halmes Lekipiouw; 2020)<sup>[9]</sup>.

The enactment of regional autonomy is basically a manifestation of the decentralized system in Indonesia which refers to the establishment of an area called an autonomous region where the place or scope of authority given by the central government will be implemented by the region. Each autonomous region has the authority to regulate and take care of all the interests of the local community. These affairs were initially a matter of the central government, then after being handed over to the regions, they became regional affairs that were autonomous in nature (Lintang Prabowow; 2020)<sup>[13]</sup>. Based on Law No. 32 of 2004 as amended by Law No. 23 of 2014 concerning Regional Government, which was later revised again with Law No. 2 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law No. 2 of 2014 concerning Amendments to Law No. 23 of 2014 concerning Regional Government into Law, emphasizing the principles of democracy, justice, equity, privileges and paying attention to regional privileges in the concept of a unitary state. In essence, the spirit of regional autonomy can be realized by building the quality of human resources and regional independence in the context of the Republic of Indonesia. Community participation is needed to develop regional potential in order to achieve good government.

In managing regional finances, as well as the central government, the regions, both provincial and regency/city levels, also prepare budget planning and management that will be carried out within the next one year. The enactment of the Regulation of the Minister of Home Affairs Number 21 of 2011 concerning the Second Amendment to the Regulation of the Minister of Home Affairs Number 13 of 2006 concerning Guidelines for Regional Financial Management states that all forms of regional financial revenues and expenditures need to be recorded and managed in the APBD. The APBD is the basis for regional financial management within one fiscal year. The APBD is a plan to implement the overall regional revenue and regional expenditure in the context of implementing decentralization in a certain fiscal year. The collection of all regional revenues has the aim of fulfilling the targets set in the APBD (Shinta Tri Lestari; 2023)<sup>[10]</sup>. Similarly, all regional expenditures and bonds that burden the regions in order to implement the concept of decentralization are carried out according to the amount and targets set in the APBD. Because the APBD is the basis for regional financial management, the APBD is also the basis for control and supervision activities in the process of managing regional finances.

State Expenditure (APBN) and the implementation of the APBD are carried out at the same time, starting on January 1 and ending on December 31.

Thus, the management, control and supervision of regional finances can be carried out based on this time frame. The APBD is prepared using a performance approach method, which is a budget system that prioritizes efforts to achieve work results or can be said as the output of the cost allocation plan that has been determined. In realizing expenditures, it must not exceed the budget limit that has been set, the need to ensure the availability of sufficient amounts of income so as not to cause data insynchronization in the process of realizing the budget. If there is no availability or insufficient budget to finance the expenditure, each official is prohibited from taking actions that result in the appearance of expenditure in the APBD (Jonathan Santoso; 2023)<sup>[16]</sup>.

Regional financial management is one of the public sectors that is widely discussed, regional financial management if it can be managed properly, it can increase the finances of a regional government and vice versa, poor regional financial management can cause the financial performance of a local government to decrease.

Referring to Article 9 of Law No. 23 of 2014, that government affairs are divided into several parts, including absolute government affairs, concurrent government affairs, and general government affairs:

1. Absolute Government Affairs is a government affair that is fully under the authority of the central government, including; Foreign policy, defense, security, justice, national monetary and fiscal and religious policies.
2. Concurrent government affairs are government affairs that are divided between the central and provincial governments and districts/city areas. Government affairs themselves must consist of government affairs related to basic services and government affairs that are not related to basic services. Government affairs related to basic services include; education, health, public works and spatial planning, public housing and residential areas, peace, public order, community and social protection (Karimatul Khusna; 2025)<sup>[8]</sup>.

In accordance with the provisions of Article 13 of Law No. 23 of 2014, the division of concurrent government affairs between the central government and provincial and regency/city regions is based on the principles of accountability, efficiency and externality of government affairs which are the authority of the central government, namely:

1. Government affairs whose location or use of leeches in provincial or cross-country areas.
2. Government affairs whose benefits or negative impacts cross provincial or cross-country areas.
3. Government affairs whose use of resources is more efficient when carried out by the central government; and/or
4. Government affairs whose role is strategic for the national interest (Syofyan; 2021).

The model of division of authority between the central and regional governments in the literature of local government is generally distinguished into two symmetrical and asymmetrical. The symmetrical model gives an equal portion of authority to all regions, regardless of geographical or socio-cultural characteristics, so that all regions have a uniform authority structure.

However, the trend of autonomy development in Indonesia shows the need for a different approach, namely asymmetric decentralization, especially for areas with special characteristics such as archipelagic areas, customary territories, or areas with certain social complexity. The granting of broader authority to these special regions is intended to enable the regions to exercise effective autonomy according to local needs without having to change the structure of the unitary state. This approach is also in line with the academic view that decentralization must take into account local diversity so that regional autonomy is not trapped in a uniform policy pattern that is less responsive.

In addition to the symmetrical and asymmetrical model, the constitutional law literature introduces the concept of relative autonomy, which is a model of authority in which regions have autonomy space relative to the center is not completely free, but is given the freedom to adjust local policies as long as they do not conflict with national law. This model is considered an ideal compromise between the need to provide regional independence and the importance of maintaining national integration. Thus, the division of authority should not use a "one size fits all" approach, but must be adaptive to the diversity of regional conditions. This flexible model suggests that harmonization of the division of authority can only be achieved when the central government retains the functions of supervision and standardization, but the regions are given the freedom to innovate within the limits determined by the principle of a unitary state. This approach helps to ensure that the rule of law is maintained, while local needs can still be accommodated proportionately.

### **3.2. Efforts to reduce the opportunity for conflicts of authority between the central and regional governments in implementing regional autonomy.**

The main effort to minimize conflicts of authority between the central and regional governments within the framework of regional autonomy lies in the systematic implementation of the concept of harmonization of regulations and institutional coordination. In the theory of decentralized government, regulatory harmonization ensures that the delegation of authority to the regions does not give rise to overlapping norms, legal inconsistencies, or authority disputes. As stated by the theory of regulatory governance, the equitable distribution of authority must be accompanied by the synchronization of regulations at all levels of government in order to create legal certainty and implementation effectiveness. In the Indonesian context, this means that regulations at the central and regional levels, both laws, government regulations, and regional regulations, must be studied together to ensure consistency, and harmonized through harmonized mechanisms before being ratified (Fairiz Abdul; 2025).

Practically, the literature shows several concrete strategies: first, the rearrangement of national regulations to adapt to regional autonomy and avoid overlapping sectoral regulations; second, the establishment of a coordinating legal and institutional framework between the central and regional (vertical) and inter-regional (horizontal), including regular consultation forums; third, the process of harmonization and facilitation of the draft regional regulations (Raperda) by central institutions to evaluate the suitability of norms before

ratification; and fourth, the application of mediation mechanisms or dispute resolution when conflicts occur, for example through the judiciary or independent supervisory institutions. Empirical studies show that by implementing these mechanisms, conflicts of authority can be minimized, and the implementation of autonomy becomes more effective and accountable (Fairus Dhea Salma; 2025)<sup>[5]</sup>.

Research in Indonesia shows that although normative regulations have regulated the division of authority, conflicts between the central and regional governments persist when regulatory harmonization and institutional coordination are ignored. For example, in the case of licensing policies or spatial planning after the new regulation, there are overlapping authorities and legal ambiguities that give rise to uncertainty of implementation (Tsabitul 'Azmi Chumairoh; 2025). Therefore, one of the suggested efforts is to strengthen the role of facilitation and harmonization of regulations—for example by clarifying central regulatory standards and strengthening supervision and synchronization functions before regions make their own regulations (Salma & Sukardi; 2024). However, the implementation of harmonization efforts faces various challenges, including complex bureaucracy, resistance from regional actors who want to maintain autonomy freely, and differences in the capacity of human resources and institutions in the regions. This condition shows that legal and regulatory efforts alone are not enough to require political commitment, administrative capacity, transparency, and credible mediation mechanisms so that conflicts of authority can be prevented systemically.

Efforts to prevent conflicts of authority must also be directed at strengthening regulatory capacity at the regional level, especially related to the ability to formulate regulations that are in line with national regulations. Many conflicts occur not only because of differences in interests, but because of the weak understanding of the principles of *lex superior*, *lex specialis*, and *lex posterior* in legal techniques. Most of the disharmony in the substance of the Regional Regulation with central regulations arises due to the inaccuracy of translating authority norms, so that capacity building through training of regulatory drafters is an urgent need. With increased technical capacity, regions can draft more accurate regulations, reduce potential clashes of norms, and strengthen substantive coordination with relevant ministries before regional regulations are enacted.

In addition to capacity building, the facilitation and harmonization mechanism between the central and regional governments must be optimized as a structural solution to reduce potential conflicts of authority. Facilitation carried out by ministries/institutions not only functions as a normative examination process, but also as a dialogue space between the central and regional governments to equalize perceptions of the object of authority. The harmonization process carried out in a substantive manner is able to avoid overlapping concurrent regulations, especially in strategic sectors such as spatial planning, licensing, and natural resource management. Furthermore, the pre-emptive harmonization mechanism is more effective than post-conflict dispute resolution, because it is able to counteract potential inconsistencies from the early stages of regulatory drafting. This is in line with the principle of good regulatory governance which emphasizes conflict prevention through

regulatory accuracy, not just conflict resolution when disputes have arisen.

In the context of modern governance, efforts to reduce conflicts of authority also require the support of regulatory digitization, data disclosure, and a central integrated database system. This system allows central and local governments to monitor regulations in real time, identify potential overlapping norms, and consolidate before regulations are enforced. The integration of regulatory information plays an important role in accelerating the process of synchronizing policy substance and increasing transparency in the regulatory formulation process. In addition, digitalization encourages accountability, as the community and stakeholders can openly supervise the local legislation process, so that potential conflicts due to differences in interpretation or misalignment of authority can be minimized from an early age. Thus, the use of information technology not only supports efficiency, but also becomes a strategic instrument in preventing systemic conflicts of authority.

#### 4. Conclusion

The harmonization of the division of authority between the central and regional governments is a fundamental condition for the effective implementation of regional autonomy within the framework of the Unitary State of the Republic of Indonesia. Theoretically, this harmonization must be based on the principle of asymmetric decentralization, the division of affairs based on the effectiveness of public services, and legal certainty that is reflected in consistent, hierarchical, and non-overlapping regulations. When the division of authority is arranged by paying attention to the principles of clear division of power, subsidiarity, and checks and balances, the relationship between the center and the regions will run more synergistically and proportionately. Thus, the basic concept of harmonization is not only related to the regulatory structure, but also concerns the design of government relations that are adaptive to regional social, economic, and political dynamics. Furthermore, efforts to reduce conflicts of authority between the central and regional governments must be carried out through strengthening regulative, institutional, and procedural aspects. Harmonizing regulations through synchronization and harmonization of regulations, strengthening cross-government coordination mechanisms, and optimizing the role of technical ministries and supervisory institutions are the main strategies that have proven effective. In addition, the digitalization of governance, the establishment of intergovernmental coordination forums, and the simplification of dispute resolution mechanisms between the central and regional governments will strengthen legal certainty and prevent conflicts of authority from arising at the policy implementation stage. Overall, the two formulations of the problem show that the relationship of authority at the local center requires a consistent legal framework, a strong coordination mechanism, and a clear dispute resolution instrument. Harmonization of authority is not only a normative need in the local government legal system, but also the key to the effectiveness of the implementation of regional autonomy, the improvement of the quality of public services, and the realization of equitable development throughout

Indonesia. With an aligned legal foundation and a mature coordinating mechanism, the potential for conflict can be minimized and the main goal of regional autonomy can be achieved optimally.

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