

Protecting Environmental Defenders in Indonesia: Freedom of Expression, Strategic Litigation, and Anti- SLAPP Protection

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Abstract

Individuals and communities challenging environmentally harmful projects may face legal proceedings, intimidation, administrative sanctions, or other forms of pressure. Such risks can discourage public participation and undermine environmental governance. This article examines the protection of environmental defenders in Indonesia, focusing on freedom of expression, participation, and protection against strategic litigation. Using normative juridical and policy analysis, the study evaluates environmental law, procedural safeguards, freedom of expression, and anti-SLAPP mechanisms. The article argues that environmental defenders require effective protection because public participation is essential to environmental accountability. Legal mechanisms that allow powerful actors to burden critics with costly litigation may create a chilling effect even when claims ultimately fail. The study proposes a comprehensive anti-SLAPP framework incorporating early dismissal procedures, protection against retaliatory administrative measures, legal assistance, and remedies for abusive litigation. The article concludes that strengthening protection for environmental defenders would support both human rights and environmental governance by ensuring that citizens can raise legitimate concerns without disproportionate legal retaliation.

[Individu dan komunitas yang menentang proyek-proyek yang merusak lingkungan dapat menghadapi proses hukum, intimidasi, sanksi administratif, atau bentuk tekanan lainnya. Risiko tersebut dapat menghambat partisipasi publik dan melemahkan tata kelola lingkungan. Artikel ini mengkaji perlindungan para pembela lingkungan di Indonesia, dengan fokus pada kebebasan berekspresi, partisipasi, dan perlindungan terhadap litigasi strategis. Dengan menggunakan analisis yuridis dan kebijakan normatif, studi ini mengevaluasi hukum lingkungan, perlindungan prosedural, kebebasan berekspresi, dan mekanisme anti-SLAPP. Artikel ini berpendapat bahwa para pembela lingkungan membutuhkan perlindungan yang efektif karena partisipasi publik sangat penting untuk akuntabilitas lingkungan. Mekanisme

hukum yang memungkinkan aktor-aktor kuat untuk membebani para kritikus dengan litigasi yang mahal dapat menciptakan efek yang menakutkan bahkan ketika klaim pada akhirnya gagal. Studi ini mengusulkan kerangka kerja anti-SLAPP yang komprehensif yang mencakup prosedur pemberhentian dini, perlindungan terhadap tindakan administratif yang bersifat pembalasan, bantuan hukum, dan upaya hukum untuk litigasi yang menyalahgunakan. Artikel ini menyimpulkan bahwa penguatan perlindungan bagi para pembela lingkungan akan mendukung hak asasi manusia dan tata kelola lingkungan dengan memastikan bahwa warga negara dapat menyampaikan kekhawatiran yang sah tanpa pembalasan hukum yang tidak proporsional.]

Keywords: Environmental defenders, anti-SLAPP, freedom of expression, environmental justice, Indonesia

Introduction

Environmental defenders occupy an increasingly important position within contemporary human rights and environmental governance. Individuals, communities, researchers, journalists, lawyers, and civil society organizations frequently contribute to the protection of environmental interests by reporting pollution, challenging destructive development projects, documenting ecological harm, and participating in public debate. Their activities are directly connected to the constitutional right to obtain information, express opinions, participate in public affairs, and enjoy a good and healthy environment. Article 28F of the 1945 Constitution guarantees the right to communicate and obtain information, while Article 28E protects freedom of expression and association. Article 28H paragraph (1) further recognizes the right of every person to live in physical and spiritual prosperity and to enjoy a good and healthy environment. These provisions establish an important constitutional relationship between environmental protection and civic participation. Nevertheless, formal constitutional recognition does not automatically prevent the use of legal mechanisms against those who criticize environmentally harmful activities. Research on Indonesian anti-SLAPP regulation demonstrates that environmental defenders may continue to face civil and criminal proceedings despite the existence of statutory protection under Article 66 of Law No. 32 of 2009 (Sembiring 2017; Puspitasari 2021; Aulia, Zafira, and Margarettha 2021).

The legal vulnerability of environmental defenders must be understood in relation to the broader problem of strategic litigation against public participation. A Strategic Lawsuit Against Public Participation, commonly known as SLAPP, refers to the use of legal proceedings primarily to burden, intimidate, or silence individuals and groups engaged in public participation. The significance of SLAPP lies not only in the possibility of an unfavorable final judgment. Litigation itself can

create substantial financial, psychological, professional, and organizational burdens. Environmental defenders may be required to respond to police investigations, retain legal counsel, attend repeated hearings, and face reputational pressure even when the underlying allegations ultimately fail. Riyadi and Hadi (2021) argue that SLAPP represents a serious legal threat to freedom of expression because legal procedures may be used strategically to discourage criticism. Similarly, Hartiwiningsih, Gumbira, and Barkhuizen (2023) identify structural and systemic weaknesses that prevent Indonesian environmental law from effectively protecting citizens and activists from retaliatory legal processes. The principal concern is therefore the abusive function of litigation rather than merely the formal validity of individual claims.

Indonesia has adopted a statutory anti-SLAPP principle through Article 66 of Law No. 32 of 2009 concerning Environmental Protection and Management. The provision states that every person who struggles for the right to a good and healthy environment cannot be prosecuted criminally or sued civilly. The provision reflects recognition that environmental participation is vulnerable to retaliation and that ordinary procedural rules may be insufficient when legal processes themselves are used as instruments of pressure. However, the effectiveness of Article 66 depends heavily on how courts, investigators, prosecutors, and administrative authorities identify and interpret cases involving environmental advocacy. Sembiring (2017) argues that the formulation of Article 66 and its explanatory provisions leave important interpretative problems concerning the definition and scope of anti-Eco-SLAPP protection. Subsequent scholarship similarly concludes that the legal framework provides substantive recognition without sufficiently detailed procedural mechanisms for early identification and dismissal of abusive cases (Medhika, Dewi, and Suryani 2021; Aulia, Zafira, and Margarettha 2021). The existence of legal protection therefore does not necessarily prevent environmental defenders from experiencing the burdens associated with investigation or litigation.

The problem has become more complex because environmental advocacy increasingly occurs through digital communication. Environmental defenders may publish reports, circulate videos, organize campaigns, or criticize governmental and corporate conduct through electronic platforms. Although digital communication expands access to public participation, it also exposes defenders to legal provisions concerning defamation and electronic information. Law No. 1 of 2024, which introduced the second amendment to the Electronic Information and Transactions Law, must therefore be interpreted alongside constitutional guarantees of freedom of expression and environmental participation. Indriasari (2023) demonstrates that the implementation of Indonesia's electronic information law has generated significant concerns regarding the relationship between legal regulation and democratic freedom of expression. More recent analysis also emphasizes the continuing importance of legal certainty in preventing broad or arbitrary interpretations of electronic expression provisions (Feka et al. 2025; Hanafi 2025). For environmental defenders, the challenge is particularly acute because

criticism directed at environmentally harmful conduct may be reframed as unlawful attacks on personal or institutional reputation.

This article examines the protection of environmental defenders in Indonesia through normative juridical and policy analysis. The discussion focuses on four principal issues: the constitutional and human rights foundations of environmental advocacy; the relationship between freedom of expression and public participation in environmental governance; the development and limitations of Indonesian anti-SLAPP protection; and the legal reforms required to create a more effective framework against retaliatory litigation and administrative pressure. The article argues that the right to defend environmental interests should be understood as an integral part of freedom of expression, public participation, and the right to a good and healthy environment. Effective protection requires more than the formal prohibition of criminal and civil lawsuits. It requires procedures capable of identifying abusive litigation at an early stage and institutional mechanisms capable of preventing legal processes from becoming instruments of retaliation.

Constitutional and Human Rights Foundations for Protecting Environmental Defenders

The constitutional foundation for protecting environmental defenders begins with the recognition that environmental advocacy involves several interconnected fundamental rights. Article 28E paragraph (3) of the 1945 Constitution guarantees freedom of association, assembly, and expression. Article 28F protects the right to communicate, obtain, possess, store, process, and convey information through available channels. Article 28H paragraph (1) recognizes the right to a good and healthy environment. Taken together, these provisions establish a constitutional basis for citizens to obtain environmental information, communicate concerns, organize collectively, and advocate for environmental protection. The right to a healthy environment would have limited practical meaning if individuals could not criticize pollution, challenge environmentally harmful projects, or communicate evidence concerning ecological risks. Environmental defenders therefore should not be treated as actors operating outside ordinary constitutional rights; rather, their activities represent the practical exercise of rights expressly protected by the Constitution.

Law No. 39 of 1999 concerning Human Rights reinforces this constitutional framework. The law recognizes freedom to express opinions, obtain information, and participate in social and political life, while also protecting the right to a good and healthy environment. These rights must be interpreted as mutually reinforcing. Environmental information is often necessary for communities to assess risks to health and livelihoods, while freedom of expression enables affected individuals to communicate concerns and demand accountability. Public participation similarly allows environmental governance to benefit from local knowledge and independent monitoring. Mulyana and Kurniati (2024) emphasize the importance

of public participation in environmental matters and demonstrate the relevance of access to information, participation, and justice as interconnected components of environmental governance. A legal system that recognizes environmental rights while discouraging citizens from reporting environmental harm would therefore create a contradiction between substantive rights and procedural protections.

Indonesia's ratification of the International Covenant on Civil and Political Rights through Law No. 12 of 2005 further strengthens the protection of environmental expression. Article 19 of the ICCPR protects the freedom to seek, receive, and impart information and ideas, while Article 25 protects participation in public affairs. These rights are relevant to environmental advocacy because environmental decisions frequently affect communities without providing them equal access to information or political influence. Restrictions on expression may be imposed only where they satisfy requirements of legality, legitimate purpose, necessity, and proportionality. General Comment No. 34 of the United Nations Human Rights Committee emphasizes that restrictions on expression must not undermine the right itself. Consequently, criticism of environmental policy or corporate conduct should not be restricted merely because it is politically inconvenient, economically disruptive, or harmful to institutional reputation. Legal restrictions must instead be narrowly interpreted and supported by a demonstrable justification.

International human rights developments also increasingly recognize the relationship between environmental protection and the protection of those who defend environmental rights. The United Nations General Assembly recognized the right to a clean, healthy, and sustainable environment in Resolution 76/300, while the United Nations Special Rapporteur on the situation of human rights defenders has emphasized the contribution of defenders to sustainable development and the need for states to provide effective protection (United Nations General Assembly 2022; Lawlor 2024). These developments do not automatically replace domestic legal rules, but they provide important interpretative guidance. The protection of environmental defenders should be regarded as part of the state's broader duty to create conditions in which environmental rights can be exercised effectively. Where intimidation and abusive litigation prevent citizens from participating in environmental matters, the state may fail to protect both civic freedoms and substantive environmental interests.

The constitutional protection of environmental advocacy must nevertheless be balanced with the rights and reputational interests of other individuals. Freedom of expression does not create a right to knowingly disseminate false statements, incite violence, or engage in unlawful conduct. However, the existence of legitimate limits does not justify broad legal interpretations that criminalize good-faith criticism concerning matters of public interest. Sarasti (2025) argues that environmental advocacy should be evaluated contextually, particularly where criticism is directed toward activities that affect the public interest and environmental rights. The decisive question should therefore be whether an

expression represents legitimate participation and advocacy or whether it falls outside the protection of constitutional rights through clearly established unlawful conduct. This distinction is necessary to prevent ordinary legal provisions from becoming indirect instruments for suppressing environmental criticism.

Freedom of Expression and Public Participation in Environmental Governance

Freedom of expression is indispensable to environmental accountability because environmental harm is often identified and documented through communication by people outside formal government institutions. Communities may observe changes in water quality, land conditions, forests, fisheries, or public health before such concerns become subjects of official investigation. Journalists, academics, lawyers, and civil society organizations may then disseminate information and assist affected communities in transforming local concerns into public debate. Restricting environmental expression therefore affects not only the speaker but also the public's ability to receive information about matters affecting collective welfare. The constitutional protection under Article 28F of the 1945 Constitution should consequently be interpreted broadly in environmental cases. Public criticism concerning pollution, mining, deforestation, coastal degradation, or industrial projects generally concerns issues of substantial public interest and should receive correspondingly strong protection.

Law No. 32 of 2009 provides a specific environmental governance framework that recognizes the importance of participation. The law establishes rights to a good and healthy environment and includes provisions concerning access to information, participation, and justice. Article 65 recognizes environmental rights, while Article 70 provides that communities have a broad opportunity to participate actively in environmental protection and management. The law therefore does not treat citizens merely as beneficiaries of state environmental policy. It recognizes them as participants who may provide suggestions, objections, information, reports, and other forms of involvement. This legal structure is significant because it creates a direct connection between environmental participation and anti-SLAPP protection. If Article 70 encourages citizens to report environmental problems while Article 66 protects those who struggle for environmental rights, the two provisions should be interpreted together as creating a protected legal space for public environmental advocacy.

However, participation becomes ineffective when individuals anticipate that criticism will expose them to disproportionate legal risks. The chilling effect of potential litigation may be particularly severe for rural communities and economically vulnerable individuals who lack access to legal assistance. A lawsuit does not need to succeed to influence behavior. The costs of responding to police summonses, civil claims, or administrative procedures may be sufficient to discourage future participation. Riyadi and Hadi (2021) argue that SLAPP functions

as a threat to freedom of expression because the legal process itself may operate as a form of punishment. Puspitasari (2021) similarly notes that environmental defenders may remain vulnerable to prosecution and litigation despite the protection formally provided by Article 66. These findings demonstrate that procedural burdens are central to the analysis of anti-SLAPP effectiveness.

The relationship between environmental expression and digital communication has increased the need for precise legal safeguards. Environmental campaigns frequently use social media, messaging platforms, and digital publications to communicate concerns about public projects or corporate activities. Yet electronic communication can expose activists to allegations under defamation or other speech-related provisions. The legal risks associated with digital expression are particularly significant where the boundaries between factual criticism, opinion, and reputational injury are interpreted broadly. Indriasari (2023) identifies broader tensions between the implementation of the Electronic Information and Transactions Law and freedom of expression. Feka et al. (2025) likewise emphasize the need for legal reform that provides greater certainty regarding electronic speech. In the environmental context, legal authorities should consider the public-interest purpose of expression, the factual basis for criticism, the role of the speaker, and the importance of avoiding interpretations that punish legitimate participation.

Law No. 1 of 2024 provides an important contemporary legal context because it amended the Electronic Information and Transactions framework. Its application must remain consistent with constitutional rights and the ICCPR. Legal certainty is especially important when environmental defenders criticize powerful public or private actors, since vague legal provisions may encourage retaliatory complaints. Hanafi (2025) argues that recent constitutional interpretation has reinforced the importance of limiting arbitrary application of digital defamation provisions and protecting public expression. The central principle for environmental cases should therefore be that public-interest advocacy cannot automatically be treated as unlawful merely because the subject of criticism responds through legal action. Courts and investigators must examine the context and purpose of environmental expression rather than assuming that criticism itself demonstrates malicious intent.

Strategic Litigation and the Limits of Indonesia's Anti-SLAPP Framework

The central statutory basis for anti-SLAPP protection in Indonesia is Article 66 of Law No. 32 of 2009, which provides that every person who struggles for the right to a good and healthy environment cannot be prosecuted criminally or sued civilly. This provision represents a significant legislative recognition that environmental advocacy requires special protection against retaliatory legal action. The explanatory section of the law further connects the provision with efforts to protect persons who advocate for environmental rights. Sembiring (2017) describes Article 66 as Indonesia's formal adoption of the anti-Eco-SLAPP principle but identifies

interpretative weaknesses in its formulation. The difficulty arises because the law states a protective principle without comprehensively establishing procedural criteria for determining whether a case constitutes a SLAPP. This ambiguity can leave environmental defenders exposed to investigation and litigation before the protective nature of Article 66 is effectively applied.

The concept of SLAPP requires attention to the purpose and effect of litigation rather than simply its formal legal category. A civil lawsuit, criminal complaint, or administrative proceeding may appear legally valid when examined only through procedural documents. However, the broader context may reveal that the action is primarily intended to burden or silence public participation. Hartiwiningsih, Gumbira, and Barkhuizen (2023) argue that dysfunctional legal factors contribute to the continued vulnerability of environmental defenders and recommend reconstruction of the criminal law system to provide more effective protection. Aulia, Zafira, and Margarettha (2021) similarly emphasize the need for clearer criteria and procedures for identifying anti-Eco-SLAPP cases. These analyses indicate that the principal weakness in Indonesia is not the complete absence of legal recognition but the absence of a sufficiently effective mechanism for operationalizing that recognition at the earliest stages of legal proceedings.

The enactment of Supreme Court Regulation No. 1 of 2023 concerning Guidelines for Adjudicating Environmental Cases constitutes an important institutional development. The regulation provides updated guidance for judges handling environmental disputes and strengthens the judicial framework for environmental justice. It is particularly relevant because environmental cases frequently involve complex relationships among constitutional rights, statutory protections, scientific evidence, and public participation. The existence of specialized judicial guidance can improve the consistency of environmental adjudication and assist judges in recognizing the broader context of disputes involving environmental defenders. However, judicial guidance cannot completely resolve the anti-SLAPP problem if abusive cases have already imposed significant burdens before reaching a court.

The timing of legal protection is therefore a critical issue. A defender who is eventually acquitted or whose case is dismissed may nevertheless experience significant harm through arrest, investigation, legal expenses, reputational damage, or prolonged uncertainty. Effective anti-SLAPP protection should operate as early as possible. Puspitasari (2021) argues that Article 66 has not prevented continued prosecution and litigation against environmental defenders, while Sitabuana and Setiawan (2021) similarly identify the persistence of criminalization despite statutory guarantees. An early screening mechanism would allow courts or other competent authorities to assess whether a case arises from legitimate environmental participation before ordinary litigation burdens become excessive. Such a mechanism would not grant absolute immunity. Instead, it would require a preliminary examination of whether the claimant can demonstrate a genuine legal basis that outweighs the possibility that the proceeding is retaliatory.

The scope of Article 66 should also be interpreted broadly enough to address different forms of retaliation. Environmental defenders may encounter criminal accusations, civil damages claims, administrative sanctions, employment pressure, restrictions on organizational activities, or other actions intended to discourage advocacy. A narrow interpretation focused exclusively on conventional civil lawsuits would fail to address the contemporary diversity of legal pressure. Harahap and Pratiwi (2023) document the development of anti-SLAPP regulation in Indonesian environmental law and emphasize continuing concerns regarding criminalization. Arhab and Sularto (2025) likewise demonstrate the importance of protecting freedom of expression and opinion where environmental activists encounter criminal legal processes. A comprehensive approach should therefore examine the retaliatory purpose and chilling effect of state and private actions rather than limiting anti-SLAPP protection to a single procedural category.

The problem of strategic litigation is also connected to structural inequalities. Corporations and government institutions generally possess greater financial resources, legal expertise, and institutional capacity than individual citizens or affected communities. A formally neutral litigation process may therefore produce unequal practical consequences. A powerful actor can initiate repeated proceedings or require extensive documentation with relatively limited institutional cost, whereas a community defender may experience substantial economic and psychological hardship. The principle of equality should consequently require attention to the asymmetrical burdens of litigation. Environmental justice cannot be achieved solely by ensuring that every party is technically allowed to appear before a court. It also requires procedural arrangements that prevent unequal resources from being used to silence participation.

Toward a Comprehensive Protection Framework for Environmental Defenders

A stronger anti-SLAPP framework should begin with a clear statutory and procedural definition of protected environmental participation. The law should specify that protection applies to individuals and groups who, in good faith, communicate information, express opinions, organize collectively, submit complaints, provide evidence, participate in administrative procedures, or pursue legal remedies concerning environmental matters. Such clarification would reduce uncertainty regarding the scope of Article 66. The definition should also recognize that environmental advocacy may involve diverse actors, including affected residents, Indigenous communities, journalists, researchers, lawyers, academics, and civil society organizations. The central consideration should be the public-interest character and environmental purpose of the activity rather than the formal status of the defender.

Early dismissal procedures should form the core of procedural reform. Where a defendant or accused person raises an anti-SLAPP defense, the competent

authority should conduct an accelerated preliminary examination before the case proceeds to extensive investigation or trial. The party initiating the legal action should bear the burden of demonstrating a substantial legal basis and showing that the claim is not primarily intended to suppress protected public participation. If the court determines that the proceeding is retaliatory, the case should be dismissed promptly. This approach would directly address the central weakness identified in Indonesian scholarship: protection that becomes available only after defenders have already experienced substantial procedural burdens (Sembiring 2017; Hartiwiningsih, Gumbira, and Barkhuizen 2023). Early screening would not eliminate legitimate legal claims but would distinguish them from proceedings designed principally to intimidate or silence environmental criticism.

Protection should also extend beyond judicial proceedings. Retaliatory administrative measures can create effects similar to civil or criminal litigation. Organizations may face registration difficulties, communities may encounter restrictions on access to information, or individuals may be subjected to administrative investigations because of their environmental activities. Law No. 30 of 2014 concerning Government Administration requires governmental decisions and actions to comply with legal authority and the General Principles of Good Governance. These principles should prevent public authorities from using administrative discretion to retaliate against lawful environmental advocacy. A comprehensive protection framework should therefore allow defenders to challenge retaliatory administrative actions and require authorities to provide clear, written, and reviewable reasons for decisions that adversely affect individuals engaged in environmental participation.

Legal assistance is equally important because the effectiveness of anti-SLAPP protection depends on the ability of defenders to invoke it. Communities affected by environmental projects may lack access to lawyers, scientific experts, and financial resources. The state should therefore establish or strengthen legal aid mechanisms for environmental defenders who face potentially retaliatory proceedings. Law No. 16 of 2011 concerning Legal Aid provides a broader statutory basis for access to legal assistance and should be integrated with environmental protection policies. Civil society organizations can provide valuable support, but the state cannot transfer its entire human rights responsibility to non-governmental actors. A rights-based system should ensure that economically vulnerable defenders are not forced to abandon legitimate environmental claims because they cannot afford legal representation.

Sanctions and remedies for abusive litigation should complement early dismissal. A legal system that dismisses SLAPP cases but imposes no consequences on those who initiate manifestly abusive proceedings may fail to deter future retaliation. Courts should therefore be empowered to award reasonable costs and compensation where bad faith or abuse of process is established. At the same time, sanctions should be carefully designed to avoid discouraging legitimate claims brought in good faith. The objective is not to punish every unsuccessful litigant but

to address proceedings whose primary purpose is to suppress protected participation. Riyadi and Hadi (2021) emphasize that the legal consequences of SLAPP extend beyond individual cases and affect the broader climate of freedom of expression. Remedies should consequently recognize both individual harm and the wider public interest in preserving an open space for environmental advocacy.

Finally, effective protection requires institutional coordination among courts, police, prosecutors, environmental agencies, national human rights institutions, and legal aid providers. Anti-SLAPP principles should be incorporated into professional training and procedural guidelines so that investigators and prosecutors can identify potential retaliation before cases impose excessive burdens. Environmental defenders should also have access to rapid complaint mechanisms where threats or intimidation occur outside formal litigation. The state's responsibility is not exhausted by refraining from direct interference. It must actively protect those who exercise environmental rights against predictable forms of retaliation by public and private actors. This positive obligation is consistent with the constitutional right to a good and healthy environment, the freedom of expression, and Indonesia's human rights commitments.

Conclusion

Environmental defenders are indispensable participants in environmental governance because they connect constitutional rights, environmental information, public participation, and institutional accountability. The 1945 Constitution, Law No. 39 of 1999 concerning Human Rights, Law No. 12 of 2005 ratifying the ICCPR, and Law No. 32 of 2009 concerning Environmental Protection and Management collectively provide a substantial normative basis for protecting environmental advocacy. Article 66 of Law No. 32 of 2009 is particularly important because it expressly protects persons who struggle for the right to a good and healthy environment from criminal prosecution and civil lawsuits. Nevertheless, the continued vulnerability of environmental defenders demonstrates that substantive legal recognition alone is insufficient. Protection must be capable of operating before defenders experience the financial, psychological, and institutional burdens that strategic litigation is designed to impose.

Freedom of expression and environmental participation should be interpreted as mutually reinforcing rights. Citizens cannot effectively protect the environment when they are unable to obtain information, communicate concerns, criticize powerful actors, or participate in legal and administrative decision-making without fear of retaliation. Legitimate legal restrictions remain possible, but they must comply with the principles of legality, necessity, proportionality, and non-discrimination. The development of digital communication further increases the importance of these safeguards because environmental criticism may be exposed to broad interpretations of electronic speech and defamation provisions. Law No. 1 of 2024 and other legal instruments must therefore be implemented consistently

with constitutional protections and the public-interest nature of environmental advocacy.

Indonesia should strengthen its anti-SLAPP framework through early judicial screening, clear definitions of protected participation, protection against retaliatory administrative measures, accessible legal assistance, and effective remedies against abusive litigation. PERMA No. 1 of 2023 provides an important foundation for improving environmental adjudication, but procedural protection should be developed across the entire chain of law enforcement. The ultimate objective is not to provide environmental defenders with immunity from legitimate legal responsibility. Rather, it is to ensure that legal institutions cannot be manipulated to silence citizens who participate in good faith in matters of environmental public interest. A stronger protection framework would therefore advance freedom of expression, environmental justice, democratic participation, and the constitutional right to a good and healthy environment.

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